



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

RECEIVED
D.C. OFFICE OF ZONING

2009 DEC 14 PM 12:19

Commission Members

Presidential Appointees

L. Preston Bryant, Jr., Chairman
Herbert F. Ames
John M. Hart

Mayoral Appointees

Arrington Dixon
Stacie S. Turner

Ex Officio Members

Secretary of Defense
The Honorable Robert M. Gates

Secretary of the Interior
The Honorable Ken Salazar

Acting Administrator
General Services Administration
The Honorable Paul F. Prouty

Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
The Honorable Joseph I. Lieberman

Chairman
Committee on Oversight
and Government Reform
U.S. House of Representatives
The Honorable Edolphus Towns

Mayor
District of Columbia
The Honorable Adrian M. Fenty

Chairman
Council of the District of Columbia
The Honorable Vincent C. Gray

Executive Director
Marcel C. Acosta

IN REPLY REFER TO:
NCPC File No. Z.C. 08-24

DEC 09 2009

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

Members of the Commission:

Pursuant to delegations of authority adopted by the Commission on, August 6, 1999, I found that the proposed Consolidated Planned Unit Development and related map amendment for a mixed-use development on Squares 3654-3657 and 3831 located in Northeast, Washington, D.C., would not be inconsistent with the Comprehensive Plan, nor would it adversely affect any other identified federal interests. A copy of the Delegated Action of the Executive Director is enclosed.

Sincerely,

Marcel C. Acosta
Executive Director

Enclosure

cc: Harriet Tregoning, Director, D.C. Office of Planning
Anthony Hood, Chairman, Zoning Commission

ZONING COMMISSION
District of Columbia

CASE NO. 08-24

EXHIBIT NO. 72

**CONSOLIDATED PLANNED UNIT DEVELOPMENT (PUD) AND RELATED MAP
AMENDMENT ON SQUARES 3654-3657 & 3831**

Washington, DC

Referred by the Zoning Commission of the District of Columbia

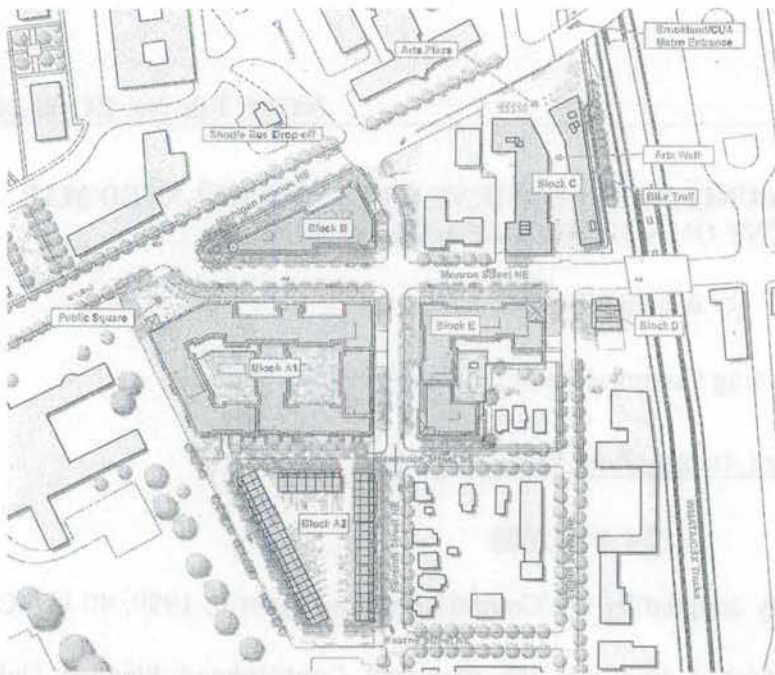
Delegated Action of the Executive Director

NOV 24 2009

Pursuant to delegations of authority adopted by the Commission on August 6, 1999, 40 U.S.C. §8724(a), and DC Code §2-1006(a), I find that the proposed Consolidated Planned Unit Development (PUD) and related map amendment for a mixed use development on Squares 3654-3657 and 3831 located in Northeast Washington, D.C. would not be inconsistent with the Comprehensive Plan for the National Capital, nor would it adversely affect any other identified federal interests.

* * *

The Zoning Commission of the District of Columbia has taken a proposed action to approve a Consolidated Planned Unit Development (PUD) and related zoning map amendment for Squares 3654-3657 & 3831. This project is being reviewed by the Zoning Commission concurrently with Zoning Commission Case No. 08-24A, amendment to the Catholic University of America (CUA) Campus Plan. The Subject Property is known as CUA's South Campus and is generally bounded by Michigan Avenue, NE to the north, Kearney Street, NE to the south, the WMATA/CSX train tracks to the east, and the Dominican House of Studies to the west. The property is approximately 8.9 acres and currently consists of vacant lots and dormitories for Catholic University, which will be demolished. The PUD and related map amendment proposes the creation of a mixed-use project with a significant arts component. The project will contain approximately 75,000 – 85,000 square feet of ground-floor retail, and 725-825 residential units. Approximately 63,000 square feet of the residential square footage will be reserved for workforce affordable housing. In addition, approximately 40-50 townhouses will be developed in the southwest portion of the subject property.



Proposed site plan

The PUD divides the subject property into six separate blocks designated as: A1, A2, B, C, D, and E (refer to site plan). Block A1 will define the western entrance of the proposed development and will consist of a large public square and a mixed-use building containing ground-floor retail and residential uses. This building will be constructed to a maximum height of 70 feet as measured from its north front along Monroe Street.

Block A2, located directly south of Block A1, will be defined by 7th Street on the east, and the westerly extensions of Kearny

Street and Lawrence Street. This block will be improved with three to four story townhouses built to a height not exceeding 40 feet above the bounding streets; they have been designed so as to create a transition from the taller and denser structures proposed along Monroe Street, to the lower scale residences that exist to the south of the subject property. The type of development proposed for Block B is similar to what is contemplated for Block A1. The building will also be similar in height reaching a maximum of 70 feet measured from the midpoint along the Michigan Avenue frontage.

Blocks C and D, located along the eastern edge of the subject property, will be improved with a mix of uses that have a particular focus on the arts community. Two new five-story buildings will be constructed on Block C and will reach a maximum height of 65 feet as measured from Monroe Street. A new pedestrian-only 8th Street will separate the two buildings and is envisioned to become an "Arts Walk" containing retail and artist studios at the ground-floor level. The remaining floors of these buildings will be residential. The arts theme of Block C will be extended to Block D with the construction of the "Arts Flex Space Building." This building will be one-story and 36-feet in height above its measuring point on 8th Street. It is intended to accommodate a variety of uses and will be made available to the community for performance, exhibit, and meeting space purposes. Finally, Block E - located across 8th Street directly west of Block D - will be improved with a 6-story mixed-use building that will step down to four stories as it approaches the lower density single-family residential homes to the south. Its height will range from a maximum of 70 feet at its measuring point along Monroe Street to approximately 52 feet along Lawrence Street to the south. This building will contain ground-floor retail uses along Monroe Street similar to what is proposed for Blocks A1 and B, while the remaining upper floors will be residential.

The subject property is currently located in the R-4, R-5-A, and C-M-1 zone districts. The map amendment associated with this PUD proposes a C-2-B zoning designation for the portions of the subject property along Michigan Avenue, NE and Monroe Street, NE (Blocks A1, B, C, D, and E). The southwest portion of the subject property, the location of the proposed townhouses,

is proposed to be rezoned to R-5-B (Block A2). A small portion of the southeast corner of the subject property will remain in the C-M-1 zone district (Block D).

The federal interest associated with the proposed PUD and related map amendment is in compliance with the 1910 Height of Buildings Act, as amended ("the Act"). Generally, the Act imposes limitations on the heights of buildings in the District of Columbia based on the width of adjacent streets and the type of street, residence or business, on which a building is constructed. Furthermore, the Act also regulates the placement of roof structures such that if they exceed the maximum allowable height under the Act they must be setback from all exterior walls a distance equal to their height above the adjacent roof. Staff finds that the PUD, together with the related map amendment, is in compliance with the Act. The buildings proposed in this PUD will all be constructed to heights well below what is permitted under the Act. Furthermore, staff has also determined that the combined height of the buildings and their associated roof structures does not exceed the maximum height permitted by the Act, and therefore need not meet the setback requirement described above.



Marcel C. Acosta
Executive Director