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April 27, 2005

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By Hand Delivery

Carol Mitten
Chairperson
District of Columbia Zoning Commission
441 4th Street, NW, Second Floor
Washington, D.C. 20001

Re: Zoning Commission 04-35 The Salvation Army PUD

Dear Chairperson Mitten:

Enclosed please find The Salvation Army's Prehearing Submission in its PUD Application, Zoning Commission Case No. 04-35.

Kindly schedule a hearing on this matter as soon as possible.

Sincerely,

Phil Feola

Enclosure

cc: Ellen McCarthy, Office of Planning
Maxine Brown-Roberts, Office of Planning
ANC 8A
Major Todd Smith

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ZONING COMMISSION
District of Columbia
CASE NO. 04-35
EXHIBIT NO. 16

ZONING COMMISSION
District of Columbia
CASE NO.04-35
EXHIBIT NO.16

DEVELOPMENT TEAM

APPLICANT:	The Salvation Army 2626 Pennsylvania Avenue, NW Washington, D.C. 20037
ARCHITECT:	SmithGroup, Inc. 1850 Eye Street, NW Suite 250 Washington, D.C. 20006
TRANSPORTATION CONSULTANTS:	Gorove/Slade Associates 1140 Connecticut Avenue, NW Suite 700 Washington, D.C. 20036 Symmetra Design 10480 Little Patuxent Parkway Suite 400 Columbia, Maryland 21044
LAND USE COUNSEL:	Pillsbury Winthrop Shaw Pittman, LLP 2300 N Street, N.W. Washington, D.C. 20037

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PREFACE

This statement is submitted by The Salvation Army ("**Army**") in support of an application for the consolidated review and approval of a Planned Unit Development ("**PUD**") for the property located at 2302-2310 Martin Luther King, Jr. Avenue, S.E. (Square 5805, Lots 222, 223, 224, 225 and 226) ("**Property**") before the District of Columbia Zoning Commission.

The Army is requesting the consolidated review and approval of a PUD in order to develop the East of the River Corps Community Center, an exciting multi-use project that will serve District residents living in communities east of the Anacostia River. The proposed project ("**Project**") will provide a true community center providing retail space, a childcare and family development center, worship space, job training, space for community programs and a health and wellness center. The Project has been thoughtfully designed to complement the existing structures and properties near the site, and has been designed to honor the rich history of Anacostia and the exceptional contributions of many of its African-American citizens. In addition, the building is designed to "look toward the future" with a strong commitment to including current residents in every aspect of the improvements.

This Prehearing Statement, as well as the materials submitted in support with the initial application, meet the filing requirements for a PUD application under Chapter 24 of the District of Columbia Zoning Regulations.

EXHIBITS

DESCRIPTION	EXHIBIT
Architectural Plans	A
Memorandum of Understanding with CEEP	B
Memorandum of Understanding with S.P.I.R.I.T.	C
Building Materials	D
Sustainable Building Practices	E
Stormwater Management Facility	F
Transportation/Pedestrian Diagrams	G
Daycare Automobile Use	H
Draft First Source Employment Agreement	I
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Property Owners List	M
Outline of Witness Testimonies	N
List of Publicly Available Maps	O

LIST OF WITNESSES AND ESTIMATE OF TIME

REQUIRED TO PRESENT CASE

WITNESS:

Major Todd Smith, General Secretary, National Capital and Virginia Division, The Salvation Army

Colden Florance, FAIA, Smith Group, Inc. To be proffered as an expert witness in the field of architecture.

Nicole White, Symmetra Design. To be proffered as an expert witness in the field of traffic engineering.

Robert Boulter, Faithworks

ESTIMATED TIME REQUIRED TO PRESENT CASE:

1.0 hour

I. INTRODUCTION

A. Summary of Requested Action.

This Prehearing Statement supports the application of The Salvation Army ("**Army**") 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 project site consists of Lots 222, 223, 224, 225, 226 and part of Lot 227 in Square 5805 ("**Property**"). The Property is located in the Near Southeast neighborhood of Ward 8 at the intersection of Martin Luther King, Jr. Avenue, S.E. and Morris Road, S.E. and consists of approximately 19,280 square feet of land area. The PUD will allow the development of the East of the River Corps Community Center, a signature multi-use, community serving facility on the Property, plans for the Center are contained in Exhibit A. The property is in the C-2-A Zone District. Community centers are permitted in this zone as a matter-of-right.

B. The Applicant

1. History of The Salvation Army, National Capital Area

The Salvation Army began work in Washington, D.C. in 1885, five years after the organization officially arrived in America from its home base in London. From the beginning, the Army in Washington has provided a wide range of support services to needy residents of the District of Columbia. The Army currently provides hot meals and food baskets for the hungry, clothing and winter outerwear, shelter for the homeless, seasonal assistance and cheer, character building programs, after school education and recreation program for children from low-income families, companionship to the elderly and disaster relief.

Neighborhood locations and the variety of services offered have developed as the District and its needs have grown. The earliest locations were in the old Downtown, on or close to Pennsylvania Avenue. The Salvation Army has had sites in the Southeast since the beginning of the twentieth century. Currently, the Army has four sites in the District of Columbia, including its Divisional headquarters.

Typical of early Salvation Army programs was the Industrial Home, opened in 1903, which addressed the problems of chronic homelessness and unemployment. In this Home, men learned trades while working for their lodging and meals. This program eventually became the Men's Social Service Center and later the Adult Rehabilitation Center. These programs, strengthened by the opening of the Harbor Light Treatment Center in 1951, are currently located at 2100 New York Avenue, N.E., and have become increasingly sophisticated, providing comprehensive services to those fighting the twin problems of homelessness and substance abuse.

Providing housing to women and children in need has been a long standing commitment of the Army in Washington for eighty years. In 1921, the Evangeline Residence was opened to provide low cost room and board to working women. In the 1940s, the Emergency Home was opened to provide women with children a sanctuary while seeking permanent homes and jobs. This program has evolved into Turning Point, which is a comprehensive transitional housing program for twenty-eight families located in the Columbia Heights neighborhood.

Neighborhood Army centers for worship and service throughout the region have offered a wide range of support services for every age group for almost 120 years.

2. History of the Project - East of the River Corps Community Center

In 2001, the Army commissioned a study to determine which communities had the greatest need for its services. The study pointed to the communities of Ward 8, where, at the time, the Army had no local presence. Further research led to the current plan to expand the Army's work to Ward 8 with the construction of a multi-use community facility with a focus on a comprehensive approach to individual and community economic development. A generous donation by the Casey Mansion Foundation to the Army in April 2004 made this plan a reality. The gift will be used to build the East of the River Corps Community Center in Anacostia, the Project which is the subject of this application.

C. Project Goals and Objectives.

The Army seeks to establish a community-based center which will become a centerpiece for a wide variety of community programs that are needed in Anacostia. In this vein, the Army has established a partnership with Community Equity Empowerment Partnership ("**CEEP**"), a non-profit organization located in Southeast to help the Army establish a model leadership/employment training program in the Project that will offer life skills training that prepare participants for employment. A copy of the Memorandum of Understanding between the Army and CEEP is attached as Exhibit B as well as a brochure describing CEEP and its programs. The Army has also established a partnership with the Spiritual Partnership in Realizing Individual Transformation ("**S.P.I.R.I.T.**"), a non-profit organization also based in Southeast to operate the wellness center in the Project. A copy of the Memorandum of Understanding between the Army and S.P.I.R.I.T. is attached as Exhibit C as well as its Business Plan for the Project's Wellness Center.

The Project will complete the unfinished urban landscape. It has been sensitively designed to bring a strong identity and character to the Property while respecting the urban design characteristics of Anacostia. The Project will help stabilize, and revitalize, the Martin Luther King, Jr. Avenue, S.E. commercial corridor.

D. Development Timetable.

The Army plans to start construction in the spring 2006 and expects that the total construction period will last approximately eighteen months.

E. Appropriateness of the PUD Process.

The PUD process provides a means for 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 Army to ensure a well-planned development. The PUD process also provides the Zoning Commission with an opportunity to review the design of the project.

This process of engagement with the community has already begun. The Applicant has made numerous presentations to various neighborhood organizations and community members in the past few months including the Ward 8 Councilmember, the Ward 8 Business Council, The Anacostia Coordinating Council, the East of the River CDC, the Anacostia Plan Workshop, ANC

8A and others. In addition, the Army has established partnerships with community based organizations (CEEP and S.P.I.R.I.T.) to ensure that community needs are served.

II. THE PUD PROJECT

A. Site Location and Description

The Project will be located in an underserved urban neighborhood where there is a lack of a number of community-based programs and uses. The Property consists of approximately 19,282 square feet of land area and is located at the southwest corner of the intersection of Martin Luther King, Jr. Avenue, S.E. and Morris Road, S.E. It has an elevation change of approximately fifteen feet from its low point on Martin Luther King, Jr. Avenue to its rear property line. The portion of Martin Luther King, Jr. Avenue adjoining the Property is a commercial strip in need of renovation and upgrading, but the Property abuts stable residential neighborhoods. Single family detached housing is the predominant land use in the area. There are also several walk-up and garden apartments. The Property is adjacent to an auto body shop on Martin Luther King, Jr. Avenue and across Morris Road from a liquor store. The Property is defined by the Martin Luther King, Jr. Avenue intersection with Morris Road. It is characterized by high pedestrian and automobile traffic and other urban activities.

Several other developments are currently planned for the neighborhood. The District of Columbia Department of Transportation has allocated $400,000 for streetscape improvements to Martin Luther King, Jr. Avenue and the construction of a 95,000 square foot office center for DDOT is planned the intersection of Martin Luther King, Jr. Avenue and Good Hope Road. Also, the Anacostia Economic Development Center, a 26,000 square foot office development, is

planned to be constructed at the intersection of Martin Luther King, Jr. Avenue and Good Hope Road.

The Property is convenient to multiple modes of public transportation. Bus stops are located at the southeast corner of Martin Luther King, Jr. Avenue and Morris Road, at the northwest corner of Martin Luther King, Jr. Avenue and Chicago Street, and at the northeast corner of Morris Road and Mount View Place. Additionally, the Property is approximately four blocks from the Anacostia Metrorail station. The Army, based on its experiences with other centers in the District of Columbia, expects that 65% to 70% of people coming to the site will use public transportation.

B. Project Description.

The plans and elevations of the Project are attached as Exhibit A. The Army will create a unique and inviting community building, with approximately 46,988 square feet of gross floor area. It will include retail space (4,100 square feet), community program space, office space for the Army, a child care and family development center, worship space, job training, a health and wellness center, and underground parking for 34 cars.

The architectural concept for the Project intends to make a statement with a fresh, innovative, forward-looking design. The retail use has a prominent corner location at the ground level, as does the Sanctuary on the floor above. As a special marker, the Sanctuary roof expresses a feeling of transcendence and there is a full height abstract cross element of light and metal. The building will have a roof terrace and will incorporate sustainable features.

Taking advantage of the Property's natural slope, the building is four and a half stories, fifty feet in height. Parking is underground (34 spaces). The building cladding is a mixture of warm-toned brick, zinc metal panel, and multi-colored glass. The building's materials are shown in Exhibit D. The intent is to make a memorable building that lifts the spirit, invites the observer in and provides a vibrant, lively image to the improving Anacostia neighborhood.

At the set down meeting, there was concern expressed by a member of the Zoning Commission with regard to the building's stair tower and the sign affixed to it. The design intention of the "tower" is to afford strong identity for the Center along Martin Luther King, Jr. Ave. It marks the principal address of the Center, the entrance for social services, programs and the sanctuary. The tower reinforces the distinction between the primary building entrance and the day care entrance on Morris Road, as a secondary and special-purpose entrance. This distinction is helpful for day care security.

In addition, the tower, which encloses a functioning, code-required staircase, is only 12' above the rooftop railing and carries the Salvation Army logo. The logo will be softly illuminated and not visible from distant locations. It should be noted that the elevation at the base of the building is at approximately 50' above sea level, which is 50 to 100 feet below the St. Elizabeth Hospital campus grade levels and will not stand out as a structure on the horizon because natural grade behind it rises to as high as 250'.

The formal pedestrian entry to the building will be on Martin Luther King, Jr. Avenue. Vehicular access to the underground garage and the child care drop-off area will be provided via a driveway from Morris Road. The driveway will accommodate one inbound lane and one outbound lane of traffic and also provides access to the loading dock.

The Project also includes the construction of a sidewalk on Morris Road adjacent to the site. The new sidewalk will provide pedestrian access to the Army building and also provide improved walking conditions for the numerous pedestrians who currently cut through the site to access the bus stop on Martin Luther King, Jr. Avenue.

The total gross floor area included in the PUD is approximately 46,988 square feet for a total Floor Area Ratio ("**FAR**") of approximately 2.45. The new building will have a height of approximately 50 feet measured from Morris Road. The Project will have a lot occupancy of 60% and rear yard with a depth of fifteen feet.

C. Development Parameters Under Existing and Proposed Zoning

As a matter-of-right, the C-2-A Zone District permits a maximum height of 50 feet, a maximum lot occupancy of 60% for residential uses and a maximum FAR of 2.5, with a limit of 1.5 of non-residential FAR. The PUD guidelines for the C-2-A District allow a height of 65 feet and a maximum FAR of 3.0, with a limit of 2.0 of non-residential FAR.

D. Flexibility Under the PUD Guidelines

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 of the C-2-A Zone District, as set forth in the tabulation of data below. However, the design scheme proposed for the PUD has created a configuration that does not meet all the exact requirements of this zone.

Specifically, the Army requests flexibility with respect to the amount of non-residential FAR provided in the Project and a slight increase in the matter-of-right permitted lot occupancy. These changes are requested and are necessary to accommodate the high-quality, much needed uses that will fulfill the District and neighborhood planning goals for the area. Further, the Army seeks relief from Section 411 of the Zoning Regulations which require roof structures be set back from all exterior walls at a 1:1 ratio.

E. Tabulation of Development Data

As noted above, the proposed development has been analyzed under the existing C-2-A Zone standards.

	MATTER-OF-RIGHT STANDARDS	PROPOSED
Land Area	15,000 square feet	19,282 square feet
Gross Floor Area	48,200 square feet	46,988 square feet
FAR	2.5/1.0 non-residential	2.45 non-residential
Lot Occupancy	60%	61%
Building Height	50 feet	50 feet
Number of Stories	No limit	Five
Rear Yard	15 feet	15 feet
Side Yard	None	None

III. PLANNING ANALYSIS

A. Land Use Impact

The Project will create an architecturally significant building on one of the main commercial corridors in the Southeast neighborhood. The proposed height and massing of the Project is consistent with existing zoning in the area and with the District's planning goals for the future of this neighborhood.

As mentioned above, the site is a corner lot, which slopes up from its frontage on Martin Luther King Jr. Avenue. Taking advantage of the slope, the building is four and a half stories. The building cladding is a mixture of warm-toned brick, zinc metal panels, and multi-colored glass. Metal planes float in front of the masonry.

The uses proposed in the Project and its design will have a positive impact on the commercial corridor of Martin Luther King, Jr. Avenue and serve as a transitional element to the adjacent residential neighborhoods.

B. Zoning Impact

The Army does not propose any change in zoning and all uses proposed for the Project are permitted in the C-2-A Zone District.

C. Environmental Impact

As more specifically detailed in Section IV, there will be no adverse environmental impacts that will result 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. Attached as Exhibit E is a list of Sustainable Building Practice that will be incorporated into 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. ENVIRONMENTAL ANALYSIS

A. Water Demand

The PUD will contain approximately 46,988 gross square feet of space. The average daily demand for water for the project is estimated to be 10,000 gallons per day. This demand can be met by the existing District water system. The proposed connection for fire water supply will be made within the existing distribution system and will be coordinated with WASA.

B. Sanitary Sewer Demand

The average daily demand on the sanitary sewer system is estimated to be 10,000 gallons per day. The proposed connection for the sanitary sewer line will be made with the existing distribution system and will be coordinated with WASA.

C. Storm Water Management

The site's storm water run-off will be accommodated by a storm water management system in compliance with standards set by the Department of Health. The proposed systems

will be designed, constructed, and maintained in accordance with standards set by the Department of Health. The stormwater management facility, shown an Exhibit F, is entirely on the subject property and has been designed to handle the quantity and quality of the stormwater that otherwise would run off the property untreated.

D. Solid Waste Services

Solid waste will be collected daily by a private contractor from covered receptacles for appropriate disposal.

E. Electrical Service

Electricity for the project will be provided by the Potomac Electric Power Company in accordance with its usual general terms and conditions of service. All electrical systems will be designed to comply with the District of Columbia Energy Code.

F. Energy Conservation

The project will be constructed in full compliance with Article 24 (Energy Conservation) of the District of Columbia Building Code. Conformance to code standards will minimize the amounts of energy needed for the heat, ventilation, hot water, electrical distribution and lighting systems contained in the buildings.

G. Erosion Control

During excavation and construction, erosion on the project site will be controlled in accordance with District of Columbia Law.

V. EVALUATION STANDARDS

Section 2403 of the Zoning Regulations provides the standards for evaluating a PUD application. Section 2403.9 provides categories of public benefits and project amenities for review by the Zoning Commission.

A. Public Benefits and Project Amenities

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. The instant application will achieve the goals of the PUD process by creating a high quality mixed use project, with significant employment and training and social services components that will be of special value to the Anacostia neighborhood. As demonstrated herein, the Project provides superior benefits in several of the categories listed in Section 2403.9.

1. Urban Design and Architecture

As shown in the plans and elevations (Exhibit A), the Project exhibits all of the characteristics of exemplary urban design and architecture. The Project is sensitively designed to enhance the sense of place and visual identity of the community. The Project's focus on, and proposed treatment of, Martin Luther King, Jr. Avenue is an important urban design element. The intent is to make a memorable building that lifts the spirit and invites the observer in and to provide a vibrant, lively image to the Anacostia neighborhood revitalization. The new building will stand as an exemplary structure on a thoroughfare in need of upgrade and renovation.

2 Site Planning

The Project makes effective use of an underutilized parcel of land by reinforcing the corner of an important intersection and filling a gap in the urban streetscape. The Project takes advantage of its grade change, thereby minimizing the building's height and provides for parking underground (34 spaces) without the need for a curbcut on Martin Luther King, Jr., Avenue. The formal pedestrian entry to the building will be on Martin Luther King, Jr. Avenue. Vehicular access to the underground garage and the child care drop-off area will be provided via an unsignalized site driveway off of Morris Road. The Project also includes an interior circular driveway within the site for child pick-up and drop-off.

3. Effective and Safe Vehicular and Pedestrian Access

Transportation measures that mitigate adverse traffic impacts are considered public benefits and amenities of a PUD under 11 DCMR § 2403.9(c). As detailed in the Transportation Analysis filed with the application, users of the Project will rely extensively on the use of mass transit to access the Project. Further, the building has been designed to mitigate adverse traffic impacts.

Between 65 – 70% of the users of the Project are anticipated to utilize public transportation. These projections are based on the current use of The Salvation Army facilities in the District of Columbia at: (1) the Sherman Avenue Corps Community Center, 3335 Sherman Avenue, NW (sixteen parking spaces); and (2) Southeast Corps Community Center, 1211 G Street (approximately 14 – 16 parking spaces). Both of these Army facilities are close to a

metrorail station and clients of these centers have similar profiles to the clients anticipated for the subject Center.

The Project will provide a single vehicular point of entry and exit into a parking garage. This garage entrance/exit is located at the southeastern portion of the Property on Morris Road. Vehicles entering the building on Morris Road will either drop their children off using the circular driveway at the ground level of the building or proceed to the underground parking garage. The parking garage will accommodate 34 parking spaces which will be more than adequate for the vast majority of time the Center is open. The Army intends to operate the facility from 5:30 a.m. until 10:00 p.m., Monday through Friday; 5:30 a.m. to 9:00 p.m. Saturday; and 9:00 a.m. through 6:00 p.m. on Sunday. Because of the disparate uses, and staggered use patterns, the overlap of visitors and workers to the Center will be minimized throughout the day.

The Southeast congregation (at 1211 G Street) will be the congregation moving to this new facility on Martin Luther King, Jr. Avenue. Although the Army expects this congregation to grow, the average Salvation Army congregation is 59. Therefore, we do not believe that there will be a traffic or parking problem on Sundays.

In order to standardize use of the parking spaces in the building, the Army proposes to establish the following standard operating procedures regarding the use of the parking garage and off-site parking at the Union Temple Baptist Church. The Army will reserve 24 parking spaces in the building for specific on-site workforce personnel. Additional personnel working in this facility will be required to park in the off-site parking area (Union Baptist Church). Since

parking is an issue at all existing Salvation Army facilities, we have an established practice of providing, as an additional benefit to our employees, Metrorail passes to staff who qualify.

As a safety value and for overflow parking needs, the Army has an agreement with Union Temple Baptist Church (see Exhibit C) which will allow Center users to park in the Church's lot. Exhibit G contains the layout of this lot, the path of travel from the lot to the Center and the Center's location in relation to the Metrorail station. It is less than a four minute walk from the parking lot to the Center and a four minute walk from the Anacostia Metrorail Station to the Center.

The additional ten parking spaces will be available for other individuals who will be coming to the Center for programs or services as space is available. We will also have exterior signage giving direction to the overflow parking lot for those who may need a parking space. The Wellness Center will have the largest number of individuals who will be attending programs in this facility. As a part of their orientation when they become members, they will receive written procedures as to when the building is available for parking and when they will be required to use off-site parking.

The Army does not anticipate "stacking" problems with regard to the day care users. As the analysis of Nation's Capital Child and Family Development ("**NCCFD**") shows, attached as Exhibit H, it is anticipated (based on actual data from a nearby daycare facility serving the same demographics) that only 10% of the parents will drive their children to the facility. There is adequate stacking and parking in the building to accommodate these 4 – 5 cars during peak drop-off and pick-up hours.

The Project will also provide a separate pedestrian entrance on Martin Luther King, Jr. Avenue, and the construction of a sidewalk on the subject property adjacent to the Morris Road right-of-way. The new sidewalk will provide pedestrian access to The Salvation Army building and will also provide improved walking conditions for the numerous pedestrians who currently cut through the site to access the bus stop on Martin Luther King Jr., Avenue. These separate and distinct entrances/exits will mitigate any potential pedestrian and vehicular conflicts.

4. Employment and Training Opportunities

The Center will provide a model leadership/employment training program, in partnership with CEEP, that will offer life skills training to prepare participants for jobs that pay a living wage. This program will serve men and women of all ages, but will have a special focus of young men and women between the ages of 14 and 24. This training will include links to specific employment opportunities and will try to provide childcare slots for participants with children needing care during training.

5. Social Services/Facilities

In addition to employment and life skills training, the Center will provide the social services typically offered at other Salvation Army locations. The ground floor will have offices that provide an array of traditional Salvation Army social services for those who desire assistance. The Prolject incorporates a day care facility to serve the community's needs. Also, the Center's fifth floor, pursuant to the Army's partnership with S.P.I.R.I.T., will be a full-service health and wellness center offering educational, social and spiritual development programs with a special focus of serving youth and adults living in East of the River neighborhoods.

6. Special Value for the Neighborhood

The community center will have a special value to this neighborhood. It will help area residents with job training, child care, and other social services. It will fill a void in the streetscape and successfully tie together the commercial character of Martin Luther King, Jr. Avenue and the surrounding residential neighborhoods.

7. First Source Employment Program

According to Section 2403.9(e), "employment and training opportunities" are representative public benefits and project amenities. A major programmatic feature of the Center is for workforce training and daycare for working parents. Part of the Army's rationale for establishing the Center in this location is to help provide these support services needed in Anacostia. To further this goal, the Army will also 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. A copy of a draft First Source Employment Agreement is attached as Exhibit I.

8. 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. Again, a major reason for locating this facility on the property is to create opportunity for residents and local businesses. To help further this goal, the Army 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 this project. A copy of a draft MOU is attached as Exhibit J.

9. Construction Management Plan

The Army anticipates building the project in accordance with the Construction management Plan attached as Exhibit K.

10. Comprehensive Plan

As described in greater detail in Section VI below, the PUD is consistent with, and furthers many elements and goals, of the Comprehensive Plan.

11. Public Benefits of the Project

Section 2403.12 and 2403.13 require that the applicant show how the public benefits offered are superior in quality and quantity to typical development of the type proposed.

The architectural detailing of the proposed project set it apart from a matter-of-right building in this zone district. The architectural concept for the Project is fresh, innovative, forward-looking design on a commercial strip in need of renovation. The building will have a roof terrace and the building will incorporate sustainable development features.

In addition, a matter-of-right project would not be required to provide any amenities for the community. The Amry's partnership in this project with CEEP (Exhibit B) and S.P.I.R.I.T. (Exhibit C) is extraordinary and demonstrates the Army's commitment to working with the Community to sustain its viability. The approval of this PUD application will result in a myriad of benefits for Ward 8, including exemplary urban design, quality affordable child care, job training, and new retail uses and opportunities.

VI. 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 by furthering the social and economic development of the District through the construction of a modern and welcoming building that will be an important step toward the revitalization of the Martin Luther King, Jr. Avenue corridor.

A. Compliance with Major Themes

Three major themes that are 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 construction of a modern and welcoming building that will serve a large number of community members will help stabilize this neighborhood. The creation of the community center

on the Property is likely to serve as a catalyst for additional commercial development along Martin Luther King, Jr. Avenue, S.E. Further, the underutilized site will be turned into a productive use that will benefit the residents and the community.

2. Increasing the Quantity and Quality of Employment Opportunities

The Project will have ground floor retail. These retail establishments will be open during days and evenings, and will employ people from the community. Further, the Center will provide a model leadership/employment training program that will offer life skills training that prepares participants for jobs that pay a living wage. This program will serve men and women of all ages, but will have a special focus of young men and women between the ages of 14 and 24. This training will include links to specific employment opportunities.

3. Respecting and Improving the Physical Character of the District

The PUD will ensure the development of an exceptional design that will significantly enhance the neighborhood and improve the appearance of the intersection of Martin Luther King, Jr. Avenue and Morris Road. The proposed bulk, height and orientation of the Project is compatible with the surrounding area and the objectives of the neighborhood and the District as a whole.

4. Preserving and Ensuring Community Input

The Army has already begun a dialogue process with various community organizations and individuals including ANC 8A, the Anacostia Coordinating Council and many others. Through the PUD process, the Applicant will work with representatives of ANC 8A, as well as

the surrounding neighborhood, to create a new community center that is a benefit to the neighborhood and the District of Columbia.

B. Compliance with Major Elements.

The Comprehensive Plan also contains 11 major elements. The Project furthers the objectives and policies of several of these elements as follows:

1. Land Use Element

> Many neighborhood commercial areas are strip zoned with little vacant land in sizeable parcels, and changes may be needed in order to provide the range of services needed by neighborhood residents. (10 DCMR § 1100.3.)
>
> Land use policies must ensure that all neighborhoods have adequate access to commercial services within the District and sufficient housing opportunities to accommodate a range of needs. These policies must also ensure that the historic, cultural, and design qualities that make neighborhoods unique and desirable are maintained and enhanced. (10 DCMR § 1100.2(a).)
>
> Upgrade deficient neighborhood ... shopping and service areas, consolidating some of the strip-zone areas, and assist in the establishment of new commercial areas to ensure that all neighborhoods have ready access to a suitable range of retail goods and services within the District. (10 DCMR §1104.1(1).)

The proposed PUD will provide the retail and social service uses necessary to serve the needs of the local community and will significantly upgrade both the level of service and aesthetic qualities of this commercial corner.

2. Generalized Land Use Maps

The Generalized Land Use Map adopted as part of the Comprehensive Plan includes the intersection of Martin Luther King, Jr. Avenue and Morris Road, S.E. in the moderate density

residential land use category. Moderate-density residential is defined in the plan to include rowhouses and garden apartments as the predominant uses. The property is zoned commercial, but the project proposes uses that are ancillary, to and complimentary of, existing residential uses and these uses will help sustain the viability of the existing residential neighborhoods. The proposed PUD is not inconsistent with the Generalized Land Use Maps.

3. Urban Design Element

It is the goal of the District to:

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

The Army is undertaking the development of an underutilized site. The Project's focus on, and proposed treatment of, Martin Luther King, Jr. Avenue is an important urban design element. The intent is to make a memorable building that lifts the spirit and invites the observer in and to provide a vibrant, lively image to the up-coming neighborhood of Anacostia. The development and use of this site will enhance the character of one of the primary commercial corridors within Ward 8 and will help to revitalize the area.

4. Human Services Element.

It is the policy of the District to:

> "provide permanent . . . day-care services, and after-school programs and provide family and health counseling . . . and employment training . . ." (10 DCMR § 1005.2 (e)).

> "promote programs of needed support, health, and special services for adults to enable them to maintain their sense of security, dignity, respect and independence." (10 DCMR § 1005.2 (i))

The Project is consistent with these objectives of the Comprehensive Plan. The East of the River Corps Center will have a quality childcare and family development center. The childcare and related after-school programs will be fully licensed with certified teachers and operate on an affordable sliding fee basis. Also, the Center will provide a model leadership/employment training program that will offer life skills training that prepares participants for jobs that pay a living wage. This program will serve men and women of all ages, but will have a special focus of young men and women between the ages of 14 and 24. This training will include links to specific employment opportunities and seek to provide childcare slots for participants with children needing care during training.

The Project will also provide needed support, health and special services for adults in the area. In addition to the traditional Salvation Army support services, the site will provide worship space, job training and a health and wellness center.

5. Environmental Protection

> 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 § 400.7.)

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.

6. Ward 8 Goals and Policies

The Project complements many goals listed in the Ward 8 Element of the Comprehensive Plan. For example, one focus of the Ward 8 Plan is to "emphasize nodal development of

neighborhood commercial/retail service centers, including appropriate sites and height and design controls, over the extension of existing strip commercial areas" 10 DCMR 1901.1(i). Further, one of the Ward 8 objectives for economic development is to seek to identify ways to "increase labor force job skills levels and expand job opportunities for ward residents, particularly the unemployed, the underemployed and youth preparing to enter the labor force." 10 DCMR 1905.1(b). As explained in detail above, the proposed PUD is consistent with these provisions of the Ward 8 Elements of the Comprehensive Plan.

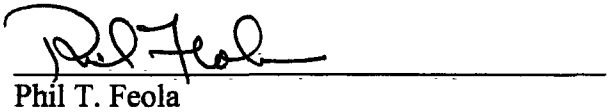
VI. CONCLUSION

For the foregoing reasons, the Army 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; satisfy the requirements for approval of a PUD; provide significant public benefits; and advance important goals and policies of the District of Columbia.

Accordingly, the Army respectfully requests the Zoning Commission to set the PUD application down for a public hearing at the earliest possible date.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN, LLP



Phil T. Feola

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