THE ARTHUR CAPPER/CARROLLSBURG DWELLINGS

STATEMENT OF CAPPER/CARROLLSBURG VENTURE, LLC IN CONJUNCTION WITH THE DISTRICT OF COLUMBIA HOUSING AUTHORITY IN SUPPORT OF AN APPLICATION FOR SECOND-STAGE REVIEW AND APPROVAL OF A PLANNED UNIT DEVELOPMENT AND A REQUEST TO MODIFY THE PARKING REQUIREMENT APPLICABLE TO PORTIONS OF THE CONSOLIDATED PLANNED UNIT DEVELOPMENT APPROVAL

April 29, 2005

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ZONING COMMISSION
CASE No. 03-12A/03-13A
EXHIBIT No. 4

ZONING COMMISSION
District of Columbia
CASE NO.03-12A/03-13A
EXHIBIT NO.4

PREFACE

This statement and the attached documents are submitted to the Zoning Commission of the District of Columbia in support of an application for second-stage review and approval for selected portions of a major new redevelopment project at the site of the Arthur Capper/Carrollsburg Dwellings, a public housing community owned by the District of Columbia Housing Authority ("DCHA"). Located just north of the Washington Navy Yard in Southeast Washington, the overall redevelopment site is bounded by 2nd Street on the west, 7th Street on the east, Virginia Avenue on the north and M Street on the south. Capper/Carrollsburg Venture, LLC, together with DCHA, (collectively the "Applicant"), seek second-stage review and approval of a Planned Unit Development ("PUD") in order to begin implementing this redevelopment plan. Preliminary and consolidated approval of the entire project was issued pursuant to Zoning Commission Order Number 03-12/03-13, dated February 6, 2004, and effective October 8, 2004. The portion of the preliminary PUD approval included in this application includes Lots 44, 45, 46, 47, 48, 49, 50 in Square 799, Lots 20, 25, 26, 27, 28, 816, 818, 819, 820 in Square 800, and Square 881W. The Applicant is also seeking approval to modify the parking requirement for the low-rise residential buildings included in the Zoning Commission's consolidated approval of the project. Lots 44, 45, 46, 47, 48, 49, 50 in Square 799, Lots 20, 25, 26, 27, 28, 816, 818, 819, 820 in Square 800, and Square 881W are collectively referred to herein as the "PUD Site." The PUD Site consists of approximately 122,610 square feet of land area and is presently zoned R-5-B.

As set forth below, this statement and the attachments meet the filing requirements for a PUD application under Chapter 24 of the District of Columbia Zoning Regulations.

DEVELOPMENT TEAM

Applicant/Developer:	Capper/Carrollsburg Venture, LLC 8403 Colesville Road, Suite 400 Silver Spring, Maryland 20910
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Owners:	District of Columbia Housing Authority 1133 North Capitol Street, N.E. Washington, D.C. 20002-7599
Master Planner:	Torti Gallas & Partners, Inc. 1300 Spring Street, 4th Floor Silver Spring, Maryland 20910
Architect of Low-Rise Residential:	The Lessard Architectural Group 8603 Westwood Center Drive Vienna, Virginia 22182
Architect of Community Center:	Torti Gallas & Partners, Inc. 1300 Spring Street, 4th Floor Silver Spring, Maryland 20910
Landscape Architect of Low-Rise Residential:	EDAW, Inc. 601 Prince Street Alexandria, Virginia 22314
Landscape Architect of Community Center:	Parker Rodriguez 101 North Union Street, Suite 320 Alexandria, VA 22314
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I. INTRODUCTION

This statement and the attached documents support the application of Capper/Carrollsburg Venture, LLC, together with DCHA, (collectively the "Applicant"), to the Zoning Commission for the District of Columbia ("Commission") for second-stage review and approval of portions of a previously approved Planned Unit Development ("PUD").

On March 21, 2003, the Applicant filed an application seeking preliminary and consolidated approval of a PUD for property located in the Southeast quadrant of Washington, D.C. and generally bounded by 2nd Street on the west, 7th on the east, Virginia Avenue on the north, and M Street on the south. The property consists of approximately 927,000 square feet of land area. Pursuant to Zoning Commission Order Number 03-12/03-13, granted October 8, 2004, the Commission granted preliminary approval of the PUD for the following properties: Square 737, those portions of Lot 814 and Reservation 17A that lie south of the southern right-of-way line of I Street extended; Square 799, Lots 20, 27, 28, 29, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 803, 805, 807, 808, 809, 816, 818, 819, 825, 826, and 827; Square 800, Lots 25, 26, 27, and 28; Square 824, Lots 37, 38, and 39; Square N853, Lot 809; Square 880, Lot 24; Square W881, that part of Lot 800 within 132 feet of 5th Street; Square 882, Lot 76; and all of Squares 739, 767, 768, 769, 797, 798, 825, and S825. The Commission also granted consolidated approval of the PUD for the following properties: Square 824, Lots 37, 38, and 39; Square S825, Lots 31, 32, and 33; Square 880, Lot 24; and all of Squares 797, 798 and 825. The Commission also granted a PUD-related map amendment to rezone the following properties from R-5-B to CR upon completion of the second-stage approval of the PUD: Square 769, that portion lying more than 145 feet from the northern right-of-

way line of M Street (including a portion of Reservation 17D); Square 882, that portion lying south of the midpoint of the Square; and all of Squares 767 and 768 (including Reservations 17B and C).

The Applicant is currently seeking second-stage approval for portions of the preliminary PUD approved pursuant to Zoning Commission Order 03-12/03-13. The Applicant is also seeking approval to modify the parking requirement for the low-rise residential buildings included in the Zoning Commission's consolidated approval of the project. This application is the first of a series to be filed to complete the entire PUD project. The property that is the subject of this application consists of Lots 44, 45, 46, 47, 48, 49, 50 in Square 799, Lots 20, 25, 26, 27, 28, 816, 818, 819, 820 in Square 800[1], and Square 881W. Lots 44, 45, 46, 47, 48, 49, 50 in Square 799, Lots 20, 25, 26, 27, 28, 816, 818, 819, 820 in Square 800, and Square 881W are collectively referred to herein as the "PUD Site." Squares 799 and 800 are bounded by K Street, S.E. on the north, 4th Street, S.E. on the east, M Street, S.E. on the south, and 3rd Street, S.E. on the west. The boundaries of Square 881W are K Street, S.E. on the north, Square 881 on the east, L Street, S.E. on the south, and 5th Street, S.E. on the west. The PUD Site consists of approximately 122,610 square feet of land area and is zoned R-5-B. The Applicant is not seeking an amendment to the Zoning Map in connection with this application.

[1] The property that is the subject of this application consists of Lots 44, 45, 46, 47, 48, 49, 50 in Square 799, Lots 20, 25, 26, 27, 28, 816, 818, 819, 820 in Square 800, and Square 881W. Other than lots 20, 818, 819, and 820 in Square 800, DCHA is the owner of the property included in Squares 799 and 800. On February 23, 2005, DCHA submitted to the Office of the Attorney General of the District of Columbia information for the filing of a "Declaration of Taking" and a "Complaint for Condemnation" to take by eminent domain Lots 818, 819 and 820 in Square 800. Based upon information provided by the Office of the Attorney General, DCHA expects the Declaration to be filed during the month of April or May. The filing of the Declaration terminates all outstanding interests in the property. Therefore, DCHA is proceeding with this application as the owner of Lots 818, 819 and 820 in Square 800, and will submit a copy of the Declaration prior to the hearing on this application. Further, DCHA and the owner of Lot 20 in Square 800 have entered into a purchase agreement pursuant to which DCHA will acquire Lot 20. Moreover, the District of Columbia is authorized to proceed with the development of Square 881W pursuant to a transfer of jurisdiction recorded on Book 158, Page 11.

The Applicant intends to construct low-rise residential buildings in Squares 799 and 800 and a community center on Square 881W. The residential buildings will be constructed to a maximum height of 45 feet, and the Applicant proposes to construct the community center to a maximum height of 35 feet. The project will have a floor area ratio ("FAR") of approximately 1.45. There will be 73 parking spaces provided in this phase of the development.

A. Summary of Project

In fulfillment of housing, economic and social goals on both the local and national level, the proposed project will replace and redevelop one of the most severely deteriorated public housing projects in the city. The project is made possible, in part, by a HOPE VI grant from the U.S. Department of Housing and Urban Development.

The portions of the project included in this application includes a total of 91 residential units, including 51 market rate and affordable for-sale units, 29 public housing units and 11 Section 8 homeownership units. The provision of these units, in addition to the additional units approved, will significantly advance the Mayor's goal of increasing the District's population by 100,000 residents. In addition to the provision of housing, the project will include a 28,500 square foot community center that will include a DayCare and Recreation Center.

B. Background Information Regarding Applicants

Capper/Carrollsburg Venture, LLC and DCHA are the applicants for this portion of the PUD project. Capper/Carrollsburg Venture, LLC is a joint venture of Mid-City Urban, LLC based in Silver Spring, Maryland and Forest City Enterprises based in Cleveland, Ohio. Mid-City Urban, LLC is a real estate development firm and is part of the Mid-City family of companies. Mid-City Urban specializes in urban redevelopment

projects and has partnered with DCHA and public housing authorities around the country as they attempt to revitalize obsolete public housing developments. Forest City Enterprises is a publicly traded real estate firm with large holdings of commercial real estate including office buildings, shopping malls and hotels.

II. PROJECT DESCRIPTION

A. Site Location and Description

1. Site Description

The PUD Site is located north of the Washington Navy Yard on the Anacostia Waterfront area in the southeast quadrant of the District. Containing approximately 134,410 square feet of land area, the PUD Site is zoned R-5-B.

Squares 799 and 800 are currently improved with housing in private ownership and public housing units. Square 881W is currently improved with a community center. The Generalized Land Use Polices Map of the Comprehensive Plan designates the area as a Housing Opportunity Area to encourage residential development.

2. Description of Surrounding Area

The area surrounding the PUD Site is characterized by a mixture of uses. To the south and east are new commercial office buildings, the site of the Southeast Federal Center, and the new headquarters of the U.S. Department of Transportation. Portions of the area, however, particularly to the west, are still underutilized and consist of vacant land or abandoned industrial or manufacturing structures. To the east is the 8th Street corridor, a north-south axis that terminates at the Navy Yard entrance. Several medium density commercial and industrial buildings line 8th Street, including entertainment and auto-related uses, many of which are in disrepair. The Southeast-Southwest Freeway and

Virginia Avenue act as the northern boundary of the site, with the Capitol Hill neighborhood lying to the north of these roads.

B. Project Design and Components

1. Low Rise Residential

The Applicant proposes to construct three- and four- story low-rise residential buildings in Squares 799 and 800, including townhomes and apartment units. 51 units will be market rate and affordable for-sale units. 11 units will be Section 8 homeownership units and 29 units will be public housing. Square 799 will include a total of 45 units, and Square 800 will include 46 units. There will be no distinction in external design character between the affordable and market-rate units, thus establishing a higher than normal standard for the affordable home-ownership and public housing rental units.

A major design objective for the low-rise residential buildings is to create a cohesive urban community that reflects the diversity of architectural styles and forms found in the adjacent Capitol Hill Historic District. Without attempting to copy or replicate the historic forms, the low-rise buildings will incorporate the successful patterns and identifying characteristics of Washington rowhouse development in the new building designs to produce recognizable but distinct features for the Carrollsburg neighborhood. The units will be characterized by a variety of architectural styles, building heights and materials with minimal coordination between adjacent facades. Interspersed with these disparate patterns will be more regulated groupings of three or four houses with similar facades.

Six basic styles will be introduced throughout the development, which will correspond to the hierarchy of streets in the neighborhood. Many of the townhouses will feature rear-loaded, integral garages. In many cases, the homes are built up to the right-

of-way line and, in some cases, have bays which project into public space. By providing garages in the rear, the homes present front doors and stoops to the street, creating a pedestrian-friendly streetscape. Moreover, by integrating garages into the ground floor of each townhouse and concentrating green space where it is publicly accessible, the townhomes blend seamlessly with the surrounding community and live and feel like traditional rowhouse neighborhoods. Private outdoor space is provided with optional rear decks and in some cases, optional rooftop terraces. Some homes face onto landscaped courtyards that provide publicly visible and accessible green space.

2. Community Center

The Applicant proposes to construct a community center in Square 881W. Located on the site of the an existing community center, this new 28,500 square foot facility will include a DayCare and Recreation Center. The DayCare Center will accommodate 66 children from the ages 2 ½ to 5 and will be available to members of the community, with public housing residents given first preference. The Recreation Center will include a large gymnasium, multipurpose and exercise rooms, computer labs and offices. Its services will likewise be open to the community. All of the uses included in the community center were developed in close conjunction with the community, the District of Columbia Department of Parks and Recreation, and the National Park Service and are in conformance with Zoning Regulations for community centers in residential districts.

A major design objective of the community center is to give this important neighborhood activity center a civic identity. The massing of the building, with its tower and differentiated roof profiles, endows the building with a more unique character and symbolize its important neighborhood function. Extensive use of glass at the entry and

the significant corner of 5th and L Street allow internal activity to be visible from the street, creating an inviting appearance and animating the street. The L-shaped configuration of the building also carves out an important public open space at the corner of K and 5th Street and creates separate entries for the DayCare and Recreation Center along 5th Street. The open space on the corner allows a more immediate view of the Marine Barracks playfields which will be utilized by the community center. The configuration also places the DayCare play area, which will be utilized after hours, at the end of K Street, the street with the largest concentration of family units. An articulate park sequence extends down K Street, from the Canal Park to the west, to the play area, and the Marine Barracks beyond. The northernmost portion of this space will be developed as a passive park area with planting areas for seniors, whose largest building is on the other side of K Street. The upper floor of the DayCare wing will also contain an additional playspace to be utilized by the Recreation Center. The roof of the DayCare will also be the location of potential future expansion of the community center for additional community space or offices. In conjunction with other efforts by DCHA to promote green architecture, explorations are currently underway to make this a LEED certified building.

C. Matter of Right Development Under Current Zoning

The PUD Site is zoned R-5-B. The R-5 Districts are general residence districts designed to permit flexibility of design by permitting in a single district, all types of urban residential development if they conform to the height, density, and area requirements established for these districts. 11 DCMR § 350.1. The R-5 Districts also permit the construction of institutional and semi-public buildings that would be compatible with adjoining residential uses and that are excluded from the more restrictive

residence districts. 11 DCMR § 350.1. In R-5-B Districts, moderate height and density developments are permitted. 11 DCMR § 350.2. The R-5-B District permits a maximum height of fifty feet with no limitation on the number of stories, and a maximum FAR of 1.8 for all structures. 11 DCMR §§ 400.1, 402.4.

D. Tabulation of Development Data

See charts included with Architectural Plans and Drawings attached hereto as **Exhibit A**.

E. Flexibility Under PUD Guidelines

The PUD process was created to allow greater flexibility in planning and design than may otherwise be possible under conventional zoning procedures. Thus, the Applicants seek flexibility from several provisions of the Zoning Regulations. As permitted under §2405.8, the Commission may grant such flexibility without the need for special exception approval from the Board of Zoning Adjustment or compliance with the special exception standards that might otherwise apply.

The Applicant is seeking such flexibility in the application of the roof structure requirements and the width requirement for open courts. Pursuant to §400.7(b), roof structures must be setback from all exterior building walls a distance at least equal to its height above the roof upon which the roof structure is located. As shown on the community center's roof plan, the northern wall of the center will have a stair tower with no setback from the exterior wall of the building. The location of this stair tower is necessary to provide potential future space on the second floor of the community center for the location of community office space. The desire for this potential future community office space results from meetings between the Applicant and neighborhood community groups regarding programming of the community center. Moreover, the

location of the stair tower creates a significant massing feature at the entrance of the daycare. Thus, the Applicant also seeks flexibility from the roof structure requirements to permit a roof structure having no setback.

The Applicant is also seeking flexibility with respect to the court width requirements. Pursuant to §406.1 of the Zoning Regulations, where an open court is provided in the R-5-B zoning district, the court width must measure 4 inches per foot of height of the court, but not less than six feet. However, Square 799 includes an open court that measures 5 feet in width, which is less than the required court width of 13 feet, 4 inches. This court has been created as a result of the Applicant's reconfiguration of the unit layouts in Squares 798 and 799 in order to avoid the need to acquire and replace the existing housing in Square 799, as instructed to do by the Zoning Commission. In so doing, the Applicant shifted 3rd Place to the east, which resulted in the loss of 15 units in Square 799. Moreover, in order to meet the court requirement, the Applicant would have to setback a number of units in Square 799 by an additional 8 feet, 4 inches, which would result in very narrow buildings. Therefore, the Applicant seeks flexibility from the court width requirements.

III.
THE PROJECT MEETS THE REQUIREMENTS OF THE PRELIMINARY PUD APPROVAL

A. PUD History

1. First Stage PUD Approval And Compliance with Conditions

On March 21, 2003, the Applicants filed an application with the Commission for both preliminary and consolidated approval of a PUD. See Zoning Commission Order Number 03-12/03-13, dated February 6, 2004, effective October 8, 2004, ("Z.C. Order

No. 03-12/03-13") attached hereto as **Exhibit B**. The Commission granted preliminary approval of the PUD for a number of properties, including the properties included in this application for second-stage review and approval. The Commission issued Z.C. Order No. 03-12/03-13 subject to a number of conditions. The conditions, and a discussion of how the Applicant is in compliance with the applicable conditions, is attached hereto at **Exhibit C**.

2. Flexibility From Conditions of First Stage Approval

a. Density and Height of the Community Center

The Applicant is seeking flexibility regarding the design of the community center. Condition No. 5 of Z.C. Order No. 03-12/03-13 indicates that the community center shall include approximately 18,000 square feet of gross floor area, and condition No. 8(h) provides that the maximum permitted height for the community center building is 25 feet. However, the Applicant seeks approval to construct the community center to a maximum height of 35 feet, and the flexibility to potentially add a future second story addition of approximately 6,000 square feet for community office space.

The Applicant seeks to increase the building's height because of the significant height of the buildings surrounding Square 881W, including: (i) the adjacent Marine Barracks parking garage, which is immediately east of the square and has a highest point of approximately 56 feet; (ii) a new senior citizen housing building to the north which will have a height of 50 feet; and (iii) new row dwellings on the east side of 5th Street that will have heights ranging from 33 to 41 feet. Moreover, a major design objective of the community center is to screen the Marine Barracks parking garage from view. The massing of the building, with the gym at the south and the DayCare center on the north, provide the most effective screening of this structure. The National Park Service has

reviewed the Applicant's proposal, and has submitted a letter in support of the concept plans for the community center. See, Letter from National Park Service, dated March 24, 2005, attached hereto as **Exhibit D**.

The Applicant also seeks approval to potentially add to the community center a future second story addition of approximately 6,000 square feet for community office space. The potential addition would increase the community center's gross floor area to 28,500 square feet. The desire for this potential future community office space results from meetings between the Applicant and neighborhood community groups regarding programming of the community center, and approval of the request will extend the benefits provided by the community center.

b. Number of Required Parking Spaces

The Applicant seeks flexibility from Condition No. 11 of Z.C. Order No. 03-12/03-13, which provides that the overall project must include a minimum of 1,980 off-street parking spaces distributed as shown on the Parking Plan, Sheet T-3.0 of the Preliminary Plans. The preliminary parking plan shows a total unit count of 1,645 and a total of 1,396 parking spaces for the residential portion of the project. As discussed in further detail below, the number of parking spaces for the residential portion of the project has been reduced to 1,241 spaces, which represents a reduction of 25 spaces due to the loss of units in Squares 798 and 799, design changes in other portions of the project initiated by the loss of units in Squares 798 and 799, and the Applicant's request for a reduction of up to 130 spaces.[2]

[2] The preliminary parking plan submitted in March 2003 shows a total of 785,000 square feet of commercial space, and a total of 604 parking spaces for the commercial uses. However, the order approving the preliminary PUD provides for a maximum of 753,000 square feet of commercial space. The Applicant also intends to reduce the number of parking spaces for the office use to 480 spaces, as shown on

The number of parking spaces shown on the preliminary parking plan is based upon a total of 75 units in Square 798 and 60 units in Square 799. However, the number of units in Square 798 has been reduced to 69 units and the number of units in Square 799 has been reduced to 45 in order to comply with the Zoning Commission's instruction to retain as much of the existing private housing as possible. See, Zoning Commission Order No. 03-12/03-13, Finding of Fact No. 68. Thus, the number of residential parking spaces was reduced because of the reduction of units and design changes resulting from such reduction.

The preliminary parking plan also shows two garage spaces for the low rise residential units, which amounts to a total of 416 parking spaces, or a ratio of 2 cars per unit. The Applicant seeks approval to give purchasers of the 14 foot and 16 foot townhomes, some of which will be sold at market rate and some of which will be designated as workforce housing, the option to select either a one-car garage and a first floor recreation room, or to select the standard two-car garage as shown on the preliminary parking plan. This request applies to all the low-rise residential squares – 797, 798, 799, 800, 824, 825, S-825, and the northern portion of 882.

The preliminary parking plan shows the market rate and workforce townhomes – approximately 250 units (including Square 882) – with two-car garages, the great majority of which are accessed with rear entry off of an alley. The townhomes are designated on the preliminary parking plan as unit types "A" (16 feet wide), "B" (18 feet wide), "C" (24 feet wide), "D" (14 feet wide), and "E" (16 feet wide). The Applicant is

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Sheet T-3.0 of the Architectural Plans and Drawings attached hereto as **Exhibit A**. An analysis of the impact of this reduction is included in the Technical Memorandum prepared by O.R. George & Associates, Inc. attached hereto as **Exhibit E**. The Applicant will discuss and justify this reduction in greater detail when the Applicant seeks final PUD approval for the office use.

seeking relief to provide purchasers of the 39 Type D units and the 91 Type A and Type E units, which are designed with two parking spaces in the garage in a "tandem" configuration, with the option of selecting either a one-car garage and additional living space or the standard two-car, tandem garage.

Assuming all the potential purchasers select the one-car garage option, which is unlikely based upon the Applicant's experience, the Applicant will provide 286 parking spaces, or 1.38 spaces per unit. This 1.38 parking ratio exceeds the zoning requirement of one parking space for each one-family dwelling unit in the R-5-B zone district. The Applicant has offered this option in other urban communities in the District metro area, and based upon the Applicant's experience, the most -likely scenario is that approximately 50 percent of the purchasers will select the one-car garage option, which would thus result in the provision of 351 parking spaces, or 1.69 spaces per unit. This is the most likely scenario since many urban purchasers, particularly purchasers of the 14-foot and 16-foot townhomes, have either no car or one car and therefore will not need the additional space nor utilize the on-street parking. In addition, a number of the units will be set aside as "workforce housing" units. The District is promoting workforce housing and it is critical that the workforce buyer, who will likely have fewer cars per household than the market rate buyer and potentially more demand for livable space, be given the flexibility to purchase a home that suits their needs. Further, these purchasers typically utilize public transportation and are not automobile dependent. Finally, the overall development is served by the Navy Yard Metro Station, which is less than 2 blocks from the western boundary of the low-rise residential development. The development is also proximate to both the Capital South and Eastern Market Metro Stations, which is

expected to further reduce the demand for the parking spaces provided by the two-car garage option.

As indicated in the Technical Memorandum attached hereto as **Exhibit E**, reducing the number of parking spaces will not have an adverse impact on the project or the area.

3. Building Permit for Construction of Community Center

Condition No. 20 provides that the Applicant must file an application for a building permit for the community center by July 1, 2005, subject to review by the National Park Service of the proposed uses, and that plans must be submitted to the Commission as part of a second-stage application with sufficient time to allow this deadline to be met. Zoning Commission Order No. 03-12/03-13 was dated February 6, 2004; however, it was not issued until eight months later on October 8, 2004. The Applicant has been working diligently on proceeding with development of the community center since issuance of the order. However, the approximate nine months between October 8, 2004 and July 1, 2005 is an insufficient amount of time to finalize the community center's development plans and to seek and receive a building permit. Accordingly, the Applicant seeks approval to file for a building permit within eight months after issuance of the Zoning Commission's order approving the community center.

4. Phasing of Development

The Applicant proposes to develop and construct the PUD project not included in the Consolidated PUD in five additional phases. This application includes Phase I and consists of the low rise residential units in Squares 799 and 800 and the community center in Square 881W. Phase II will consist of the M Street office building, which may

be built in up to two (2) sub-phases, along with the residential development in Square 882. The 250 M Street office building with first-floor retail in Square 769 will be Phase III of the development. Phase IV of the development will include high-rise apartments in squares 767, 768, 769 and 739. Development of the Van Ness Elementary School will occur during Phase V of the development. The Applicant currently expects to file applications with the Zoning Commission for Phases I through IV of the development by October 2008. The order of the phases may change subject to future market demands. Phase V is not under the control of the Applicant and will proceed subject to the control of the Board of Education and the District Government.

5. Change to Location of Proposed "3rd Place" in Squares 798 and 799

The Commission granted consolidated approval for the construction of a new street, "3rd Place," in Square 798. As approved, "3rd Place" would run north to south between Squares 798 and 799, and would be located at the approximate midpoint of the squares. However, in order to eliminate the need for the Applicant to acquire private properties in Squares 798, the Applicant has shifted "3rd Place" approximately 14 feet to the east. Shifting the location of "3rd Place" is consistent with the Commission's instruction to work on the designs of Squares 799 and 800 with the goal of saving as much of the existing private housing as possible. See, Zoning Commission Order No. 03-12/03-13, Finding of Fact No. 68.

IV. CONCLUSION

For the reasons stated above, the Applicants submit that the PUD meets the standards of Chapter 24 of the Zoning Regulations and is consistent with the purposes and intent of the Zoning Regulations and Zoning Map. Furthermore, the project is consistent with the first stage approval. Accordingly, the Applicants request that the Zoning Commission determine that the application has merit and schedule a hearing on the PUD application.

Respectfully submitted:

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