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January 6, 2006

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Hand Delivered

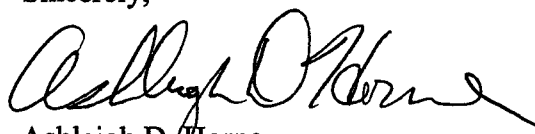
Sharon Schellin
Office of Zoning
Secretary for Zoning Commission
441 4th Street, N.W.
Washington, DC 20001

Re: Zoning Commission Case No. 05-32

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.

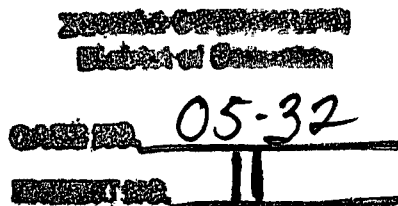
Sincerely,



Ashleigh D. Horne

Enclosures

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



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ATLANTIC PLUMBING NORTH

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. 05-32

January 9, 2005

ZONING COMMISSION
District of Columbia

CASE NO. 05-32
EXHIBIT NO. _____

DEVELOPMENT TEAM

APPLICANT:

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c/o The Broadway Group
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Washington, DC 20002

**ARCHITECTS, ENGINEERS
AND CONSULTANTS:**

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1030 15th Street, N.W.
Suite 430
Washington, D.C. 20005
Project Architect

Wells & Associates
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McLean, Virginia 22102
Traffic/Parking Consultant

LAND USE COUNSEL:

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EXHIBITS

<u>Exhibit</u>	<u>Description</u>
A	Application Form for Additional Property
B	Updated Architectural Drawings, Elevations, and Photographs of the Site and Surrounding Area, including Tabulation of Development Data
C	Traffic Impact Study
D	Compliance with Consolidated PUD Requirements and Environmental Analysis
E	Outlines of Witness Testimony

ATLANTIC PLUMBING NORTH

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 between 9th Street and Florida Avenue, just south of the Howard University parking lot. The Applicant has simultaneously submitted a statement in support of ZC No. 05-17, 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 two separate PUD applications (ZC Cases No. 05-17 and 05-32) 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 project 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. Through the two PUD applications, 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 on site 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. The Project will provide a total of approximately 650 parking spaces.

B. Atlantic Plumbing North

This PUD application (“Atlantic Plumbing North”) includes the following properties in Square 2873, Lots 1, 232, 852, 853, 859, and 864 (“Parcel C”). The Applicant recently contracted to purchase Lot 1 in Square 2873, and requests that it be included in the Atlantic Plumbing North PUD. Previously Lot 1, 2,948 square foot parcel, was owned by an elevator company, and the Atlantic Plumbing North building abutted the property on three sides. The inclusion of Lot 1 will result a more efficient and attractive building on Parcel C. Atlantic Plumbing North encompasses the portion of the Project located west of 9th Street (Parcel C). This portion of the Project is located in the CR zone. Atlantic North includes one contiguous parcel that will be improved with one building.

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 building planned for Parcel C to the south, which would allow the Applicant to dedicate an easement at the northern end of Parcel C to the District of Columbia. The Applicant adjusted the building’s design to accommodate the easement.

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. As shown on the updated plans, the Applicant has reconfigured the Atlantic Plumbing North building to reflect the preferred location of the east-west cut through. Instead of providing an easement on the Atlantic Plumbing 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, outlines of witness testimony, and an application form for the additional property.

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 North consists of Parcel C (Lots 1, 232, 852, 853, 859, and 864 in Square 2873). It is located in Ward 1 and contains approximately 37,493 square feet of land area.

The Applicant plans to develop the entire Project under the existing 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 Site that will help to enhance and revitalize this neighborhood. Including Atlantic Plumbing South, the Project will include approximately 630 new residential units and will include approximately 650 parking spaces. The Project will also include affordable housing in the amount of approximately 15% of the additional GFA gained through the PUD process and a retail presence 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 Site, 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 NORTH

A. Site Location and the Surrounding Neighborhood

Atlantic Plumbing North comprises 37,493 square feet of land area. Currently, the site is improved with a mixture of uses, including parking lots, concrete-block industrial buildings, and warehouses. All existing structures will be demolished.

Atlantic Plumbing North is located between Florida Avenue and 9th Street, 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 the site. 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 the site. 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 the site 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.

Atlantic Plumbing North is designated Moderate Density Residential, Moderate Density Commercial, and Institutional as shown on the District of Columbia Generalized Land Use Map. The properties to the east of Atlantic Plumbing North are included in the Institutional land use category. To the north of the Atlantic Plumbing 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 of Atlantic Plumbing North 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 of Atlantic Plumbing North are located in the Moderate Density Residential land use category.

B. Project Description of Atlantic Plumbing North

Atlantic Plumbing North includes Parcel C, which will be improved with one building. The location of Parcel C in relation to the parcels included in Atlantic Plumbing South is shown in Exhibit B. Atlantic Plumbing North is located in Square 2873 and includes Lots 1, 232, 852,

853, 859, and 864. It has a land area of 37,493 square feet. It is located between Florida Avenue and 9th Street, north of V Street and south of the Howard University parking lot.

The Atlantic Plumbing North building will feature approximately 250 residential units with approximately 4,000 square feet of ground-floor retail. The total gross floor area of the building will be approximately 300,000 square feet, resulting in an FAR of 8.0. Fifteen percent of the additional gross floor devoted to residential use and obtained through the PUD process will be affordable. This results in approximately 11,000 square feet of affordable housing for Atlantic Plumbing North. The building will be built to a height of 100 feet.

The building has been reconfigured as a result of the relocation of the proposed Bryant Street extension. As shown in the plans attached as Exhibit B, the building has been reoriented to the north. The building will feature a large and attractive open courtyard, providing a public gathering place. Access to the below-grade parking garage will be directly from 9th Street. This parking garage will include three levels below grade and will provide approximately 250 parking spaces. The building will include extensive landscape and hardscape improvements. The courtyard area will feature private gardens. The building frontages will feature attractive street trees and landscaping elements. Ground level units along 9th Street will have direct access to the street and their personalized landscaped areas. A central courtyard, which will be richly paved and landscaped, will be a common amenity for all residents. The roof of the Atlantic Plumbing North building will feature a pool and considerable recreation and gathering space. Atlantic Plumbing North will add significantly to the number of street trees in the neighborhood, considerably enhancing the pedestrian environment.

The architect for the Project is Esocoff & Associates. The building will be constructed primarily of masonry with metal windows and precast concrete and stone trim. The massing of

the building, balconies, and rooftop elements will create a richness of expression appropriate to this neighborhood. Ornamental brickwork and window patterns will further establish an appropriate scale relationship to nearby buildings. The roof of the building will serve as a landscaped recreation space. 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 building will contain retail components on Florida Avenue. In addition to the ground-floor retail, the Atlantic Plumbing North will enliven the street by having ground floor access to individual units along 9th Street.

Atlantic Plumbing North is within the requirements of the PUD Guidelines for the CR District. The maximum FAR for a PUD in the CR District is 8.0 and the maximum building height is 110 feet. The building will have an FAR of 8.0 and a height of 100 feet.

A transportation impact analysis was performed for Atlantic Plumbing North. The Traffic Impact Study is attached as Exhibit C. The site is proposed to be access via 9th Street. 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 North is anticipated to generate 53 net AM peak hour trips and 96 net PM peak hour trips. Future conditions with the development of Atlantic North 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. A proposal from DDOT and the Office of Planning to extend Bryant Street and W Street westbound was analyzed, and included a proposed traffic circle (roundabout) at the intersection of Florida Avenue/Sherman Avenue/Bryant Street Extension/University Dorms Road. This analysis found that the traffic circle will alleviate existing congestion issues at the Florida and Sherman Avenue intersection by greatly improving the overall existing, background, and total future levels of service.

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.

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 Atlantic Plumbing North complies with the broad parameters of the existing CR Zone District, the proposed design has created a configuration that does not completely meet the requirements. The Applicant requests flexibility with respect to the lot occupancy, the rooftop setback requirements, the residential recreation space requirements, and the ground level public space requirements. The proposed zoning parameters for Atlantic Plumbing North are shown on the plans and the Tabulation of Development Data attached as Exhibit B. 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. Atlantic Plumbing North will feature ground floor retail along Florida Avenue, a pedestrian-oriented use that will help enliven the street level to provide an 18 hour destination. The Project as a whole 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 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 the site and the surrounding Generalized Land Use Map designations. They also are 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 North. 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. The Atlantic Plumbing North site 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

Atlantic Plumbing North will not have an adverse impact on public facilities. It 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 North. Bicycle usage by residents of the project has been coherently integrated into the design of the building. Secure bike storage areas with convenient access to a shuttle elevator that provides street-level egress will support and encourage bicycle use. As shown in Exhibit C, Atlantic Plumbing North will not have an adverse impact on traffic or parking in the area.

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 on the site, 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 North will create approximately 250 new, for-sale, residential units in the U Street/Cardozo neighborhood. In addition, Atlantic Plumbing North will result in the creation of approximately 11,000 square feet of affordable housing units for low and moderate-income residents. When combined with the affordable housing being provided as part of the Atlantic Plumbing South PUD, this is 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 included in Exhibit B, Atlantic Plumbing North exhibits all of the characteristics of exemplary urban design and architecture. The landscaping, balconies, ornamental brickwork, and window patterns, all combine to create a sense of scale and visual interest. The open courtyard will be an attractive amenity for the building's residents. The building has been designed to provide ample room for street trees to grow and thrive. 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. Since its initial filing, Broadway purchased additional properties in order to provide for an easement to facilitate the proposed street extension. The final additional property (Lot 1) will allow for efficient land utilization and an improved courtyard. 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 Atlantic Plumbing North, rooftop recreation areas, and private garden areas.

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 North will provide a below-grade parking garage with approximately 250 parking spaces. The contribution toward the design for a new public street to link Georgia and Florida Avenues will further improve the vehicular and pedestrian access to the site as well as other properties in the neighborhood.

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 250 new households 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 building and the large open spaces provided in Atlantic Plumbing North 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 11,000 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 North significantly advances these purposes by furthering the social and economic development of the District through the creation of approximately 250 new residential units on an underutilized site.

A. Compliance with Major Themes

Three major themes applicable to Atlantic Plumbing North 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 250 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 Atlantic Plumbing North 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 North has been designed to improve the site's integration with the surrounding neighborhood and to dramatically improve the streetscape on Florida Avenue and 9th Street. The Florida Avenue and 9th Street facades, landscaping, window patterns, and ornamental brickwork, all combine to create a sense of scale and visual interest. 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 has worked 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 September 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 250 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, the Atlantic Plumbing North will provide

approximately 11,000 square 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 Project 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 Atlantic Plumbing North. The building has been constructed to the building line along Florida Avenue in order to provide a consistent street frontage.

3. Generalized Land Use Map

As previously mentioned, the Generalized Land Use Map includes Atlantic Plumbing North in the Moderate Density Residential, Moderate Density Commercial, and Institutional Land Use Categories. Atlantic Plumbing North will be developed under the existing CR Zone District 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 Atlantic Plumbing North 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 North 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 North 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 Atlantic Plumbing North 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 design fees toward the extension of Bryant Street.

Several goals of the DUKE Plan will affect the Atlantic Plumbing North site. The DUKE Plan seeks: (1) residential development which includes affordable housing, (2) 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, and (3) 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 North site is an integral component of the Plan’s goals for the revitalization of the Greater Shaw/U Street area. Atlantic Plumbing North is consistent with the guidelines established in the DUKE Plan and will help achieve the goals and

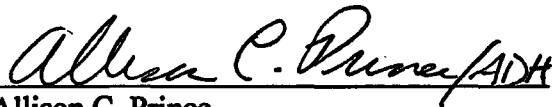
policies of the Plan by providing a signature residential project with both an affordable housing component and ground floor retail, and by creating a critical mass of future residents in the area that will patronize the restaurants, shops and services that will be offered within this district.

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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Allison C. Prince

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