

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



Office of the Director

Memorandum

TO: District of Columbia Zoning Commission

FROM: *Ellen McCarthy*
Ellen McCarthy, Director
Office of Planning

DATE: January 9, 2006

SUBJECT: Final Report for Broadway Atlantic One, LLC - ZC #05-17 (Square 2875, Lots 1107, 2012, 2026, 2030, and 1106) and ZC #05-32 (Square 2873, Lots 1, 232, 852, 853, 859, and 864)
Consolidated Planned Unit Development

RECEIVED
D.C. OFFICE OF ZONING
2006 JAN 17 PM 4:59

APPLICATION

Broadway Atlantic One, LLC has petitioned the Zoning Commission for approval of two Consolidated Planned Unit Developments (PUD) to construct four new residential buildings in the vicinity of 9th and V Streets N.W. The applicant has requested that both PUDs be considered simultaneously as one total development. This will allow for a transfer of amenities and relief between the two that results in better efficiency.

SUMMARY RECOMMENDATION

OP concludes that the proposed PUDs are not inconsistent with the objectives and policies of the Comprehensive Plan and recommends that the applications be approved subject to a contribution toward the proposed Bryant Street connection as part of the transportation impact mitigation.

DESCRIPTION OF THE SITE AND SURROUNDING AREA

The project consists of four sites in between Florida Avenue and Eighth Street N.W. Total land area between the four sites is 92,514 square feet. 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 sits at the northwest corner of 8th and V Streets and is the largest of the four sites at 40,530 square feet. Site B, 13,420 square feet, is at the southwest corner of 8th and V Streets. Site D is the smallest of the four sites at 4,073 square feet and lies directly north of the 9:30 Club on the east side of Ninth Street. Sites A and D are both zoned CR, mixed use. Site B south of V Street is zoned ARTS/C-2-B.

ZC #05-32 ("North PUD") consists of only site C (Square 2873, Lots 1, 232, 852, 853, 859, and 864). Site C is on the east side of Florida Avenue directly west of the intersection with W Street and is 34,491 square feet. Site C is also zoned CR, mixed use.

ZONING COMMISSION
District of Columbia



The area contains a mix of commercial uses and warehouse buildings. Much of the property to the north and east of the sites is owned by Howard University and is part of the plan for Howard Town Center. Most of the area to the north is currently parking. The properties are just to the north of the U Street Corridor and lie in the northern portion of the Uptown Destination District Plan.

PROPOSAL

The proposal is to construct a new mixed use condominium building on each of the four parcels. The plans call for a total of over 630 units between the four sites including approximately 300 on Site A, 71 on Site B, 250 on Site C, and 10 on Site D. Each building will also feature some ground floor retail. Sites A and B will focus retail on the V Street fronts, Site C on the Florida Avenue front, and Site D on the 9th Street frontage.

The total FAR for sites A, C & D will be 8.0. FAR for site B will be 6.0. Proposed buildings are 100' on sites A and C, 90' on site B, and 60' on site D. Parking and loading for sites A, B, and D will be from the north-south alley between 8th and 9th Streets. Parking and loading for site C will be from 9th Street.

ZONING

The three sites north of V Street are zoned CR (Commercial/Residential). Site B to the south of V Street is zoned ARTS/C-2-B. The proposal is to develop the sites within the PUD standard for the existing zones utilizing some zoning flexibility through the PUD review process.

The following tables are a comparison of the matter of right development standards, the PUD standards, and the proposed development for each site:

Development Data

Table 1: Site A (40,530 square feet) South PUD

	CR Standards	CR PUD Standards	Proposal
Height	90 ft.	110 ft.	100'
FAR	6.0 (243,180 sf)	8.0 (324,240 sf)	8.0 (324,240 sf)
Lot Occupancy	75% for residential	75% for residential	82%
Rear Yard	25 ft.	25 ft.	None
Side Yard	None	None	None
Parking	121(99residential, 22commercial)	121(99residential, 22commercial)	351 (329 residential, 22 commercial) Resid. # includes 10 spaces for parcel D.
Loading	1 loading platform @ 100 sq. ft. 1 loading platform @ 200 sq. ft. 1 loading berth @ 30 ft deep 1 loading berth @ 55 ft deep 1 service delivery area @ 20 ft.	1 loading platform @ 100 sq. ft. 1 loading platform @ 200 sq. ft. 1 loading berth @ 30 ft deep 1 loading berth @ 55 ft deep 1 service delivery area @ 20 ft.	1 loading platform @ 100 sq. ft. 1 loading platform @ 200 sq. ft. 1 loading berth @ 30 ft deep 1 loading berth @ 55 ft deep 1 service delivery area @ 20 ft.

Table 2: Site B (13,420 square feet) South PUD

	ARTS/C-2-B Standards	ARTS/C-2-B PUD Standards	Proposal
Height	75 ft.	90 ft.	90'
FAR	3.5 (46,970 sf)	Guideline: 3.5, up to 6.0 (80,520 sf)	6.3 (84,546 sf)*
Lot Occupancy	75% for residential	75% for residential	80%
Rear Yard	15 ft.	15 ft.	None
Side Yard	None	None	None
Parking	37(33 residential, 4 commercial)	37(33 residential, 4 commercial)	86 (82 residential, 4 commercial)
Loading	1 loading platform @ 100 sq. ft. 1 loading platform @ 200 sq. ft. 1 loading berth @ 30 ft deep 1 loading berth @ 55 ft deep 1 service delivery area @ 20 ft.	1 loading platform @ 100 sq. ft. 1 loading platform @ 200 sq. ft. 1 loading berth @ 30 ft deep 1 loading berth @ 55 ft deep 1 service delivery area @ 20 ft.	1 loading platform @ 200 sq. ft. 1 loading berth @ 30 ft deep 1 service delivery area @ 20 ft.

* applicant is requesting additional 5% per section 2405.3

Table 3: Site D (4,073 square feet) *South PUD*

	CR Standards	CR/PUD Standards	Proposal
Height	90 ft.	110 ft.	60'
FAR	6.0 (24,438 sf)	8.0 (32,584 sf)	4.8 (19,550 sf)
Lot Occupancy	75% for residential	100%	81%
Rear Yard	15 ft.	15 ft.	14'-10"
Side Yard	None	None	None
Parking	4	4	10 (included in parcel A garage)
Loading	None	None	None

Table 4: Site C (37,493 square feet) *North PUD*

	CR Standards	CR/PUD Standards	Proposal
Height	90 ft.	110 ft.	100'
FAR	6.0 (224,958 sf)	8.0 (299,944 sf)	8.0 (299,944 sf)
Lot Occupancy	75% for residential	75% for residential	80 %
Rear Yard	None	None	None
Side Yard	None	None	None
Parking	66	66	227
Loading	1 loading platform @ 100 sq ft. 1 loading berth @55 ft deep 1 service delivery area @ 20 ft.	1 loading platform @ 100 sq. ft. 1 loading berth @ 30 ft deep 1 service delivery area @ 20 ft.	1 loading platform @ 100 sq. ft. 1 loading berth @ 30 ft deep 1 service delivery area @ 20 ft

FLEXIBILITY

FAR

The applicants are seeking density above the matter-of-right for the subject zone districts. The following two tables show requested FAR calculations

Table 5: South PUD FAR

Parcel/Zone	Lot Area	Matter-of-Right FAR/ PUD FAR	Matter-of-right gross floor area	Proposed FAR	Proposed gross floor area	Bonus gross floor area
Parcel A/CR	40,530 sf	6.0/8.0	243,180 sf	8.0	324,240 sf	81,060 sf
Parcel B/ ARTS/C2B	13,420 sf	3.5/6.0*	46,970 sf	6.3	84,546 sf	37,576 sf
Parcel D/CR	4,073 sf	6.0/8.0	24,438 sf	4.8	19,550 sf	0 sf
Total	58,023 sf		314,588 sf		428,336 sf	118,636 sf

Parcel A will be developed over the matter-of-right FAR for the CR zone, but within the allowable PUD FAR. Parcel B is in the ARTS overlay. This district states that bonus densities in ARTS shall serve as guidelines for PUDs. In the C-2-B zone the FAR is 4.5. This does not preclude density up to the PUD limit, but requires special consideration and exceptional merit. In addition, the applicant is seeking an additional five percent density on Parcel B per section 2405.3. This section allows an extra five percent density when the increase is essential to the successful functioning of the project.

Table 6: North PUD FAR

Parcel/Zone	Lot Area	Matter-of-Right FAR/ PUD FAR	Matter-of-right gross floor area	Proposed FAR	Proposed gross floor area	Bonus gross floor area
Parcel C/CR	37,493 sf	6.0/8.0	224,958 sf	8.0	299,944 sf	74,986 sf

Parcel C is being developed to the maximum density allowed under the PUD standards for the CR zone.

Roof Structures

The applicant has requested minor relief from the roof structure requirements. The roof structure on Site B is 18'6" and is setback one to one from the two street frontages, but only setback 10' from the alley on the west.

Rear Yard

Rear Yard flexibility is being sought for sites A, B & D. Sites A & B will provide no rear yard at all while site D is only two inches short of the required rear yard. Sites A & B are both corner lots and are being designed to address both streets and provide ground floor retail.

Lot Occupancy

The lot occupancy for the residential portion of all four sites is proposed to be greater than allowed per the zoning regulations. All four of the sites are limited to 75% lot occupancy for the residential floors and all are proposed between 80 and 82 percent.

Recreation Space

Both the CR and the C-2-B zones require residential development to provide recreation space in the building at a rate of 15% of the total residential gross floor area. The applicant is proposing to create recreation space of approximately 10% of the residential gross floor area. The applicant will need to provide a floor plan showing the location and amount of residential recreation space in each building.

Public Space at Ground Level

The CR district requires ten percent of the lot area to be open public space. In the South PUD, Parcel A provides about five percent and Parcel D provides approximately eight percent. In the North PUD, Parcel C provides approximately five percent open public space.

Loading

Site B will not have all of the loading facilities required by the regulations. The building will have the required 30 foot berth, 20 foot service bay, and 200 square foot loading platform. It will not have a 55 foot loading berth or a 100 square foot loading platform.

PUD EVALUATION STANDARDS

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. Section 2400.1 states that a PUD is "designed to encourage high quality developments that provide public benefits." The proposed development will be constructed in a neighborhood that is currently underdeveloped and has a dearth of quality housing. In order to maximize the use of the site consistent with the zoning regulations and be compatible with the surrounding community, the applicant is

requesting that the proposal be reviewed as a consolidated PUD. This will allow the utilization of the flexibility stated in Section 2400.2.

The overall goal is to permit flexibility of development and other incentives, such as increased building height and density; provided, that the project offers a commendable number of quality public benefits and that it protects and advances the public health, safety, welfare, and convenience.”

The proposed development brings with it a number of qualities that will benefit the public and in particular this neighborhood. The development provides significant new investment in an area filled with old and underused industrial buildings. The project includes future right-of-way for a new east-west cut-through that will benefit not only all the uses on these blocks through increased access, but Howard University and the surrounding neighborhoods through additional road way and an east-west passageway. The buildings will contain ground level retail that will serve to enliven the neighborhood and may provide some subsidized retail or live/work space for local businesses. In addition, the buildings will provide parking beyond the zoning requirements at above a one to one ratio to prevent additional parking impacts on the surrounding neighborhood.

Section 2403 further outlines the standards under which the application is evaluated.

2403.3 The impact of the project on the surrounding area and the operation of city services and facilities shall not be found to be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project.

The development of the site will contribute to the general improvement of the area by redeveloping underutilized parcels, will encourage other development to locate in this area, and will have a positive impact on the revitalization of the area by bringing new residents and street life to the neighborhood. The traffic situation in the area will be improved by the new right-of-way proposed by this development.

City services such as water and sewer are currently available on the site. OP will confirm with WASA prior to the public hearing that there is sufficient capacity for the proposed development.

PUBLIC BENEFITS AND AMENITIES

OP believes that the community benefits that this project will generate compensate for the additional FAR and other flexibility that is requested.

2403.9 Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following or additional categories:

- (a) Urban design, architecture, landscaping, or creation or preservation of open spaces;*
- (b) Site planning, and efficient and economical land utilization;*
- (c) Effective and safe vehicular and pedestrian access, transportation management measures, connections to public transit service, and other measures to mitigate adverse traffic impacts;*

- (d) Employment and training opportunities;*
- (f) Housing and affordable housing;*
- (h) Environmental benefits, such as stormwater runoff controls and preservation of open space or trees;*
- (i) Uses of special value to the neighborhood or the District of Columbia as a whole;*

The first amenity discussed between the applicant, the Office of Planning, and DDOT has been the dedication of public **right-of-way** to allow a future street way to pass through this block from east to west. Preliminary talks had envisioned the right-of-way passing through the northern part of Parcel C in this application. Further talks with the city and DDOT have settled on a alignment further to the north, off-site for this development. This right-of-way is vital to the development of the area between Georgia and Florida north of V Street. There is currently no east-west connection between V Street to the south and Barry Place to the north and access to these proposed units and the future Howard Town Center would be extremely difficult without increased mobility and access through this superblock.

As a result, DDOT has proposed a traffic circle at the corner of Florida and Sherman that would connect to a proposed Bryant Street going east. Since the right-of-way is no longer on the applicants property, but is vital for access to the project and mitigation of the development's traffic impacts, OP 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 twenty percent of the construction costs for the traffic circle only. The remaining costs of the circle would be paid with federal money and all of future Bryant Street would be the responsibility of the future developments on these squares. This issue is not finalized in the applicant's prehearing statement with a proposed amount, but OP and DDOT consider it vital to the successful development of these properties and would not support the project without a significant contribution toward the traffic solution.

The applicant agreed to an **affordable housing** contribution equal to 15% of the bonus density granted through this PUD. The additional density for parcels A, B & D is around 114,000 square feet. Additional density on Parcel C is about 75,000. The applicant has offered 18,800 square feet in the South parcels and 11,000 square feet on Parcel C. Although it is not mentioned in the statement, affordable housing should be provided at 80% AMI. In addition, the applicants should provide a proposed distribution of the affordable units between buildings and floors.

The applicant has agreed to incorporate **green roof technology** in this project. The prehearing statement contains detailed information in the Urban Design section on the technologies to be used in these buildings. OP is comfortable with the proposed steps and supports green technologies in all buildings.

In accordance with the Uptown Destination District Plan, the project will be providing **retail development** on the ground floor of the buildings along the V Street frontage. This will continue to enliven and improve this area as the fringe of one of the city's growing entertainment districts. In addition, the applicant has spoken about providing live/work space on the ground floor of some of the buildings, possibly subsidized at some level, for local artists or small business owners. This area is ideal for small entrepreneurial uses of this type and is strongly recommended as an amenity.

Per agreements with the ANC and surrounding neighborhood, the applicants will be providing **parking** above the zoning requirements at a rate of one space per each unit built. Parking is a major concern of the neighbors and the proposed rate will prevent further impacts on surrounding parking problems.

The applicant has been working with OP on the **site design** and architecture of the buildings to provide a product that will work well in this area of the city both functionally and aesthetically. The sites are designed to have minimum negative impacts while providing ease of pedestrian and vehicular access. The architecture is designed to provide fresh and unique designs both for this area and the city as a whole.

The applicant has indicated that they will participate in a **First Source Agreement** with the District of Columbia Department of Employment Services and are encouraged to obtain a Memorandum of Understanding with the Minority Business Opportunity Commission prior to final action by the Commission.

The applicant has agreed to enter into a Memorandum of Understanding with the **Local Business Opportunity Commission** to use local firms in the development and construction of this project. OP also recommends that this agreement be signed and entered into the record prior to final action.

COMPREHENSIVE PLAN AND PUBLIC POLICIES

The Generalized Land Use Map recommends the subject site for a mix of moderate and medium density residential and commercial uses. The proposed development would not be inconsistent with a medium density mixed use category. In addition, the Generalized Land Use Policies Map shows the sites within the Howard Gateway housing opportunity area. This area has been designated as a desirable location for the development of housing and residential uses. The proposed development would further this goal and remain consistent with land use and policies of the comprehensive plan.

The PUD is also consistent with other sections of the Comprehensive Plan including the following Major Themes of the Plan:

- Section 102 - Stabilizing and Improving District Neighborhoods,
- Section 103 - Increasing the Quantity and Quality of Employment Opportunities in the District
- Section 106 – Respecting and Improving the Physical Character of the District
- Section 107 - Preserving and Ensuring Community Input

The Housing Element of the Comprehensive Plan outlines objectives to support residential development and the provision of affordable housing. Policies established in support of housing objective include:

202.2 (a) 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;

The proposal will provide significant investment and a catalyst for further redevelopment in the area. Nearly 600 new residential units are being provided through this development with approximately 5% of those as affordable units.

202.2 (a) Encourage housing on suitably located public or private properties that are vacant, surplus, underutilized, or unused;

This application involves property currently used as warehousing for plumbing supplies in the center of a housing priority area. The proposed project would redevelop four underused parcels in this underdeveloped area for a significant amount of housing.

The Urban Design Element of the Comprehensive Plan, outlines policies in support of Areas in Need of New and Improved Character.

712.2 The policies established in support of the areas in need of new and improved character objective are as follows:

- (a) Encourage well-designed developments in areas that are vacant, underused, or deteriorated. These developments should have strong physical identities;*
- (b) Encourage in-fill development of attractive design quality in deteriorated areas to stabilize the physical fabric and to encourage renovation and redevelopment;*

The subject property does not contribute much to a positive experience at the Howard Gateway area in its current state. The proposed development will have a superior physical identity that is respectful of the local architecture and will set a standard for the redevelopment of other properties in the area.

Sections of the Ward 1 Plan offer objectives that specifically deal with the redevelopment of this area:

- 1203.1 (d) Increase employment opportunities in commercial and industrial areas of the ward including Howard Gateway...;*
- 1206.1 (f) Stimulate housing production and housing rehabilitation in...Housing Opportunity Areas including the Columbia Heights and Howard Gateway ares;*

Housing objectives for the ward are also furthered by the proposed development:

- 1207.1 (c) To increase the supply of low- and moderate-income residential units to address sever overcrowding and displacement;*
- (d) Promote housing development and rehabilitation as needed in areas designated as Housing Opportunity Areas;*
- (e) Increase home ownership in the ward*

The proposed development will meet the above objectives as it will visually improve the area and be a catalyst for further housing development in the area. Physically, the proposed development will complement and enhance the character of the area. The property is located where existing city infrastructure is already in place and is easily accessible.

AGENCY COMMENTS

OP and the applicant have worked closely with DDOT throughout the process. The close cooperation with this agency has brought about the plans for the Byrant Street connection and one of this project's main amenities. DDOT has expressed support for the steps that have been taken so far in this process. They have stressed the necessity of the proposed east-west connection and requested the suggested contribution of design and engineering services as well as twenty percent of the traffic circle construction costs as a means of mitigation for the traffic impact generated by this large project.

No other agencies have proposed comments or objections to the proposal.

COMMUNITY COMMENTS

The applicant made its presentation to the ANC and received mixed reviews. As of the date of this report the ANC has postponed the proposal for further consideration.

RECOMMENDATION

OP supports the proposed Broadway Atlantic One project. OP believes that the proposed PUD is not inconsistent with the elements of the Comprehensive Plan and recommends that the application be approved subject to traffic mitigation.

EM/tp