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BROADCAST CENTER ONE



7th and T STREET VIEW LOOKING SOUTH

BROADCAST CENTER ONE
A Mix-use Complex
Broadcast Center Residential Partners, L.L.C.

devroux & purnell architects - planners, p.c.
717 d Street, nw, washington, dc 20004
April 3, 2007

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

ZONING COMMISSION CASE NO. 07-07 PRE-HEARING STATEMENT

Broadcast Center Partners, LLC

July 2007

ZONING COMMISSION
District of Columbia

CASE NO. 07-07
EXHIBIT NO. 24A

DEVELOPMENT TEAM

APPLICANT:

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CERTIFICATION OF COMPLIANCE - SECTION 3013 ZONING REGULATIONS

Broadcast Center Partners, LLC (the “**Applicant**”) hereby certifies that this pre-hearing submission, twenty copies of which were filed with the Zoning Commission on July 5, 2007, complies with the provisions of Section 3013 of the Zoning Regulations as set forth below, that the application is complete, and that no further changes to the project are expected to be submitted prior to the public hearing on this application.

The Applicant also certifies that certain modifications and refinements have been made to the project since the original submission to the Zoning Commission. These changes have been made in response to comments raised in meetings that have been held with the Office of Planning, and in response to the comments of the Commission members at its April 9, 2007 public meeting. These modifications include: (i) PUD-related map amendment to ARTS/C-2-C as recommended by the Office of Planning and the Zoning Commission; (ii) detailed descriptions and firm commitments on the public amenities; (iii) detailed descriptions and firm commitments with regard to the green building elements; (iv) revised roof plan to show the green elements on the roof; (v) discussion on the potential antenna/satellite dishes on the roof; (vi) turning diagrams to show loading accessibility of trucks in the alley; (vii) clarification on the MOU signatories; and (viii) enhancements to the Metro Plaza.

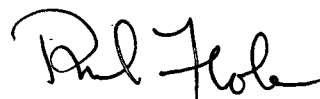
In all other respects, the project is the same as filed in the submission of March 15, 2007.

<u>Sub-Section</u>	<u>Page</u>
3013.1(a) Information Requested by the Commission; Updated Materials Reflecting Changes Requested by the Commission	Pre-Hearing Statement; Exhibit A
3013.1(b) List of Witnesses	Exhibit G
3013.1(c) Summary of Testimony of Applicant’s Witnesses and Reports for the Record:	
Outline of Testimony of Representative of the Applicant	Exhibit G
Outline of Testimony of the Project Architect	Exhibit G
Outline of Testimony of the Landscape Architect	Exhibit G
Outline of Testimony of the Transportation Consultant	Exhibit G
3013.1(d) Additional Information, Reports or Other Materials Which the Applicant Wishes to Introduce	Pre-Hearing Statement
3013.1(e) Reduced Plans	Exhibit A

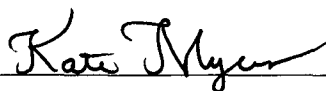
3013.1(f)	List of Publicly Available Maps, Plans and Other Documents	Exhibit I
3013.1(g)	Estimated Time Required for Presentation of Applicant's Case	1 hour
3013.3 and 3013.6(a)	List of Names and Addresses of All Property Owners within 200 Feet of the Subject Site	Exhibit H
3013.4	First Source Employment Agreement with Department of Employment Services and Memorandum of Understanding with the Office of Local Business Development	Exhibits C & D

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN, LLP



Phil Feola



Kate Myers

EXHIBITS

<u>DESCRIPTION</u>	<u>EXHIBIT</u>
Architectural Plans	A
Green Roof Layout	A1
Metrorail Plaza Perspective	A2
Updated Traffic Impact Study prepared by Kimley-Horn and Associates	B
First Source Employment Agreement	C
Community Memorandum of Understanding	D
Turning Radius Diagrams	E
Map Amendment Application	F
List of Witnesses and Outlines of Witness Testimony	
Estimated Time Required for Presentation of Applicant's Case	G
Updated Names and Addresses of All Property Owners within 200 Feet of the Subject Site	H
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Compliance with Chapter 24 of the Zoning Regulations	J
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I. INTRODUCTION

A. Summary of Requested Action

This document supports the application of Broadcast Center Partners, LLC (“**Applicant**”)¹ to the Zoning Commission of the District of Columbia (“**Commission**”) for the consolidated review and approval of a Planned Unit Development (“**PUD**”) and a corresponding Zoning Amendment. The property consists of approximately 51,062 square feet of land area in Square 441 (Lots 21, 66, 97, 814, 815, and 854) (collectively, the “**Property**”). The Property is located on 7th Street, N.W. between S and T Streets, N.W. in the Shaw neighborhood in Ward 1, within the jurisdiction of Advisory Neighborhood Commission (“**ANC**”) 1B. A portion of the Property is vacant and a portion is improved with low scale commercial buildings.

The National Capital Revitalization Corporation (“**NCRC**”), a publicly chartered corporation, is responsible for overseeing the redevelopment of underused and emerging areas of the District of Columbia. The Applicant received preliminary approval from the NCRC in March 2005 to develop the Property into a mixed-use complex that includes an office component that will allow Radio One, a major African-American communications/broadcast company, to return its headquarters to the District of Columbia.

The Applicant is requesting the consolidated review and approval of this application along with a Map Amendment in order to create an architecturally significant, transit-oriented residential, commercial and retail project that features the new office headquarters of Radio One. The Applicant proposes to develop a new mixed-use residential, office and retail building containing approximately 319,917 gross square feet above-grade with two levels of underground

¹ Broadcast Center One LLC’s subsidiaries currently own Lots 21, 66, 97, 814 and 815. Lot 854, as discussed above, is owned by RLARC, a subsidiary of the NCRC, and the Applicant has received preliminary approval from the NCRC to develop the site.

parking (“**Project**”). The Project will provide 192,511 gross square feet of residential space; 24,323 gross square feet of retail/arts space; and 103,083 gross square feet of office space. The original application did not request a corresponding amendment to the Zoning Map. However, after taking into consideration the recommendations of the Office of Planning and the Zoning Commission, the Applicant is now requesting a map amendment from ARTS/C-2-B to ARTS/C-2-C. The Project will have a floor area ratio (“**FAR**”) of 6.3 (2.5 for commercial uses and 3.8 for residential uses), with approximately 180 dwelling units and a building height of 90 feet.

B. Development Timetable

The Applicant plans to start construction in early 2008 and expects that the total construction period will last approximately 24 months.

II. THE PROPOSED PROJECT

A. Site Location and Description

The Property consists of approximately 51,062 square feet of land area with frontage on 7th Street, N.W. It occupies most of the length of the eastern side of 7th Street, N.W. between S Street, N.W. and T Street, N.W. A series of underutilized structures front 7th and T Streets on the northern half of the Property. The Property is in the Greater U Street Historic District.

The neighborhood is the location of the historic Howard Theatre, Dunbar Theater and parts of the Greater U Street and LeDroit Park Historic Districts, which contain a number of other sites significant to African-American history. Several of the existing structures on the Property fronting both 7th and T Streets are contributing buildings in the Greater U Street Historic District.

B. Project Description

The Project, as shown on the plans contained in Exhibit A, takes its design inspiration from the traditional architecture of the neighborhood, timeless urban multifamily dwelling architecture and modern commercial architecture. It will provide 192,511 gross square feet of residential use (180 apartments); 24,323 gross square feet of retail/arts uses; and 103,083 gross square feet of office use. The Project preserves the architectural traditions of the local historic districts by incorporating the historically-contributing buildings themselves into the Project, while combining an elegant glass and steel office structure with a traditional brick residential building. The modern elements of the Project will emphasize the historical elements, not dwarf them. Indeed, the facades of the historically-contributing buildings will be rehabilitated and the depth of those buildings will be maintained to a minimum of 40 feet, while elements of the new residential component adjacent to the historically-contributing buildings will feature terraced setbacks so as not to crowd or encroach upon the historically-contributing buildings. The Project as a whole is consistent with the overall streetscape and is consistent with the size of other buildings in the immediate vicinity and is fully consistent with the concept for the site described in the Development Framework for a Cultural Destination District's ("**DUKE PLAN**") recommendations for the Howard Theatre Sub-District.

Viewing the Project from 7th Street, N.W., there will appear to be two new, distinct structures: a glass office component and masonry residential component. The residential component, which is set back a considerable distance behind the façades of the historically-contributing buildings, will have three distinct masses rising behind and next to the historic structures, with terraced setbacks. The height of both the residential and office elements is 90 feet -- nine floors in the residential portion and seven floors in the office portion.

The office component will have a glass curtain-wall and the residential tower will be masonry with window openings, balconies and terraces. The historically-contributing buildings will be restored to their original details. The Project's configuration maximizes sensitivity to the historically-contributing structures along 7th and T Streets, and creates a series of attractive open and public spaces. The three-tiered massing creates the most distinctive element of the residential tower. Each setback produces terraces which will provide superb outdoor space for the units facing 7th, T, and S Streets N.W. At the street level, the Project establishes an open plaza located between the Metrorail station entrance and the main entrance to the office tower.

Pedestrians passing, exiting, and entering the Shaw-Howard University Metrorail Station entrance will be able to use and enjoy a lively retail scene. Recreation space in the residential building includes the private apartment terraces and a large rooftop terrace open to all of the Project's residents. Special attention will also be paid to the landscaping along 7th and T Streets, N.W. in order to activate the streetscape leading from the Metrorail station along the proposed Ellington Plaza to the Howard Theater.

A single, underground, two-level garage provides parking for approximately 177 cars (29 in tandem spaces); this meets the required level of parking for the office, residential and retail uses in the Project. The garage is accessed by a driveway from the alley at the rear of the Property, thus eliminating the need for curb cuts on the public streets. Loading facilities for the Project will also be accessed from the alley.

The Project will complete the unfinished urban landscape that now consists of a large vacant lot and ten historically-contributing buildings that are largely in disrepair. It has been sensitively designed to bring a strong identity and character to the Property while respecting the urban design characteristics of the neighborhood. The proposed development contains

approximately 319,917 square feet of gross floor area, the FAR is 6.3 and a total lot occupancy of 88%.

The Project has received Conceptual Approval from the District of Columbia Historic Preservation Review Board.

C. Office of Planning and Zoning Commission's Recommendation for Amendment to the Zoning Map to ARTS/C-2-C

Since the filing of its initial application, the Applicant has revised its proposal to incorporate the recommendation from the Office of Planning, in its March 30, 2007 Report, and the Zoning Commission's comments provided during the setdown meeting on April 9, 2007 to seek a map amendment for the property from ARTS/C-2-B to ARTS/C-2-C.

D. Flexibility Under the PUD Process

The PUD process was created to allow greater flexibility in planning and design than is possible under conventional zoning procedures. The PUD regulations specifically allow the Zoning Commission to approve any zoning relief that would otherwise require the approval of the Board of Zoning Adjustment ("BZA"). The proposed development complies with the broad parameters for planned unit developments in the C-2-C Zone District and the ARTS Overlay, as set forth in the tabulation of data in Section E below. However, the design scheme proposed for the PUD has created a configuration that does not meet all of the exact requirements of this zone. In this case relief is requested to permit additional density and relief from the roof setback, lot occupancy and loading requirements.

First, the Applicant requests that the Zoning Commission utilize its discretion to permit the Project to achieve an additional 5% (0.30 FAR) of density pursuant to 11 DCMR § 2405.3. Therefore although the ARTS/C-2-C PUD allows for only a 6.0 FAR, the Zoning Commission

may permit up to 6.30 FAR using this 5% discretion. The Project could not be built without this additional 5%. The Project features extensive ground-floor retail space, which is a preferred use in the ARTS Overlay, and the additional residential FAR is needed to provide the number of housing and affordable housing necessary to make the Project successful.

Second, the Applicant requests relief from the roof structure requirements of the Regulations that requires housing for mechanical equipment to be set back from exterior walls at a distance equal to its height above the roof. The proposed roof structure configuration is a result of the HPRB-approved design which pushes the mass of the building away from 7th Street.

Third, the Applicant also seeks relief from the lot occupancy requirement. The deviation is necessary because the footprints of the historic buildings occupy a large percentage of the property.

Finally, the Applicant requests flexibility from the Zoning Regulations' loading requirements. The Regulations require five loading berths, four at 30 feet deep and one loading berth at 55 deep, four loading platforms of 100 square feet each, one loading platform of 200 square feet, and three delivery spaces. The Project provides five loading berths at 30 feet deep all accessed from the public alley at the rear of the buildings. Due to configuration of the site, the access constraints of retaining the historic structures on the site and the requirements of the program, make it impossible to provide a 55-foot deep loading berth. The Applicant believes that with proper management, the provided loading feasibilities will be adequate to service the Project without creating adverse impacts on the public.

E. Tabulation of Development Data

Total Land Area: 51,062 square feet

<u>Standards</u>	<u>PUD</u> <u>ARTS/C-2-B</u>	<u>PROJECT</u> <u>ARTS/C-2-C</u>
Building Height	90 feet	90 feet
FAR	6.0 Total (2.5 Non-Residential)	6.3 Total (2.5 Non-Residential)
Gross Floor Area	306,372 square feet	319,917 square feet
Rear Yard	15 feet	45 feet
Side Yard	0	0
Lot Occupancy	80%	88%
Parking	Office: 56 Retail: 28 Residential: <u>45</u> 129	Office/Retail: 132 ² Residential: <u>45</u> 177
Loading	Office: 2 - 30' berths Retail: 2 - 30' berths Residential: 1 - 55' berth	Office: 2 - 30' berths Retail: 2 - 30' berths Residential: 1 - 30' berth

² Of these 177 spaces, 29 are tandem spaces.

III. EVALUATION STANDARDS

A. Public Amenities

Section 2403 of the Zoning Regulations provides the standards for evaluating PUD applications. 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. This application will achieve the goals of the PUD process by creating a high-quality mixed use project with very significant affordable housing, arts-related retail and desirable commercial uses. As demonstrated in the original application and summarized below, the Project provides superior benefits in several of the categories listed in Section 2403.9.

1. Urban Design, Architecture, and Landscaping: Section 2403.9(a)

High-density uses located near transit nodes are at the heart of sustainable development and good urban design. The proposed development is located along 7th Street, N.W. -- a major arterial -- and it is immediately adjacent to the Shaw-Howard University Metrorail Station. Given the prominence of the site - at an entrance to a Metrorail station and along a leading commercial corridor with a rich cultural history - the Property offers an important opportunity and the Project fulfills the site's potential. It provides exciting new housing opportunities, especially for a substantial number of moderate-income households. Moreover, it possesses multiple retail opportunities, particularly for arts-related uses. This mixed-use development maintains the general character of 7th Street in the Shaw neighborhood while taking full

advantage of its prominent, transit-oriented location to create a landmark project that is convenient to Metrorail.

The architecture of the Project is at once unique and evocative. Innovatively, it is a combination of the late-nineteenth century style of the historic structures with the contemporary residential building and the distinctive glass-and-steel modern office building. The Project blends traditional and modern elements into a signature architectural statement that accommodates an appropriate density without an imposing visual and physical impact on the street. This effect is achieved by: (1) concentrating the mass of the residential portion toward the rear of the site; (2) partitioning the residential portion into three distinct masses; (3) setting back of the office portion behind a sidewalk plaza; and (4) preserving the historically-contributing buildings along 7th Street. The restored historic buildings, window openings, balconies, and terraces of the apartment portion and the glass curtain wall of the office portion all combine to create a sense of scale and visual interest.

The proposed landscaping incorporates the trees that are an integral part of the District's streets and includes landscaping on the roof of the residential portion and on the private terraces which will add to the overall greenery of the site. Additionally, a generous sidewalk plaza area between the office portion and Metrorail entrance will be established.

2. Site Planning: Section 2403.9(b)

The Project will both create and take advantage of a vibrant street life on 7th Street through the new retail and arts uses on the ground floor, the renovation of the historically-contributing buildings, and the sidewalk plaza area. Using the alley as the means of entry to the garage and loading area allows the preservation of substantial street parking in front of the building.

3. Effective and Safe Vehicular and Pedestrian Access: Section 2403.9(c)

The Project's design simplifies vehicular access to promote vehicular and pedestrian safety. The garage has one point of entry and exit, from the alley behind the building (which has existing access points on S and T Streets), thus improving pedestrian safety and convenience along the busiest street (7th Street) bordering the property. Numerous pedestrian access points to the building along 7th and T Streets encourage walking.

Based on the Traffic Impact Analysis prepared by Kimley-Horn and Associates, attached as Exhibit B, the proposed development is anticipated to generate 140 AM peak hour vehicular trips and 176 PM peak hour vehicular trips. The proposed development would account for approximately 6% of the total AM and PM peak hour traffic volumes at the intersections of 7th and T Streets and approximately 8 to 9% of the total AM and PM peak hour trips at the intersection of 7th and S Streets and not have a significant adverse effect on traffic flow in the area.

4. Revenue for the District: Section 2403.9(i)

The addition of approximately 180 new households, neighborhood-serving retail, and a major media employer (Radio One), 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, estimated to be approximately \$13.7 million over the next 10 years and more than \$27 million over the next 20 years.

5. Housing and Affordable Housing: 2403.9(f)

The Project provides approximately 180 new housing units. Recognizing the need for on-site affordable housing within new projects, the Applicant will provide 45 affordable housing

units within the Project. The need for dedicated affordable housing is particularly acute in the neighborhood of the Project, where the lack of large development, combined with increased neighborhood desirability, has recently driven up overall housing prices substantially.

6. First Source Employment Program: Section 2403.9(e)

The Applicant will enter into an agreement to participate in the Department of Employment Services (“**DOES**”) First Source Employment Program (Exhibit C), to promote and encourage the hiring of District residents. During the construction phase, the Project will generate 835 jobs (based on the one-year full-time equivalent) with approximately 426 of those jobs going to District residents. Once complete, the Project will generate 44 new permanent retail jobs of which at least 22 will be filled by District residents.

7. Local Business Opportunity Program: Section 2403.9(e)

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. Further, many of the Broadcast Center Partners professional team and partners are Local, Small, Disadvantaged Business Enterprises (“**LSDBEs**”).

8. Comprehensive Plan: Section 2403.9(j)

As outlined in the original Application, the proposed PUD is consistent with and advances numerous District’s goals, policies and objectives contained in the Comprehensive Plan.

9. Additional Public Benefits: Section 2403.12 and 2403.13

The Project is superior, in quality and quantity, to a typical development. It will preserve and enhance historically-contributing structures. It will create vibrant new street life along 7th Street at the confluence of the LeDroit Park, Shaw, and U Street neighborhoods and it will attract new residents and visitors both to the District and especially to these areas. It will return to the District a leading African-American-owned media enterprise and include in its development substantial LSDBE participation. The approval of the PUD application will result in a myriad of cultural and economic benefits for Ward 1, including exemplary urban design, affordable housing and new housing opportunities, retail, arts, entertainment, and the return of a large media corporation historically linked to the community.

The Applicant also intends to implement a number of “green” practices in the final design and construction of the building, consistent with Leadership in Environmental and Energy Design (“LEED”) standards promulgated by the U.S. Green Building Council. Such features include: 1) a transit-oriented site selection; 2) sufficient development density; 3) access to public transportation; 4) bicycle storage facilities; 5) rooftop landscaping to reduce “heat islands”; 6) water-efficient landscaping; 7) water-saving technologies; 8) optimized energy performance; 9) ozone-depletion technologies; 10) building re-use; 11) recycled building content; 12) at least 20% of materials manufactured locally; 13) the use of rapidly renewable materials; 14) carbon-dioxide monitoring; 15) low-emitting materials; 16) daylight in 75% of spaces; and numerous other features.

The Applicant has been working with various individuals and community organizations in the area surrounding the Property and proposes a community amenities package that is targeted, tangible, and substantial, including a financial contribution of \$350,000 dedicated to a

community fund for the neighborhood in the next 15 years and \$250,000 in scholarships to students living in the Shaw neighborhood to attend Howard University's business or communications schools.

IV. CONCERNS RAISED BY THE OFFICE OF PLANNING AND ZONING COMMISSION

The Office of Planning and the Zoning Commission made several recommendations and requested clarifications of the Application during the Zoning Commission's setdown meeting of April 9, 2007. These included the request for (A) detailed descriptions and firm commitments on the public amenities; (B) detailed descriptions and firm commitments with regard to the green building elements; (C) a revised roof plan to show the green elements; (D) discussion on the potential antenna/satellite dishes on the roof; (E) turning diagrams to show loading accessibility of trucks in the alley; (F) clarification of MOU signatories; and (G) enhancements to the Metro Plaza. The following narrative addresses these issues.

A. Public Amenities

On March 15, 2005 representatives of various parties (hereinafter referred to collectively as the "**Parties**"), including Ledroit Park and Shaw communities, Advisory Neighborhood Commission 1B, Advisory Commission 2C, Shaw Main Streets, and Manna Community Development Corporation (collectively, the "**Community**"), Broadcast Center Partners, LLC ("**BCP**") and that National Capital Recapitalization Corporation and its subsidiary RLA Revitalization Corporation ("**NCRC**"). This MOU was later updated and amended in May 2007 as seen in Exhibit D. This MOU concerns the responsibilities of the Parties to the Community throughout the mixed-use development of NCRC Parcel 33 and adjoining properties (the "**Development**").

Broadcast Center Partners development companies made a commitment to provide \$350,000 to a Community Development Initiative Fund (“**The Fund**”) as part of the Community Benefits Agreements (“**CBA**”) signed by Shaw residents, ANC officials, NCRC, and ONE DC formerly known as Manna Community Development Corporation.

The CBA’s goals are to provide benefits to long time and low income residents impacted by the Radio One development plan. As business stewards in the Shaw Community, Broadcast Center Partners realized that the need for housing, jobs, and small business opportunities for local residents is a necessary component of equitable development. The Fund is a valuable part of the Broadcast Center One development plan. The CBA memorializes the value of the people and place and the deep sense of history and culture that should be devalued by new development. Therefore, The Fund will be used to support local residents and benefit the local needs of the Shaw community.

The Fund will be referred to as the “Parcel 33 CDI Fund.” The Fund will be managed by the Community Foundation of the National Capital Area. The Fund will support local community organizations and families in need. The Fund will be used for the following projects and community needs:

Annual Funds Received from Developers

Year 1 – seventy-five thousand dollars (\$75,000) to the CDI Fund upon the recordation of the Planned Unit Development Covenant.

Year 2 – seventy-five thousand dollars (\$75,000) on first anniversary date of the completion of the construction of the project, as defined by permanent financing of both the residential and office buildings.

Year 3 - \$100,000 at Settlement of Permanent Financing on the Stabilized Apartment and Commercial Buildings.

Between Years 10 and 15 - \$100,000 at Refinancing or Disposition of the Property.

Program Areas and Funds Allocation

1. Resources to Prevent Tenant and Homeowners Displacement
2. Tax Relief for Senior Citizens Homeowners
3. Job Training for Young Adults and Adolescent
4. Cooperative Business Training

Eligibility Requirements for Funds

1. Organization or individuals must be a long time stakeholder or Shaw resident
2. Must submit application related to program areas
3. All proposals must be reviewed by resident board with oversight from The Community Foundation

The Community Foundation of the National Capital Region or other Community Development Financial Institution

1. approves all proposals with resident board
2. tracks awardees performance with resident board
3. distributes checks to recipients with resident board approval

Reporting Process

1. Written report submitted to Community Foundation and Resident Board Committee
2. Report submitted 6-months after grant awarded
3. Final report due 12-months after grant awarded

Additional Funds Received from Development

Radio One, Inc. has committed, contingent upon execution of an anchor tenant lease agreement with Broadcast Center Partners, LLC, to donate Two Hundred and Fifty Thousand Dollars (\$250,000) in scholarship funds over a five-year period beginning in 2006 specifically

for Shaw High School students to attend the Howard University School of Business or the Howard University School of Communications.

B. Green Building Features

In addition to the LEED Green Building elements articulated in the PUD Application, the following detail applies to the elements that will be incorporated into the Project.

1. Transportation Access: The Project site is directly accessible to both the Shaw-Howard University Metrorail Station and to the Metrobus allowing for alternative transportation. The residential component qualifies for LEED Alternative Transportation Credits due to Public Transportation Access, bicycle parking and the limited number of parking spaces on site.

2. Water Efficiency: The office component's penthouse will store portable water for use for the green roof system and for other landscape vegetation. Also, the office component will utilize a minimum 20% - 30% reduction in water consumption by utilizing low flow faucets, dual flush water closets, and low flow urinals.

3. Low-Emitting Materials: Both the office and residential elements will make use of low-emitting adhesives and sealants, paints and carpets.

4. Building Reuse: Since the site for the office component is new construction, there is no reuse of existing buildings. During the construction phase, recyclable materials used for construction will be store in appropriate containers for re-use. However, the reuse and restoration of the existing historic buildings on 7th Streets provides LEED credit as a green element. In addition, a program will be implemented to limit construction waste by the general contractor.

5. Regionally Manufactured Materials: The office component will use some products such as pre-cast concrete that are manufactured within a 500 mile radius from the Project location.

6. Optimized Energy Performance: The HVAC system is a vertical self-contained system that will be located on every floor. The office component will also use high R-value insulation in the walls and its HVAC will potentially contain an energy recovery unit for the ventilation air.

7. Ozone Depletion Technologies: All of the vertical self-contained units can be specified with ozone-friendly refrigerants.

8. Carbon Dioxide Monitoring: This will be accomplished by installing carbon dioxide detectors and increasing the amount of fresh air available to the office component when the levels are high.

9. Materials and Resources: The office element will have a recyclable collection area on each floor. The roof area of the office will use a high albedo (white reflective) roof system which will reduce cooling energy costs by reflecting away most of the solar energy that strikes its surface. The residential component will feature the following LEED certified elements:

- Downward facing site lighting (Light Pollution Reduction)
- Recyclable storage and collection
- Operable windows to provide ventilation effectiveness
- Low emitting paints, carpets and other finishes including:
- Green carpets
- Green wood floors
- Green alternative flooring in the lobby, party room, offices
- Green countertops
- Controllability of lighting
- Low flow shower heads
- Low flow faucets
- Dual flush or low flush toilets (potentially)

- Low energy lighting fixtures

10. Green Roof: The design methodology of the Building's green roof is outlined in the next section. But in short summary, it incorporates Green Roof Design elements to reduce storm water quantity and quality controls while also incorporating light colored pavers and roof membranes.

C. Revised Roof Plan

The Applicant has included a green roof in the design of the new residential tower and office building. A large portion of the new roof surface will be planted with special plant material and special growing media that will allow the roof to absorb rainwater release it slowly. This is of great benefit to the building, because it allows the Applicant to construct a smaller, more efficient storm water management structure. This is also of benefit to the District at large because it greatly reduces the surge of water into the sewer system during any given rain event. Furthermore the plant material acts like a filter to reduce the particles and contaminates in the rain water being sent into the sewer system.

1. Residential Component: 71% of the residential roof (not inclusive of historic properties) will be green (14,585 out of 20,599 sf) as seen on Exhibit A1. It should be noted that the roof of the existing historic buildings would require a good deal of structural remediation to allow them to support the weight of a green roof. As a result, there will be no green roof proposed for the roofs of the existing buildings.

In addition to the green roof, the Applicant has included a public terrace to benefit all users of the residential structure. This terrace will include excellent views of the city as a whole and specifically to the lively nightlife found directly within this neighborhood. In revising the building's massing, the Applicant has eliminated the private roof terraces and the associated stair

enclosures as was proposed in the original Application. This has reduced the overall mass of the building and greatly increased the available roof to be developed as green roof.

By moving away from the central plant concept for heating and air conditioning and moving to individual split systems for each unit, the Applicant has also eliminated the large, open, gravel surfaced used as a mechanical enclosure. This space is now being used as a resident's gathering space. As a result of this change the new roof over this structure can now be developed as green roof instead of a more impervious surface. The small individual heat pump units for each apartment will sit directly within the green roof and will have no adverse affect on the ability of the green roof to function.

2. Office Component: 52% of the office roof will be green (7,873 sf out of 15,142 sf). A rooftop terrace will be part of the roof area for the office component. This space will be utilized for outdoor functions and for tenants to enjoy the wonderful views of the city looking towards downtown.

The mechanical system for the office is vertical self contained unit that will be located on each floor, eliminated the use for a large centralized system. This system will take up space considerably less space on the roof and allow for a larger amount of green roof area. The pump room located on the penthouse level will house storage for potable water.

D. Antenna/Satellite Dishes

It is undetermined at this time if Radio One will ultimately locate its broadcast functions to the Applicant's building. If Radio One does relocate some of its broadcasting capabilities to this site certain antennae will be required. This decision, and related information on the size and location of such antennae, will be available by the date of the public hearing on the application.

E. Turning Diagrams

Trucks for loading will access the building through the alley as will cars for parking. Exhibit E shows a variety of turning movements for vehicles accessing the building.

F. Clarification to Memorandum of Understanding Signatories

Attached as Exhibit D is the amended MOU with the Community as described in Section IV.A above. Language has been added that clearly indicates that Radio One is not a party to, and will not, be a signatory to the MOU. The Applicant is solely responsible for the commitment contained in the MOU.

G. Enhancements to Metro Plaza

The design for the existing WMATA elevator will be of the same design vocabulary as the office component. The elevator will be clad in a curtain wall glazing system with clear anodized aluminum framing and low 'e' glass. The glass storefront of the office element extends up to the terrace at the mezzanine level as a glass paneled railing, and extends up to the terrace at the mezzanine level as a glass paneled railing, and extends over the WMATA elevator, providing a look of continuity that the elevator and building are in harmony, see sketch at Exhibit A2. The elevator cab will be visible from the S Street sidewalk and will be clearly identified by the WMATA graphics in the brushed stainless steel canopy as well as the transit stop within the subway transit system. The back wall of the elevator will be a brushed stainless steel paneled wall for easy maintenance.

The elevator location will also be identified on the WMATA pylon, located near the escalators on 7th Street. This type of identification is typically done on other WMATA pylons throughout the city.

V. CONCLUSION

At this location, 7th Street is at a figurative crossroads. On one hand, it functions as a major north-south commercial corridor, with large buildings located along the street and on adjacent blocks. The infrastructure is among the best in the city – adjacent to a Metrorail station and multiple Metrobus lines. Historically, the neighborhood was a center of African-American culture, with a thriving street life. Today, however, the neighborhood is just beginning to recover from the devastation it suffered during the 1968 riots: street life remains relatively lacking, historic structures are neglected, and crime, though reduced from past levels, still deters people from living in, working in, or visiting the neighborhood. A relative lack of desirable retail, entertainment, or employment options further dissuades prospective visitors. The current state of the neighborhood represents an unfortunate waste of one of the District's historical and cultural treasures.

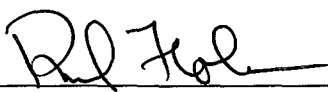
The Project, with its prominent location along 7th Street, N.W. at an entrance to the Shaw-Howard University Metrorail Station, will do a great deal to restore the neighborhood's former glory and help build a dynamic future for the neighborhood. First, historically-contributing buildings on the site will be rehabilitated from their present, dilapidated status and integrated into a sustainable, high-quality development that ensures the active use and preservation of these structures for years to come. Second, the exciting architecture of the office and residential portions of the building will bring a bright, attractive new presence in the neighborhood that will significantly uplift the general streetscape. Third, the addition of ground-floor retail fronting the sidewalk, as well as landscape and streetscape improvements, will significantly help 7th and T Streets regain a vibrant street life, and provide new reasons for visitors and residents to come to the neighborhood. Fourth, the addition of a large corporate

citizen to the neighborhood will fuel a resurgence of other neighborhood businesses through the demand for local goods and services created by its employees. Finally, the presence of approximately 180 new apartments and their residents, as well as Radio One employees and consumers drawn to the retail uses of the site, will create “eyes on the street” that increase both the actual and perceived safety of the neighborhood.

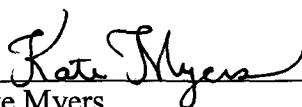
For the foregoing reasons, Broadcast Center Partners LLC submits that the PUD request with corresponding Zone Map Amendment meets the standards of Chapter 24 of the Zoning Regulations; is consistent with the purposes and intent of the Zoning Regulations and Map; will enhance the health, welfare, safety and convenience of the citizens of the District of Columbia; satisfies the requirements for approval of a PUD; provide 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. Accordingly, the Applicant requests the Zoning Commission approve this PUD application.

Respectfully submitted,

Pillsbury Winthrop Shaw Pittman, LLP



Phil Feola



Kate Myers

Date: July 5, 2007