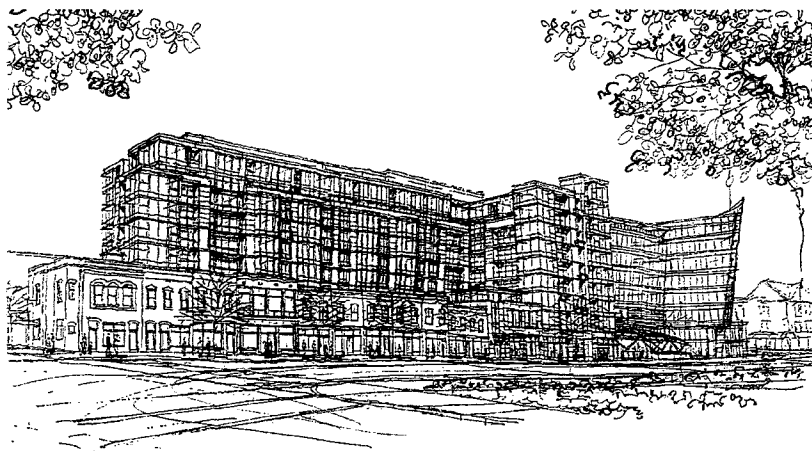


BROADCAST CENTER ONE



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

Broadcast Center Partners, LLC

March 15, 2007

ZONING COMMISSION
District of Columbia

CASE NO. 07-07
EXHIBIT NO. 3

DEVELOPMENT TEAM

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PREFACE

This statement is submitted on behalf of Broadcast Center Partners, LLC, (“Applicant”) in support of an application for the consolidated review and approval of a Planned United Development for the properties known as 1801, 1837, 1839-1847, 1849, and 1851 7th Street, N.W. and 624-632 T Street, N.W., Square 441, Lots 21, 66, 97, 814, 815 and 854 (collectively, the “Property”). A portion of the Property is vacant land and a portion is improved with low scale commercial buildings.

The Applicant is requesting the consolidated review and approval of this application in order to create an architecturally significant, transit-oriented residential, commercial and retail project (“Project”) that features the new office headquarters of Radio One, a national African-American-owned communications/broadcast company. The Project’s innovative design complements a neighborhood rich in architectural heritage. The Project is located in the 7th Street mixed-use commercial and residential area and is adjacent to the Shaw-Howard University Metrorail Station on the Green Line. The Property is in the ARTS/C-2-B Zone District. The proposed development is compatible with the scale of buildings in the vicinity of the site and is consistent with the Office of Planning’s DUKE development plan for the Howard Theatre Sub-District.

The Project will preserve and enhance the overall character of the neighborhood through the restoration and integration of the historic and historically-contributing buildings located on the Property and the addition of new retail, residential and culturally-oriented commercial uses. The Project will add to the neighborhood’s cultural vibrancy through new street-level retail uses and by serving as the home of Radio One, while respecting the neighborhood’s storied past by

preserving historic buildings, including a former billiards parlor frequented by musicians who performed at the nearby Howard Theatre (such as Duke Ellington). Finally, the Project is consistent with the District's transit-oriented development and comprehensive housing strategies.

Submitted in support of this application are the completed application forms, a Notice of Intent to File a PUD (with property owners' list and certification of mailing), architectural drawings, and a map depicting the zoning district for the Property and the surrounding area. As set forth below, this statement and the attached documents meet the filing requirements for a PUD application under Chapter 24 of the District of Columbia Zoning Regulations.

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 one-step approval of a Planned Unit Development (“PUD”) for the site. The Property consists of approximately 51,062 square feet of land area in Square 441 (Lots 21, 66, 97, 814, 815, and 854). The Property is located in the Shaw neighborhood in Ward 1, within the jurisdiction of Advisory Neighborhood Commission (“ANC”) 1B.

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. Its subsidiary, the Redevelopment Land Agency Revitalization Corporation (“RLARC”), is responsible for managing a significant portfolio of real estate, including a portion of the Property (Lot 854). 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 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 parking (“Project”). The Project will provide 192,511 gross square feet of residential space;

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.

24,323 gross square feet of retail/arts space; and 103,083 gross square feet of office space. 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.

The Project is consistent with the Comprehensive Plan of the District of Columbia and the pattern of development anticipated by the District’s DUKE Draft Development Framework for a Cultural Destination District Within Washington, DC’s Greater Shaw/U Street (“**DUKE Plan**”) along 7th Street, N.W. between S Street, N.W. and T Street, N.W. The proposed design meets the challenge of providing an appropriate substantial development presence at the entrance to a Metrorail station that simultaneously complements the overall scale of the surrounding retail, commercial and residential uses. The Project is divided into three distinct architectural elements: a residential element, an office element, and restored low-rise buildings which contribute to the Greater U Street Historic District. The residential and commercial portions of the Project are composed of a variety of articulations and tiers that increase the amount of exterior exposure for the building and provide air and light to the residential units. This design approach results in a contextually-sensitive building, located within easy walking distance of neighborhood retail and mass transportation, which creates a visually stimulating and exciting addition to the community and leads to a more vibrant streetscape.

B. The Applicant

The Applicant, Broadcast Center Partners, LLC, is a newly-formed entity comprising local and regional business leaders with strong backgrounds in development, construction, design, finance, property management, and community involvement. Collectively, the Applicant has extensive experience in developing mixed-use projects and build-to-suit facilities, and has

strong financial resources. It is staffed by talented professionals, and has a substantial amount of minority participation; in fact, over fifty percent of the professional team and partners are minority-owned companies and are registered Local, Small, Disadvantaged, Business Enterprises (“LSDBEs”). Broadcast Center Partners includes Ellis Enterprises LLC (a registered LSDBE), The Jarvis Company LLC (a registered LSDBE) and Four Points, LLC.

Ellis Enterprises, LLC (“Ellis”) is a real estate development and facilities management consulting firm, and is a registered LSDBE. Ellis was established in 2000 by Roy “Chip” Ellis, a fourth-generation Washingtonian active in local business and politics for over 15 years. Ellis has worked on a \$100 million proposal to develop a 400,000 square foot mixed-use development in the Foggy Bottom neighborhood and is an equity participant in the Broadcast Center One development.

The Jarvis Company (“Jarvis”) is a real estate management, consulting and development company founded in 1999, and is a certified LSDBE. Jarvis’s founders are fifth-generation Washingtonians with long experience in local business and politics, and its principal owners have extensive real estate, legal, and business experience. N. William Jarvis has served as an attorney for over 10 years, handling real estate and business matters, while Ernest D. Jarvis has over 15 years of experience in commercial real estate as an appraiser and broker. Jarvis currently provides development consulting on, and equity investments in, projects throughout the District of Columbia, Maryland, Virginia and elsewhere in the country.

Four Points, LLC (formerly West Group Development Company) was established in 2004 to develop commercial and residential properties in the District of Columbia and the surrounding areas. In that short period, Four Points has established an impressive portfolio of

properties in 100% off-market transactions ranging from corporate build-to-suits, to portfolio repositioning, to ground-up and strategic developments, representing over 2.5 million square feet of development potential. As a privately held company with a stake in the progress of the communities in which it develops, Four Points has fostered a reputation for innovative work and high-quality projects that complement the neighborhoods and communities in which they are located.

Four Points' partners bring more than 42 years of real estate leadership and investing experience in DC with a particular focus on the mid-Atlantic and greater Washington area, achieving superior results through cyclical downturns as well as periods of market resurgence. These partners have been investing together for the past 17 years and have closed more than 30 transactions, comprising more than 164 commercial, residential and mixed-use properties, since 1995 with an aggregate value of more than \$1.8 billion.

Radio One, Inc. is the nation's seventh largest radio broadcasting company (based on 2003 net broadcast revenue) and the largest company that primarily targets African-American and urban listeners. Radio One owns and/or operates 69 radio stations located in 22 urban markets in the United States and reaches approximately 13 million listeners every week. Radio One also programs "XM 169 The POWER" on XM Satellite Radio and owns approximately 40% of TV One, LLC, an African-American targeted cable channel, which is a joint venture with Comcast Corporation. Radio One is committed to being an equity partner in the entire development, as well as the lead tenant for the Project's commercial space. Radio One has signed a letter of intent, and the terms of their participation will be finalized over the next few months.

C. Project Goals and Objectives

The Applicant's objective is to create high quality housing, commercial and retail opportunities on an underutilized site in an established District neighborhood. This site is an appropriate location for the proposed medium/high-density development. Neighborhood infrastructure, such as an adjacent Metrorail station, Metrobus stops and utility lines are already in place. The Project will help support small businesses by providing new retail space; fuel the District's cultural and economic resurgence by bringing to the District a home-grown, nationally-known broadcaster; attract new residents to the District by offering new, highly desirable housing units; and complete the unfinished streetscape, now partially vacant, along the east side of 7th Street, N.W. The Project will bring a large and successful African-American-owned business to a prominent, historically African-American neighborhood, while simultaneously preserving the traditional fabric of that neighborhood by restoring and integrating existing historically-contributing buildings on the Property into the Project. The Applicant seeks PUD approval in order to achieve the height and density necessary to deliver this complex and innovative project.

D. Development Timetable

The Applicant plans to start construction in the fall of 2007 and expects that the total construction period will last approximately 24 months.

E. Appropriateness of the PUD Process

The PUD process provides a means of 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 vision for the Project has been one of balance. Because the Property is located at a prominent place along a major artery in a neighborhood rich in history, input from nearby property owners and various District agencies has been a critical component of the design development. The Applicant has received concept approval from the Historic Preservation Review Board (“HPRB”), and proactively modified the Project’s design in response to HPRB input during the process (see Exhibit C). The Applicant has also reached a Memorandum of Understanding (“MOU”) with representatives of various parties including the LeDroit Park & Shaw Community, ANC 1B representative, ANC 2C representative, Shaw Main Streets and Manna Community Development Corporation. The MOU, attached as Exhibit D, outlines the basic terms of the development and commits the Applicant to provide those amenities listed herein.²

As a result of these meetings, the Project has evolved to become far superior to its initial conception, and it addresses the most critical comments from the adjacent neighbors. The PUD process is an extension of the engagement that has already begun, and will ensure a well-planned

² This MOU was negotiated at the time that the residential uses in the Project were envisioned to be “for sale” condominiums. The market has dictated a change to rental units. Therefore, some of the terms of the MOU will have to be modified to reflect such a change. The Applicant is in friendly negotiations with the community to accommodate this change.

development. The process will provide the Zoning Commission with an opportunity to review the design in connection with its consideration of the requests for zoning relief.

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. The Property has 444.58 feet of frontage along 7th Street and is 115.67 feet deep; it slopes approximately 1.33% downward from T Street on the north to S Street on the south. As seen in the existing elevations in Exhibit A, a series of underutilized structures – some historically significant, some not -- front 7th and T Streets on the northern half of the Property.

Seventh Street, N.W. is a major north/south commercial artery that connects the bustling Gallery Place/Chinatown/Convention Center area to Petworth and Silver Spring via the Georgia Avenue Corridor. To the east of the site across an alley are the historic Howard Theatre and a former Wonder Bread factory; to the west, across 7th Street is a 120-bed Howard University dormitory facility. To the southwest, on the west side of 7th Street between R and S Streets, N.W., is a 10-story residential building. To the south, across S Street, are commercial buildings and a large church. To the north, across T Street, are several commercial buildings and the historic Dunbar Theater. The Shaw-Howard University Metrorail Station is directly adjacent to the Property at the corner of 7th and S Streets, N.W. Outdoor recreational amenities are plentiful and include the Kennedy Recreation Center three blocks to the south (with a gymnasium, lighted basketball court and playground) and the very large Banneker Recreation Center five blocks to

the north (with a lighted basketball court, picnic area, playground, swimming pool, tennis court and two-lighted baseball fields).

The area to the south, north, northwest, northeast, southwest and immediate east of the Property are also in the ARTS/C-2-B Zone District. Areas west, east, and southeast of the Property (beyond Wiltberger Street, N.W.) are in the R-4 Zone District. The 7th Street corridor in this location is characterized by both large and small commercial and residential structures and some surface parking lots. Additionally, the sidewalk on T Street is part of the public space designated as “Ellington Plaza” by the D.C. Council.³ The DUKE Plan anticipates that Ellington Plaza will be developed into a “small restaurant/entertainment zone celebrating the legacy of the Howard [Theater] and the surrounding neighborhoods.” The neighborhood is just south of Howard University.

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. The Greater U Street Historic District, which extends roughly from 7th Street, N.W. on the east to 16th Street, N.W. on the west, and from S Street, N.W. on the south to Florida Avenue, N.W. on the north, encompasses over 1,500 historic structures, including collections of rowhouses that were constructed in the last third of the 19th century and commercial and cultural buildings rich in local African-American history that were built during the first half of the 20th century. Several of the existing structures on the Property fronting both 7th and T Streets are contributing buildings in the Greater U Street Historic District.

³ The Edward “Duke” Ellington Plaza Designation Act of 2002, 49 DCR 4402, May 17, 2002.

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. Furthermore, the Project is fully consistent with the concept for the site described in the DUKE Plan's 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. At the ground

floor, the office element will be divided into two distinct geometric shapes: a rectangular core set back to accommodate the Metrorail entrance with glass curtain walls at the 7th and S Street elevations and a two-story triangular entrance vestibule.

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. The sloped glass curtain walls and the triangular entrance vestibule at 7th and S Streets, N.W. create a distinctive geometric element that defines Broadcast One Plaza between the office component and the first tier of the residential component, and houses the office lobby.

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 201 cars (20 in-tandem-spaces); this meets the required level of parking for the office, residential and retail

uses in the Project. The garage will accommodate the needs of workers, residents and guests of Broadcast Center One as well as the nearby Howard Theatre and other attractions; it 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 both 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%.

C. Development Parameters Under Existing Zoning

The existing ARTS/C-2-B Zone District permits a PUD development to a maximum total FAR of 6.0 (2.0 for commercial uses) and a maximum building height of 90 feet. Section 2405.3 allows the Zoning Commission to increase the FAR by 5% if the increase is essential to the successful functioning of the project and is consistent with the purpose and evaluation standards of the PUD regulations. The maximum percentage of lot occupancy for a commercial building is 100%. The maximum lot occupancy for a building or portion of a building devoted to residential use is 80%. Pursuant to Section 1900.2 of the Zoning Regulations, the purposes of the ARTS Overlay include:

- Promoting uses that “encourage pedestrian activity,” such as retail and residential uses, and providing for arts and related cultural support uses;
- Expanding the area’s housing supply;

- Expanding business opportunities; and
- —Encouraging “adaptive-reuse” of older structures and an “attractive combination” of old and new buildings.

The ARTS Overlay requires that no less than 50% of the ground level of a building on a lot that fronts 7th Street be devoted to enumerated retail and arts-related uses, and has specific street frontage design requirements for structures along 7th Street. These requirements are met by the Project.

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-B 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.

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 and increase the commercial allotment of the density from 2.0 to 2.5. The Project features extensive ground-floor retail space, which is a preferred use in the ARTS Overlay, and the greater nonresidential FAR is needed to provide Radio One with adequate space for its new headquarters.

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, in order to maintain the set-back of the buildings from the street and to be housed in a single enclosure. The roof structure configuration is a result of the HPRB-approved design which intends to push the mass of the building to the rear property line and Building Code requirements with regard to required means of egress.

Third, the Applicant requests relief from the residential recreation space requirement of 15% of gross floor area,⁴ instead providing residential recreation space of approximately 3.5%, 6,454 square feet. The Applicant believes that the private apartment terraces and balconies, the 2nd floor media room and fitness center, the lobby area, and the large rooftop terrace -- open to all of the Project's residents -- combined with the proximity of ample outdoor recreational amenities in the Kennedy Recreation Center three blocks to the south (with a gymnasium, lighted basketball court and playground) and the very large Banneker Recreation Center five blocks to the north (with a lighted basketball court, picnic area, playground, swimming pool, tennis court and two lighted baseball fields) will provide ample recreation opportunities for the building's residents.

Fourth, the Applicant also seeks relief from the lot occupancy requirement. The deviation is necessary to maximize the potential of this transit-oriented site, and the residential portions are set back significantly from 7th Street.

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

⁴ The Zoning Commission has taken a vote on a Final Rulemaking to eliminate this requirement in commercial zones, but at the time of this application, this text amendment had not been published.

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>ARTS/C-2-B</u>	<u>ARTS/C-2-B PUD</u>	<u>PROJECT</u>
Building Height	65 feet	90 feet	90 feet
FAR	3.5 Total (1.5 Non-Residential)	6.0 Total (2.0 Non-Residential)	6.3 Total (2.5 Non-Residential)
Gross Floor Area	178,717 square feet	306,372 square feet	319,917 square feet
Rear Yard	15 feet	15 feet	45 feet
Side Yard	0	0	0
Lot Occupancy	80%	80%	88%
Residential Recreation Space	15%	15%	3.5%
Parking	Office: 56 Retail: 28 Residential: <u>60</u> 144	Office: 56 Retail: 28 Residential: <u>60</u> 144	Office/Retail: 100 ⁵ Residential: <u>101</u> 201
Loading	Office: 2 - 30' berths Retail: 2 - 30' berths Residential: 1 - 55' berth	Office: 2 - 30' berths Retail: 2 - 30' berths Residential: 1 - 55' berth	Office: 2 - 30' berths Retail: 2 - 30' berths Residential: 1 - 30' berth

⁵ Of these 100 spaces, 20 are tandem spaces.

III. PLANNING ANALYSIS

A. Land Use Impact

1. The DUKE Plan

The Property is located within the planning area studied under the Draft Development Framework for a Cultural Destination District within Washington, DC's Greater Shaw/U Street Plan ("DUKE Plan"), produced by the Office of Planning ("OP") and approved by the Council of the District of Columbia. Specifically, the Project is located in the Howard Theatre Sub-District of the DUKE Plan. The DUKE Plan is intended 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. The Project will be consistent with the DUKE Plan's vision.

Several goals of the DUKE Plan are furthered by the Project. The DUKE Plan seeks:

- The creation of sustainable retail and destination uses, as well as ground-floor entertainment and retail uses that enhance the public realm and develop an attractive streetscape;
- Residential development that includes affordable housing;
- The preservation of existing historic resources through forward-thinking and innovative design solutions for new and infill projects; and
- Dense, compact, mixed-use transit-oriented development.

In the DUKE Plan's specific "Placemaking" strategy for the Howard Theatre Sub-district, the overarching goal is to turn the immediate neighborhood into a Performing Arts Anchor, with

an eye towards supporting both daily and nightly events at the Theatre. The DUKE Plan calls for a large development on the Property with a mix of office, retail and residential uses.

The Project fulfills the DUKE Development Program for the Property which suggests a FAR of approximately 6.0 for the Property with a building height of 90 feet. The Project meets the goal of office and residential use and it brings the perfect commercial use for the site: Radio One/TV One provides a major daytime use and attraction that will to draw visitors to the site. The Project also provides 180 apartment units, of which 45 will be affordable. Moreover, Radio One is a natural fit for the Arts District; it will give broad media exposure to both the events at the Howard Theatre and the neighborhood itself. Finally, the Project's design balances the need to preserve the site's historic buildings by setting back the Project's mass while optimizing density on this transit-oriented parcel.

2. Transit-Oriented Development

In September 2002, OP produced a report entitled Trans-Formation: Recreating Transit-Oriented Neighborhood Centers in Washington, D.C. ("Report"). This Report notes that:

"Transit-Oriented Development in the District of Columbia is a land use strategy to accommodate new growth, strengthen neighborhoods, expand choices and opportunities by capitalizing on bus and rail assets to stimulate and support vibrant, compact, diverse and accessible neighborhood centers within an easy walk of transit."

The Report noted six key design principles "that can create vibrant centers focused on transit, while enhancing unique neighborhood characteristics." These design principles include: (i) connectivity; (ii) quality public realm; (iii) pedestrian-friendly environment; (iv) attractive architecture and design; (v) mix of uses; and (vi) creative parking management. As noted throughout this statement, the proposed PUD project incorporates all of these design principles to create a truly Transit-Oriented Development ("TOD").

The proposed Project will create an architecturally significant mixed-use development along 7th Street, N.W., a prominent commercial artery in northwest D.C., between S and T Streets, N.W., at the Shaw-Howard University Metrorail station, served by numerous Metrobus lines. The Project replaces existing vacant land along 7th Street and restores existing historic structures, resulting in significant enhancements to the Property that will create a safe and inviting pedestrian environment. The proposed height and massing of the Project is consistent with existing residential and commercial development and the District's planning goals for the future of this neighborhood. Finally, the proposed mix of residential, office, and retail use along 7th Street will encourage an active and attractive physical environment.

3. Housing Strategy

The Statement of Principles and Recommendations of the Comprehensive Housing Strategy Task Force's Homes for an Inclusive City: A Comprehensive Housing Strategy for Washington, D.C., dated January 31, 2006, sets forth a plan for improving the District's housing and affordable housing by 2020. Below are core recommendations of this Strategy:

—“The District of Columbia should . . . increase[e] residential development . . . throughout the District”:

- “The District of Columbia should increase the net supply of housing by at least 55,000 units to reduce upward pressure on housing prices and rents and accommodate a growth in population of 100,000”;
- “The location of new production envisioned by the task force should support a balanced growth policy, which will allow increases in population density”; and
- “Both assisted and market-rate housing produced in the District should adhere to high architectural and urban design standards, providing housing with amenities and access to transportation for all neighborhood residents.”

- “The government of Washington, D.C. should accelerate its efforts to preserve and increase high-quality affordable housing for both owners and renters”

The Applicant will create approximately 180 new units of attractive, high-quality housing in an underserved area of the District; moreover, the Project’s mixed-use retail and office components will trigger additional residential development. The Project consists of a highly-desirable residential development of appropriate density to complement its mixed-use components and anchor its transit-oriented location. Moreover, the Applicant will reserve 25% of its development, or 45 units, as affordable for low- and middle-income residents. Broadcast Center One will constitute a premiere mixed-use and mixed-income centerpiece for the new Shaw neighborhood.

B. Zoning Impact

Developing the Property according to the PUD standards and limitations will not adversely affect nearby and adjacent zone districts or properties. The PUD standards for the C-2-B Zone District are consistent with the adjoining moderate-density commercial and moderate-density residential land use categories depicted on the Generalized Land Use Map of the Comprehensive Plan. Additionally, the zoning relief requested by the Applicant is minimal and necessary to achieve the remarkable mixed-use, historically-sensitive design of the Project.

C. Environmental Impact

As more specifically detailed in Exhibit F, there will be no adverse environmental impacts resulting from the construction of this Project. In addition, the increased use in 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 site is currently served by all major utilities. The

Project's proposed stormwater management and erosion control plans will minimize impact on the adjacent property and existing stormwater systems. The requisite erosion control procedures stipulated by the District will be implemented during construction of the Project.

D. Facilities Impact

The Project will not have an adverse impact on the public facilities on which it will rely for service.

IV. EVALUATION STANDARDS

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 below, the Project provides superior benefits in several of the categories listed in Section 2403.9.

A. Urban Design, Architecture, and Landscaping

Section 2403.9(a) lists urban design and architecture as categories of public benefits and project amenities for a PUD. 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. Finally, it offers commercial opportunities regarding a leading African-American-owned arts and media-related business. 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, terraced tiers; (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.

B. Site Planning

Pursuant to Section 2403.9(b) of the Zoning Regulations, “site planning, and efficient and economical land utilization” are public benefits and project amenities to be evaluated by the Zoning Commission. The 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.

C. Effective and Safe Vehicular and Pedestrian Access

Section 2403.9(c) of the Zoning Regulations states that “effective and safe vehicular and pedestrian access” can be considered public benefits and project amenities of a project. 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 E, the proposed development is anticipated to generate 136 AM peak hour vehicular trips and 172 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.

D. 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 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.

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

F. 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 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. 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 DC residents. Once complete, the Project will generate 44 new permanent retail jobs of which at least 22 will be filled DC residents.

G. 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. Therefore, 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”); in accordance with the spirit of D.C. Law 12-268, the District should make a particular effort to allow these enterprises this opportunity to grow their business in strength and vitality, and to allow these enterprises to be a key participant in “stimulating economic development in the District.”

H. 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.” The proposed PUD is consistent with and advances the District’s goals and objectives. Section V below discusses the proposed development in light of the Comprehensive Plan in greater detail.

I. Additional 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 Project 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 minority participation through the LSDBE’s among the professional team and partners. The approval of this 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 (provided by Radio One) to students living in the Shaw neighborhood to attend Howard University’s business or communications schools.

V. COMPLIANCE WITH THE COMPREHENSIVE PLAN

The proposed PUD 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.))

The proposed Project significantly advances these purposes. First, the project will further the physical and economic development of the District through the construction of a modern

residential building that will be an important step towards achieving the District's housing goals. Second, the Project will result in the development of an attractive office building housing a major corporation that, combined with the considerable retail uses in the Project as a whole, will promote the District's economic well-being. Third, the Project will include the renovation and preservation of several historic buildings that will help the District enhance its architectural assets and conserve its architectural heritage. Finally, the Project will bring a leading African-American-owned business to the historic African-American heart of the city, thus both conserving and improving the cultural fabric of the Shaw neighborhood.

A. Compliance with Major Themes

Three major themes applicable to this Project 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 proposed development maintains and enhances the historic character of the Shaw neighborhood. The Project's combination of residential, commercial, and retail uses is consistent with present and future uses along 7th Street. The addition to the community of approximately 180 apartments will be a stabilizing factor adding to the neighborhood's improved general upkeep, while the street life created by the Project will improve the neighborhood's safety. Vacant land and under-utilized historic structures adjacent to a Metrorail station do not benefit the neighborhood or the District. However, the presence of residents, employees, and established businesses will greatly improve the quality and character of life along 7th and T Streets.

2. Respecting and Improving the Physical Character of the District

Currently, the vacant lot and underutilized buildings on the Property do not enhance the physical character of the District. Instead, the neglected and badly-maintained historic structures along 7th and T Streets actually detract from the vibrant urban life associated with the Greater U Street neighborhood. The proposed development will restore life to the once-popular commercial area of 7th and T Streets and will create an exciting new district that is appropriate to the Shaw neighborhood.

3. Preserving and Ensuring Community Input

In response to District and community input, the Applicant made the following changes to its original thinking for the Project:

- The Applicant has reduced the height of the project to 90 feet, consistent with the height regulations of the underlying zoning.
- The Applicant has ensured the preservation of historic buildings along 7th and T Streets.
- The Applicant has stepped back the mass of the new construction from the historic buildings on 7th and Streets and the Howard Theatre.
- The Applicant has revised the design of the “tower” to provide an architectural as well as massing distinction between the two uses.

Input from the community has made the Project a better development. Neighbors’ comments challenged the development team to think creatively about contextually-sensitive design. The Project now balances its historically-contributing buildings with the new office and residential structure in an organic and natural way.

B. Compliance with Major Elements

The Comprehensive Plan also contains 11 major elements. The Project furthers the goals, objectives and policies of several of these elements.

1. Generalized Land Use Map

The Generalized Land Use Map, adopted as a part of the Comprehensive Plan, includes the Property in the mixed-use moderate-density commercial/moderate-density residential category. The proposed PUD is not inconsistent with these designations. Moreover, the Project is in keeping with the District's future plans for the neighborhood, as delineated in the DUKE plan, as well as citywide policies promoting transit-oriented design and residential development in the District.

2. Housing Element

It is the goal of the District to:

"Encourage the private sector to provide new housing to meet the need of present and future District residents at locations consistent with District land-use policies and objectives" (10 DCMR § 302.2(a));

"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)).

The Property consists of vacant land, with a few buildings in various states of disrepair, at an entrance to a Metrorail station. The Property's location makes this site a prime opportunity to increase the District's housing stock.

3. Urban Design Element

It is the goal of the District to:

"Preserve and enhance the outstanding physical qualities of District neighborhoods" (10 DCMR § 702.1(b)); and

"Encourage well-designed developments in areas that are vacant, underserved or deteriorated. These developments should have strong physical identities" (10 DCMR § 712.2(a)).

Currently, the Project site is largely vacant, with several small-scale historic buildings in poor condition. The Project improves the visual quality of the space through its restoration of the

historic structures on the site and addition of a new residential and new office building that is architecturally-innovative.

4. Economic Development Element

It is the goal of the District to:

“[Generate] sufficient tax revenues to fund the District’s budget” (10 DCMR § 200.13); and

“Place a high priority on stimulating and facilitating a variety of commercial, retail and residential development investments . . . consistent with the Land Use element . . . and with sensitivity to surrounding areas” (10 DCMR § 204.2(m)).

The Property currently contributes little to economic well-being of the District. The Project, on the other hand, will result in significant new tax revenue for the District. The approximately 180 new residential units will enhance economic development by contributing significantly to the District’s population and also to the District’s tax base through substantial property, income, and other tax revenues. New residents will patronize existing neighborhood retail along 7th Street and throughout the District, and higher property values will increase property tax revenue. The new office building will generate property tax revenues significantly in excess of those generated by the vacant lot. Radio One, with an excess of 200 employees, can be expected to produce a strong demand for products and services from the local market, which will both support the local economy and generate sales taxes for the District. Furthermore, more of Radio One’s employees would likely seek to live in the District of Columbia due to the relocation of their workplace, thus adding new income tax revenue to the District’s coffers as well. Altogether, the Project will produce an estimated \$13.7 million in new tax revenue to the District over the next 10 years, and over \$27 million over the next 20 years.

The construction of new retail uses will provide convenient employment opportunities to neighborhood residents. In its MOU with the community, the Applicant committed to requiring

commercial tenants to make their “best efforts” to employ residents of the community in newly-created jobs, and to selecting commercial tenants that will offer a variety of job types to the community. Altogether, it is estimated that the Project will generate 835 temporary construction jobs (based on the one-year full-time equivalent) with approximately 426 of those jobs taken by DC residents. Meanwhile, the Project will generate 44 new permanent retail jobs, of which at least 22 will be filled by DC residents.

5. Environmental Protection Element

It is the goal of the District to:

“Protect the environment, to resist threats to its overall quality, and to act to maintain and enhance its positive features in the interest of residents, workers and visitors” (10 DCMR § 401.1); and

“Promote land use patterns and transportation services which decrease reliance on automobiles for commuting or other routine trips” (10 DCMR § 403.2(c)).

The Project will comply with all the applicable rules and regulations of the District to promote energy conservation, improve air quality and protect the natural environment. Moreover, its location at a Metrorail station makes it a prime site for denser commercial, retail, and residential development. Finally, the Applicant intends to construct a building with many sustainable, “green” features.

6. Transportation Element

It is the goal of the District to:

“Support land use arrangements that simplify and economize transportation service . . . to promote high density residential development at strategic locations, particularly near appropriate Metrorail stations” (10 DCMR § 502.2(a)).

The site’s location at the entrance to the Shaw-Howard University Metrorail Station reduces the impact of vehicular traffic, and its situation directly on 7th Street, a significant corridor, will also limit the traffic impact on small, neighborhood streets. Furthermore, a generous amount of parking will be provided in an underground garage. The proposed project

will also contain designated space for bicycle storage. The use of the existing alley for access to the parking garage and loading areas eliminates the need for a curb cut that would reduce the number of on-street parking spaces. Most importantly, the enhanced foot traffic and street life that the Project will create at the Metrorail station entrance will enhance the overall sense of safety in the immediate region of the Metrorail station; this will encourage others in the neighborhood to use Metrorail and the Metrobuses that stop in front of the Property, especially during evening hours.

7. Preservation and Historic Features Element

It is the goal of the District to:

“Foster broad community participation in the effort to protect and enhance historic properties in the National Capital and give maximum encouragement to organizations and individuals undertaking preservation by private means” 10 DCMR § 804.1(m); and

“Every effort should be made to provide for the continued, appropriate use of all historic properties. If the original use or a reasonable intensification of the original use is no longer feasible, appropriate adaptive uses consistent with applicable land use regulations should be encouraged” 10 DCMR § 805.1.

The Project meets the District’s goals for preserving historic structures and districts. The Applicant has worked extensively with the HPRB to develop a design that respects contributing historic buildings in the Greater U Street Historic District and the Project has received Concept Approval from the HPRB (see Exhibit C). These structures include 624 T Street, N.W., which was once a billiard parlor frequented by Duke Ellington and other musicians that performed at the nearby Howard Theatre. A young Duke Ellington, who began to frequent the neighborhood at the age of 14, played both pool and piano at what he called “the highseat of billiard parlors,” and credited its musicians, teachers, and patrons as inspiration for his legendary career.

8. Ward 1 Element

The Comprehensive Plan also contains an Element specific to the needs of Ward 1. These goals and policies of this Element include:

Economic Development:

- “To stimulate well-planned economic activity centers along major commercial corridors [and] support appropriate development of the . . . Shaw-Howard University . . . metrorail stations” (10 DCMR § 1202.1(a), (b));
- “To encourage the development and retention of needed commercial and service establishments in appropriately zoned locations” (10 DCMR § 1202.1(m));

Housing:

- “To provide for the housing needs of low- and moderate-income households [and] encourage home ownership” (10 DCMR § 1205.1(b);
- “To target residential development opportunity areas where significant housing development can appropriately occur and encourage multi-unit housing development . . . near the . . . Shaw metrorail station” (10 DCMR § 1206.1(d));

Transportation:

- “To support land use arrangements that simplify and economize transportation services in Ward 1, including mixed-use zones that permit the co-development of residential and nonresidential uses, and encourage additional development at strategic locations, particularly near the .

Land Use:

- “To concentrate planning and development attention on metrorail station areas (Shaw-Howard University . . .) that offer opportunities for redevelopment and new growth, thus promoting increased ridership for the transit system and enhancing Ward 1’s and the District’s economic development efforts” (10 DCMR § 1229.1(f)).

Preservation and Historic Features:

- “To protect and enhance the important historic resources of Ward 1 and the national capital” (10 DCMR § 1226.1(a); and

The proposed PUD and rezoning is consistent with these provisions of the Ward 1 Element of the Comprehensive Plan. The Project increases the attractiveness of a neglected streetscape in the Ward, will add scores new jobs to the Ward (through the relocation of Radio One’s employees and the new jobs created in the retail uses) and will generate additional revenues to the District in the form of greater property, income, sales, use, and employment

taxes. The Project will attract new small businesses to locate in the site's ample retail space, adjacent to the entrance of the Shaw-Howard University Metrorail station.

The Project will also provide a substantial amount of affordable housing (approximately 45 units) and will add 180 rental apartments to the market. Approving the proposed PUD would provide a suitable "zoning incentive" that will produce a significant amount of new housing units, including a large number of high-quality affordable units, and will result in a relatively dense development close to Metro, consistent with the Ward 1 Element's land-use policies and objectives. Finally, the Project will preserve, reuse, and restore the historically-contributing buildings located on the site

VI. 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.

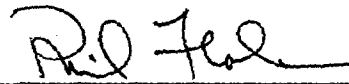
The Project, with its prominent location along 7th Street, N.W. at an entrance to the Shaw-Howard University Metrorail Station, will do a great deal to restore the neighborhood's former glory and help build a dynamic future for the neighborhood. First, historically-contributing buildings on the site 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 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; will satisfy the requirements for approval of a PUD; will provide significant public benefits, and; will advance important goals and policies of the District of Columbia.

Accordingly, we respectfully request the Zoning Commission to set this application down
for a public hearing at the earliest possible date.

Respectfully,

Pillsbury Winthrop Shaw Pittman LLP



Phil Feola



Michael Weiss

*Not admitted to practice in the District of
Columbia

Date: MARCH 15, 2007