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July 8, 2005

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By Hand Delivery

Carol Mitten
Chairperson, D.C. Zoning Commission
441 4th Street, N.W.
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Washington, DC 20001

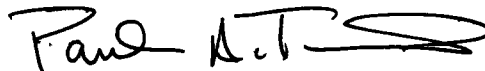
Re: PUD and Zoning Map Amendment – Pre-Hearing Submission of
Dorchester House Associates, LLC and Kalorama West, LLC
(Square 2572, Lot 35) – Z.C. Case No. 04-36

Dear Chairperson Mitten and Members of the Commission:

Enclosed please find the pre-hearing submission of Dorchester House Associates, LLC and Kalorama West, LLC (the “Applicant”) in the above-mentioned PUD and Zoning Map Amendment application. The Applicant respectfully requests that the Office of Zoning schedule this case for a public hearing as soon as possible.

If you have any questions regarding the application, please call the undersigned at (202) 663-8873.

Sincerely,


Paul A. Tummonds

Enclosures

cc: Joel Lawson, OP
Josh Gibson, ANC 1C

Document #: 1488675 v.1

~~ZONING COMMISSION~~
~~District of Columbia~~

CASE NO. 04-36
EXHIBIT NO. 17

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ZONING COMMISSION
District of Columbia
CASE NO.04-36
EXHIBIT NO.17

DORCHESTER ADDITION



**PRE-HEARING SUBMISSION TO THE
DISTRICT OF COLUMBIA ZONING COMMISSION FOR
CONSOLIDATED REVIEW AND APPROVAL OF A
PLANNED UNIT DEVELOPMENT AND AMENDMENT TO THE ZONING
MAP**

***DORCHESTER HOUSE ASSOCIATES, LLC
AND KALORAMA WEST, LLC***

JULY 2005

DEVELOPMENT TEAM

APPLICANT:

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West, LLC
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Washington, DC 20006

**ARCHITECTS, ENGINEERS
AND CONSULTANTS:**

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Washington, DC 20001

Gorove/Slade Associates, Inc.
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LAND USE COUNSEL:

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Washington, DC 20037

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EXHIBITS

<u>DESCRIPTION</u>	<u>EXHIBIT</u>
Updated Architectural Drawings, Elevations, and Photographs of the Subject Property and Surrounding Area	A
Summary of Proposed Affordable Housing Program	B
Updated Traffic Impact Study	C
Tabulation of Development Data	D
Compliance with Consolidated PUD Requirements and Environmental Analysis	E
Outlines of Witness Testimony	F
Draft First Source Employment Agreement with the Department of Employment Services and Memorandum of Understanding with the Office of Local Business Development	G
List of Publicly Available Maps	H
List of Owners of Property within 200 feet of the Subject Site and Owners of the Property Proposed to be Rezoned	I
List of Leaseholders in the Dorchester Apartments Building	J

**CERTIFICATION OF COMPLIANCE WITH SECTION 3013
OF THE ZONING REGULATIONS**

Dorchester House Associates, LLC and Kalorama West, LLC, hereby certify that this pre-hearing submission, twenty copies of which were filed with the Zoning Commission on July __, 2005, complies with the provisions of Section 3013 of the Zoning Regulations as set forth below, that the application is complete, and that no further information is expected to be submitted prior to the public hearing on this application.

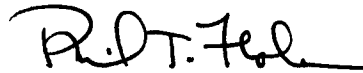
Dorchester House Associates, LLC and Kalorama West, LLC, also certify that certain modifications and refinements have been made to the project and materials provided to the Zoning Commission since the original submission in response to comments raised in meetings that have been held with members of the neighboring community, and in response to the comments of the Commission members at the March 14, 2005 public meeting. These modifications include: (i) enhancements and refinements to the 17th Street façade of the project that create a more attractive and inviting visual and pedestrian experience along 17th Street; (ii) the introduction of an above-grade connection between the existing Dorchester Apartments building and the proposed addition; (iii) a detailed summary of the Affordable Housing Program; (iv) an updated transportation and parking analysis prepared by Gorove/Slade Associates, Inc., the Traffic and Parking consultant on this project; (v) a reduction in the size of the loading dock in the proposed addition from 55 feet to 45 feet; and (vi) the addition of a materials sample board. In all other respects, the project is the same as originally filed on December 16, 2004.

<u>Sub-Section</u>		<u>Page</u>
3013.1(a)	Information Requested by the Commission Additional Information, Reports or Other Materials Which the Applicant Wishes to Introduce	Pre-Hearing Submission, Exhibits B, C, D
3013.1(b)	List of Witnesses	Pre-Hearing Submission
3013.1(c)	Summary of Testimony of Applicant's Witnesses and Reports for the Record:	
	Outline of Testimony of Steven Gewirz and John Hoskinson, Representatives of Dorchester House Associates, LLC and Kalorama West, LLC	Exhibit F
	Outline of Testimony of Eric Colbert, Architect, Eric Colbert & Associates Architects,	Exhibit F
	Outline of Testimony of Fred Gorove or Dan Van Pelt, Traffic Engineer Gorove/Slade Associates, Inc.	Exhibit F

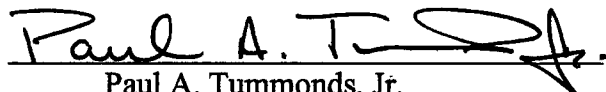
3013.1(d)	Additional Information, Reports or Other Materials Which the Applicant Wishes to Introduce	Pre-Hearing Submission; Exhibit B, C, D
3013.1(e)	Reduced Plans	Exhibit A
3013.1(f)	List of Publicly Available Maps, Plans and Other Documents	Exhibit H
3013.1(g)	Estimated Time Required for Presentation of Applicant's Case	1.0 hour
3013.2	Two Sets of Full Size Plans	Submitted Herewith
3013.3 and 3013.6(a)	List of Names and Addresses of All Property Owners within 200 Feet of the Subject Site and Names And Addresses of the Owners of the Property to be Rezoned	Exhibit I
3013.4	Proposed First Source Employment Agreement with Department of Employment Services and Proposed Memorandum of Understanding with the Office of Local Business Development	Exhibit G
3013.6(b)	List of Leaseholders in the Dorchester Apartments Building	Exhibit J

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP



Phil T. Feola



Paul A. Tummonds, Jr.

LIST OF WITNESSES AND ESTIMATE OF TIME
REQUIRED TO PRESENT CASE

WITNESSES:

Steven Gewirz/John Hoskinson, Representative of Developer, Dorchester House Associates, LLC and Kalorama West, LLC.

Eric Colbert, Architect, Eric Colbert & Associates Architects – TO BE PROFFERED AS AN EXPERT WITNESS IN THE FIELD OF ARCHITECTURE

Fred Gorove or Dan Van Pelt, Traffic Engineer, Gorove/Slade Associates, Inc. – TO BE PROFFERED AS EXPERT WITNESSES IN THE FIELD OF TRAFFIC ENGINEERING

ESTIMATED TIME REQUIRED TO PRESENT CASE:

1.0 hour

PREFACE

This statement is submitted by Dorchester House Associates, LLC and Kalorama West, LLC, in support of an application for the consolidated review and one-step approval of a Planned Unit Development (“**PUD**”) and a corresponding map amendment to the Zoning Map for a portion of the subject property located in Square 2572, Record Lot 35 (Assessment and Taxation Lots 815 and 816) before the District of Columbia Zoning Commission in conformity with Chapter 24 of the District of Columbia Zoning Regulations. The Applicant is requesting the consolidated review and approval of a PUD and related Zoning Map Amendment in order to develop a residential project on the property.

The PUD application consists of an addition to an existing residential building. The addition will have approximately 180,200 square feet of gross floor area that will include approximately 140-145 residential units (“**Proposed Addition**”). The Proposed Addition will be located on the western portion of the property (Lot 816). Lot 816, which fronts on 17th Street, N.W., is currently used for surface parking. The existing Dorchester House Apartments (“**Existing Apartments**”) will remain, though the parking lot will be replaced by underground parking. The Existing Apartments include approximately 415,464 square feet of gross floor area and 394 apartment units.

Subsequent to the Commission’s decision to set this case down for a public hearing, an above-grade connection between the Proposed Addition and the Existing Apartments has been introduced to tie the buildings together. The updated plans that are included in this Pre-Hearing Statement also include enhancements and modifications to the 17th Street façade of the project that create a more attractive visual and pedestrian experience. The Applicant has also refined its proposed Affordable Housing Program for this project. Attached as Exhibit B, is a summary of

the Applicant's proposed Affordable Housing Program. Also attached to this Pre-Hearing Statement is an updated Traffic Impact Study (Exhibit C) that addresses the parking and traffic impacts that the proposed project may have on nearby properties and the adjacent area.

At its March 14, 2005 public meeting, the Commission voted to schedule this application for a public hearing. The additional information requested by the Commissioners and the Office of Planning is provided in this Pre-Hearing Submission. The Applicant has had multiple discussions with various neighborhood groups and organizations, including Advisory Neighborhood Commission ("ANC") 1C, the Reed Cooke Neighborhood Association, and the Dorchester House Tenant's Association, regarding this project and looks forward to continued dialogue with the community as this project moves forward.

This Pre-Hearing Submission, as well as the materials submitted with the initial application, meet the filing and processing requirements for a PUD application under Chapter 24 of the District of Columbia Zoning Regulations.

I. INTRODUCTION

A. Summary of Requested Action.

This pre-hearing statement supports the application of Dorchester House Associates, LLC and Kalorama West, LLC (collectively, “**Applicant**”) to the Zoning Commission of the District of Columbia (“**Commission**”) for the consolidated review and one-step approval of a PUD and a corresponding amendment to the Zoning Map for a portion of the site. The project site includes Assessment and Taxation Lots 815 and 816 (Record Lot 35) in Square 2572 (“**Subject Property**”). The Subject Property is located in the Reed-Cooke/Adams Morgan neighborhood of Ward 1, but not in the Reed-Cooke Overlay District. The Subject Property consists of approximately 158,150 square feet of land and is located in the medium and moderate density residential land use categories as shown on the District of Columbia Generalized Land Use Map. Lot 816, the site of the Proposed Addition, is split zoned R-5-B along 17th Street, N.W. and R-5-D closer to the Existing Apartments. Lot 815, the site of the Existing Apartments, is zoned entirely R-5-D.

The western portion of Lot 816 of the Subject Property – the site for the Proposed Addition (“**Site**”) – is currently located in the R-5-B Zone District. The Applicant requests a Zoning Map amendment for the western portion of Lot 816 from the R-5-B District to the R-5-D District for the Site to accommodate the proposed multi-family residential development.

The height and density of the proposed multi-family residential development are commensurate with the zoning requirements of the R-5-D District. Rezoning the site to the R-5-D District is consistent with the overarching goals and policies of the Comprehensive Plan of the District of Columbia, as discussed in detail herein.

B. The Applicant

The project will be managed by Michael K. Gewirz, Steven B. Gewirz, and John K. Hoskinson, who are among the owners of Kalorama West, LLC.

Steven and Michael Gewirz are principals of Potomac Investment Properties, Inc. (“**Potomac**”), a real estate development company. Potomac has developed, either singularly or with others, 2,000,000 square feet of prime commercial space, most within the Central Business District, and approximately 4,000 residential units. Potomac’s projects are approached from a conservative investment perspective focused on creating quality residential dwellings and commercial buildings that are aesthetically appealing, environmentally sound and economically feasible.

Potomac currently controls, is, or was substantially involved in eight developments of commercial space, involving more than 1.5 million square feet of office space. In addition to these commercial developments, Potomac has been involved in substantial residential development in Washington, particularly in apartments, condominiums and townhouses. In total, Potomac has developed 2,876 residential units and townhomes throughout the District and is presently developing 800 more. Potomac Investment Properties is uniquely qualified to serve the best interests of both the District of Columbia and the Reed-Cooke/Adams Morgan communities through its further development of the Subject Property.

John Hoskinson has ownership interests in and management responsibilities for the Columbia General Corporation (“**Columbia General**”), which has developed properties including over 1,200 residential units and townhomes and over 30,000 square feet of commercial space. Mr. Hoskinson’s developments have demonstrated sensitivity to their surrounding

neighborhoods and architectural context, often blending with significant historical areas and landmarks. Also in his capacity with Columbia General, John Hoskinson converted many apartment buildings to condominium or cooperative ownership, involving approximately 1,458 units in total.

C. Project Goals and Objectives and Benefits of Using the PUD Process.

The Applicant's objective is to create a high quality, multi-family rental residential development on a presently underutilized property near one of the District's major arterial streets, 16th Street, N.W. The new residential units will bring additional residents to the neighborhood and to the District who will patronize the local stores and restaurants and will provide significant economic benefits to the District of Columbia as well as the local neighborhood economy. All of this will occur on a site that is presently a surface parking lot. Another major benefit of this PUD will be the net addition of approximately 187 parking spaces to the Subject Property, so that the completed project will provide approximately 307 parking spaces.

The PUD and Zoning Map Amendment process will allow for the use of the Subject Property in a manner that is compatible with existing uses in the neighborhood yet is not possible under the existing R-5-B Zone District. The PUD process will provide the Zoning Commission with an opportunity to review the design of the project in connection with its consideration of the request to rezone the Site to R-5-D. The proposed rezoning is similarly appropriate for the area, and particularly for Lot 816, the eastern portion of which is already zoned R-5-D.

D. Development Timetable.

The Applicant hopes to start construction by Spring – Summer 2006 and expects that the total construction period will last approximately 15-16 months.

II. THE PROJECT SITE

A. Site Location

The Subject Property consists of approximately 158,150 square feet of land area and is generally situated between 16th Street, N.W., 17th Street N.W., Euclid Street, N.W. and Kalorama Road, N.W. The Subject Property has frontage on all four streets.

The general area surrounding the Subject Property includes apartment buildings, rowhouses and Meridian Hill Park. The Euclid Mews townhouses and condominium apartments are located on the north side of the proposed Site. Low and moderate income rental apartments in two BZA approved projects are located across 17th Street, N.W., to the west of the Subject Property. A former roller rink (known as the Citadel building), which is proposed to be a new Harris Teeter grocery store¹, is located directly south and southeast of the Subject Property.

B. Development Parameters Under Existing and Proposed Zoning

The R-5-B District permits a maximum height of 50 feet with no limit on the number of stories. There is no minimum lot area or minimum width of the lot. The maximum floor area ratio ("FAR") for the R-5-B District is 1.8 and the maximum lot occupancy is 60%. Under the PUD guidelines, the maximum height for a building in the R-5-B District is 60 feet and the maximum FAR is 3.0.

The R-5-D District permits a maximum height of 90 feet with no limit on the number of stories, a maximum lot occupancy of 75% and a maximum FAR of 3.5 as a matter of right. As in

¹ This property was the subject of a PUD application, Zoning Commission Case No. 04-30, which was set-down for a public hearing at the Zoning Commission's December 13, 2004 Public Meeting. This application was withdrawn on June 6, 2005.

the R-5-B District, there is no minimum lot area or minimum lot width requirements. Under the PUD guidelines, the maximum height for a building in the R-5-D District is 90 feet and the maximum FAR is 4.5.

The Proposed Addition as a PUD project is a superior project to that which could occur as a matter-of-right. Under a matter-of-right development, the Applicant would be unable to build the underground parking garage since it would be limited to a FAR of 1.8 and a height of 50 feet. Further, the Applicant would not be able to set aside 30% of the bonus gross floor area for affordable housing.

C. Project Description.

The Proposed Addition, a multi-family residential project, has been thoughtfully designed to be an exciting and appropriate architectural addition to the neighborhood. No changes have been made to the height of the Proposed Addition since the project was set down for a public hearing. The Proposed Addition will be six stories in height (58 feet 6 inches as measured from the center of the 17th Street frontage). It will have two additional floors set back approximately 28 feet from the property line rising to a height of 78 feet. The Proposed Addition steps down to the Euclid Mews project to the north and is only 45 feet tall at the northern property line.

The Proposed Addition will include approximately 140 – 145 residential units, primarily comprised of two bedroom and two bedroom plus den units, with a small number of studios and one bedroom units, ranging in size from 450 to 1,200 square feet. The Proposed Addition will have a total gross floor area of approximately 180,200 square feet. The FAR of the Subject Property will be approximately 3.77. The Subject Property will have a lot occupancy of approximately 45%.

The Proposed Addition will include two levels of below-grade parking that will include approximately 307 parking spaces for the residents and guests of both the Existing Apartments and the Proposed Addition. The upper parking level and the Proposed Addition's loading berth will be accessed from 17th Street, N.W. The loading berth, which will include trash receptacles, will be entirely inside the garage. The lower parking level and the Existing Apartments' loading berth will be accessed from Kalorama Road, N.W., in the same location as the existing surface parking lot's driveway and the existing loading area. The existing loading area will remain partly covered, partly open.

The design of the Proposed Addition specifically minimizes the negative impacts of noise and odors associated with any residential building. Trash from the Proposed Addition will be carefully managed via a compactor room and dumpsters located inside the building, in the upper level of the garage. All cooling towers, compressor units, and other mechanical equipment that must be located outside of the building will be placed on the roof, within enclosure walls. All mechanical equipment that can be located inside the building will be located inside the building. Shifting the parking from a surface lot to an enclosed garage further reduces noise and odors.

The Proposed Addition remains oriented towards 17th Street by providing the main entrance on 17th Street, N.W. Since the initial filing of this application, the 17th Street, N.W. facade has been further refined and enhanced as a modern respectful addition to the classic Art Deco Dorchester House. The refinements to the 17th Street façade, depicted on page A-3.1 of Exhibit A, include: (i) breaking up the horizontal planes of the building with vertical elements; (ii) pulling the building back (east) of the property line; (iii) providing additional "green" space along 17th Street; (iv) providing benches along 17th Street; (v) separating the parking and loading doors from each other with a vertical element; and (vi) introducing plantings between the loading

entrance and the Citadel building. The building's exterior will continue to include a combination of light and dark brick, pre-cast concrete banding, metal paneling with pre-finished aluminum windows, and pre-cast concrete coping. Moreover, the Applicant is committed to energy efficient construction and sound environmental design.

Currently, the east side of 17th Street, N.W. does not provide a friendly or inviting pedestrian atmosphere. The project will include a general upgrade and softening of the streetscape along 17th Street through the addition of numerous trees and other landscaping, as well as the introduction of the benches and additional greenery mentioned above. The project has also been revised to include an above-grade connection, shown on the site plan and landscape plan attached as pages A-1.1 and A-1.2 of Exhibit A, between the Proposed Addition and the Existing Apartments. The proposed connection consists of a trellis that will provide shade and some protection from the elements for residents walking between the two structures. The project maintains the significant landscaped courtyard that will provide recreation space for residents. A significant green roof will also be included on the penthouse level of the Proposed Addition.

As noted in the initial filing of this application, the height of the Proposed Addition has been reduced from its initial design to prevent shadows on neighboring properties and allow for a better transition to the Proposed Addition's full height. As discussed above, the Proposed Addition meets 17th Street NW with a six story façade that has a height of 58 feet 6 inches, as measured from 17th Street. A roof deck has been provided on the terraced setback on the roof of the sixth floor of the Proposed Addition overlooking 17th Street, NW. Above the sixth floor, the Proposed Addition has been stepped back on 17th Street, NW, to mitigate massing concerns on that street. The height to the roof of these top floors is 78 feet, measured from 17th Street.

A site line study is included on Sheet A-3.7 of Exhibit A which depicts the visual impact that the Proposed Addition will have along 17th Street. As shown on this site line study, the tallest portion of the Proposed Addition is not visible from the west side of 17th Street at the ground level. In response to a request from members of the community and ANC 1C, the Applicant also prepared a site line study that depicts the visual impact of the Proposed Addition from the intersection of 17th Street and Kalorama Road (See Sheet A-3.6). This site line study shows that only a small portion of the Proposed Addition is visible from this intersection. In addition, the Proposed Addition has been set back from Euclid Mews in response to community concerns to the initial design, such that the height of the Proposed Addition is now only four feet higher than Euclid Mews at the Proposed Addition's northern edge.

The Existing Apartments will remain in operation and will not be expanded or reduced in connection with the development of the Proposed Addition. However, parking on the Subject Property will be significantly upgraded with the construction of the parking garage. In addition, the courtyard between the Existing Apartments and the Proposed Addition will be enhanced as a result of this project.

D. Flexibility under the PUD Guidelines

A benefit of the PUD process is that the Applicant is provided a certain degree of flexibility from the requirements of the Zoning Regulations in return for meeting District and neighborhood planning goals. The Applicant requests flexibility from the Zoning Regulation's requirements that: (a) all roof structures be located in a single enclosure, that all roof structures be setback from all exterior walls a distance equal to that height above the roof, and that all roof

structures be the same height; (b) a rear yard of 26 feet is required²; and (c) all standard parking spaces are to have minimum dimensions of 9 feet by 19 feet and all drive aisles are to be a minimum of 20 feet wide.

The Applicant initially requested approval from the Zoning Commission to erect more than one building on the Subject Property. However, with the inclusion of the above-grade connection between the Proposed Addition and the Existing Apartments, this relief is no longer necessary as a single building will be located on the existing record lot.

III. PLANNING ANALYSIS

A. Introduction.

Through the PUD process, the Applicant will achieve a central goal of the District of Columbia, providing new residential opportunities in the Reed-Cooke/Adams Morgan neighborhood of Ward 1. The adjustments that are sought through the rezoning of the western portion of the Subject Property are consistent with other buildings in the area and are within the requirements of the Zoning Regulations for the requested R-5-D District.

B. Land Use Impact.

The project has been designed to have a minimal impact on the adjacent and nearby properties. The height and massing of the project will provide an appropriate transition along 17th Street, N.W. between the existing townhouses and the former roller rink and the commercial uses proposed for it. Further, the Proposed Addition will be facing existing condominiums and

² Please note that a 25 foot rear yard is provided. The Zoning Regulations authorize the Zoning Administrator to permit a deviation of up to 10% of the rear yard requirement. The proposed rear yard satisfies this requirement.

apartment buildings across 17th Street, N.W. The project includes a significant number of parking spaces to assure that the availability of on-site parking is increased.

C. Zoning Impact.

The proposed rezoning of the Subject Property to the R-5-D District is consistent with the goals and objectives of the Comprehensive Plan. The proposed multi-family residential development on this Site and the proposed R-5-D District are entirely consistent with existing development and zoning in the surrounding area and the overarching policies and objectives of the Comprehensive Plan.

D. Environmental Impact.

As more specifically detailed in Exhibit E, there is no adverse environmental impact that will result from the construction of the Proposed Addition. 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 Subject Property is currently served by all major utilities. The Proposed Addition's 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. Further, the amount of impervious surfaces on the Subject Property will not be increased as a result of the Proposed Addition, instead it will actually be decreased. Finally, the Proposed Addition will include a green roof system that will provide significant stormwater management benefits.

E. Facilities Impact.

The proposed project will not have an adverse impact on the public facilities that it will rely on for service. Three bus lines utilize 16th Street, N.W. and at least four bus lines utilize nearby Columbia Road, N.W., such that the Subject Property is adequately served by public transportation. In addition, the Columbia Heights and Woodley Park Metrorail stations are accessible to residents of the Subject Property.

IV. EVALUATION STANDARDS

Section 2403 of the Zoning Regulations provides the standards for evaluating a PUD application. It is important to note Section 2403.3, which states:

The impact of the project on the surrounding area and the operation of city services and facilities shall not be found to be unacceptable, but instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project.

The proposed project satisfies the standards of approval for a PUD application.

A. Public Benefits and Project Amenities

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 providing high quality residential development on the Subject Property with significant public benefits to the neighborhood and the District as a whole.

1. Housing and Affordable Housing

Under 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. In furtherance of this important goal, the proposed PUD project will provide approximately 140 – 145 new residential units in the Reed-Cooke/Adams Morgan neighborhood. It is important to note that while most residential development in the District is condominium and for-sale housing, the Proposed Addition is planned to be rental housing. The provision of such rental housing provides an important service to District residents at a time when such housing supply is dwindling.

A summary of the proposed Affordable Housing Program is attached as Exhibit B. The Applicant will provide an affordable housing component of 30% of the increased density on the Subject Property, which is approximately 30,000 gross square feet which will become approximately 30 units available to residents making up to 80% of the Washington Metropolitan Region Median Income. This affordable housing component is in excess of the Office of Planning's stated guideline that 20% of the "bonus" square footage in all PUD projects be reserved for affordable housing. As noted in Exhibit B, the proposed Affordable Housing Program will have no impact on the residential units in the Existing Apartments that are currently subject to D.C.'s landlord-tenant and rent control laws.

The Applicant plans to locate the affordable housing units throughout the Existing Apartments and the Proposed Addition. The affordable units will be indistinguishable from the market rate units in design, materials, appliances and furnishings. The Applicant will seek as new tenants those who contribute to the fabric of the neighborhood, such as police officers,

firemen, emergency medical technicians, schoolteachers, and long-time employees of local retailers and public-service organizations. The Applicant will also seek references from the Advisory Neighborhood Commission as well as from local civic, business, religious, and social service organizations for the affordable units.

2. Urban Design and Architecture

Section 2403.9(a) lists urban design and architecture as categories of public benefits and project amenities for a PUD. Good urban design often requires thoughtful transitions between areas which have different urban fabrics. The Proposed Addition provides such a transition from the higher density of 16th Street, N.W. to the lower-scale residential neighborhood to the west.

The architectural character of the project is derived from the historic character of the Reed-Cooke/Adams Morgan neighborhoods and a modernized Art-Deco design. The existing Dorchester House was built in 1941 and is a combination of Art Deco and Mid-Century design. The 17th Street facade has been designed with great care and expense and is to be articulated as an elongated retro-1920's design. The façade is constructed of light and dark brick. Throughout the façade, concrete banding and coping accentuate the lines of the building and metal panels highlight the windows. Some concerns were raised as to whether the horizontal elements of the building were appropriate. The Applicant has broken up the horizontal appearance of the façade through the introduction of numerous vertical elements.

The Proposed Addition has been set back on the north side of the Site adjacent to the Euclid Mews townhouses and incorporates different elevations to complement the neighboring townhouses and blend the Proposed Addition into the fabric of the neighborhood. The height of the Proposed Addition has also been set back on the west side, along 17th Street, NW. The height

of the roof of the Proposed Addition immediately bordering on 17th Street, NW is 58 feet 6 inches for a depth of 28 feet on the sixth floor. As shown in the site line studies, included in Exhibit A, a pedestrian on the east side of 17th Street is not able to view any portion of the Proposed Addition above the sixth floor. Only a small portion of the Proposed Addition is visible from the intersection of 17th Street and Kalorama Road. At the north end of the Site facing Euclid Mews, the Proposed Addition is only 45 feet tall. As a result, the Proposed Addition provides an appropriate transition from the larger building heights along 16th Street, N.W. to the smaller building heights along 17th Street, N.W.

Great care has been taken to minimize the impact of the below-grade parking garage entry and loading docks on the 17th Street streetscape. The entrance to the upper level parking garage from 17th Street has been reduced to a single retractable door. The separation between the parking garage entrance and the loading dock entrance has been significantly improved through the introduction of vertical elements and plantings. Moreover, these uses will continue to be located at the southern end of the project, closest to the Citadel building, in order to minimize any impact on the visual experience of the 17th Street streetscape.

The overall design of the Proposed Addition will enhance the neighborhood through its dignified architectural character, carefully articulated facades and enhanced landscaped and pedestrian areas. Particularly when compared to the surface parking lot presently existing on the Site, the Proposed Addition will be an extremely attractive addition to the neighborhood.

3. 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 proposed project has been carefully designed to fall significantly below the maximum permitted lot occupancy restrictions of the R-5-D Zone District. The project includes a significant landscaped interior courtyard that provides residents and their guests the opportunity for passive recreation and relaxation on the Subject Property. The area of Lot 816, the location of the current surface parking lot, will be much more efficiently utilized with the development of the Proposed Addition while increasing the total landscaped area and number of parking spaces on the Subject Property.

4. Effective and Safe Vehicular and Pedestrian Access

The Zoning Regulations, pursuant to Section 2403.9(c), state that “Effective and safe vehicular and pedestrian access” can be considered public benefits and amenities of a project. The proposed project has been designed to minimize pedestrian and vehicular conflict. In addition, there will be two separate entrances to the parking garage, with each level having its own entrance on different streets in order to help disburse traffic onto adjacent streets.

In regard to the traffic and parking impact that this project will have on the surrounding area, attached as Exhibit C, is the updated Traffic Impact Study, prepared by Gorove/Slade Associates, Inc.³ This study notes that the general area surrounding the Subject Property includes numerous residential and commercial projects that have either recently been completed or will be completed in the near future. The traffic and parking impacts of these projects, including the proposed development of the Citadel building, were taken into account by Gorove/Slade Associates. The District Department of Transportation also recently contracted with a private

³ Gorove/Slade Associates, Inc. also prepared a study regarding the traffic and parking impacts that the introduction of a grocery store, retail and office space in the Citadel building would have on the traffic and parking patterns in the area.

traffic and parking consultant to undertake a study of the entire area. DDOT's study is anticipated to be completed later this year.

As a result of these studies, ANC 1C has recommended to DDOT and DDOT has concurred that changing portions of the street network in this portion of the Reed-Cooke/Adams Morgan neighborhood to one-way operation and the installation of a traffic signal at the 16th Street and Kalorama Road intersection is appropriate and necessary to address existing traffic conditions in the area and also the anticipated development in this neighborhood. DDOT has proposed to make Kalorama Road one-way westbound from 16th to 17th Street, and 17th Street one-way northbound from Kalorama Road to Columbia Road.

The Gorove/Slade Traffic Impact Study notes that the traffic generated by the Existing Apartments is relatively small and that existing traffic conditions at intersections close to the Subject Property operate at acceptable levels of service except for the intersections of 16th and Euclid Streets and 16th Street and Kalorama Road. The Proposed Addition is anticipated to generate approximately 63 additional AM peak hour trips and 71 additional PM peak hour trips. The total number of trips that the Existing Apartments and Proposed Addition are expected to create in the AM peak hour is 104 and 117 trips in the PM peak hour. The Traffic Impact Study concludes that the nearby intersections that currently operate at acceptable levels of service will continue to do so. The Traffic Impact Study concludes that retiming of the signal at the intersection of 16th and Euclid Streets can mitigate the minor negative impact at that intersection. Similarly, the Traffic Impact Study concludes that the introduction of traffic signal at the intersection of 16th Street and Kalorama Road, as recommended by DDOT and ANC 1C, will mitigate any adverse traffic impacts that this project may have at that intersection.

The Traffic Impact Study also reviewed the impact that the Proposed Addition would have on the availability of off-street parking in the area. The Traffic Study concludes that:

The proposed parking supply of 307 spaces is expected to be sufficient for accommodating all of the future users of the expansion. Therefore, the expansion is not expected to exacerbate the current neighborhood on-street parking situation. (Traffic Impact Study, p. 23.)

As noted in the Traffic Impact Study, the Proposed Addition will also include parking spaces for commercial users in the Existing Apartments (including Children's Hospital), Zip-Car or Flexcar spaces, and spaces for employees, contractors and guests of the residents. After calculating the expected demand of all of these users and the residents of the Existing Apartments and the Proposed Addition, approximately 17-21 additional off-street parking spaces will likely be available on the Subject Property. The Applicant believes that the provision of these additional spaces will have a significant impact on improving the availability of street parking in the immediate neighborhood around the Subject Property.

5. Environmental Benefits

According to Section 2403.9(h), "Environmental benefits, such as stormwater runoff controls and preservation of open space or trees" are deemed to be public benefits and project amenities. The proposed project will address stormwater runoff control by reducing the amount of impervious surface of the parking lot and replacing it with a landscaped area. Altogether, there will be 11,560 additional square feet of landscaped area on the Subject Property after the project is completed. This is a significant net addition of green space. Further, the Addition will be constructed with a state-of-the-art storm water retention facility as required by pertinent District of Columbia regulations. In addition, there will be a increase in open space and an addition of trees both in the garden between the existing apartments and the Proposed Addition

and along 17th Street. The Applicant intends to incorporate the following energy efficient building materials and systems into the project:

- Green roof on the Proposed Addition;
- Low-E glass and bamboo flooring;
- High efficiency HVAC system and energy efficient light fixtures;
- Use of recycled materials wherever possible, use of reclaimed (crushed concrete), and generous recycling areas in the building to encourage conservation;
- Low flow showerheads, sinks, and toilets,
- Garage exhaust fans that will be controlled by sensors to prevent continuous running; and
- Environmentally friendly adhesives that reduce “off-gassing”.

6. 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 140 – 145 new households will result in the generation of significant additional tax revenues in the form of property, income, sales, use and employment taxes for the District.

7. 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 voluntarily 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 draft First Source Agreement is attached as Exhibit G.

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. Therefore, the Applicant will enter into a Memorandum of Understanding with the Office of Local Business Development

(“OLBD”) to use the resources of the OLBD to utilize local business enterprises in the development of this project. A draft Memorandum of Understanding is attached as Exhibit G.

9. Uses of Special Value to the Neighborhood

The Proposed Addition will have a dramatic impact on the vitality of 17th Street, N.W. Currently, 17th Street is used as more of a back alley than a neighborhood street, with a sizeable parking lot stifling a sense of attachment to the surrounding community. The surrounding properties lack a street level residential presence. The Euclid Mews project faces inward and presents a stone wall along 17th Street. On the west side of 17th Street, the Morgan Annex is situated high on a hill and the Jubilee buildings have a significant setback from the street edge. The Proposed Addition will assist in establishing 17th Street as a safe pedestrian connector within the neighborhood. The Proposed Addition will generate pedestrian traffic that will both attract retail uses into the neighborhood and provide a safer environment with a de facto “neighborhood watch.” Aesthetically, the Proposed Addition will formalize the streetscape and create a new residential presence on 17th Street. It will also alter the disconnected rhythm that now exists on 17th Street and will establish a visually attractive project that celebrates the history of the surrounding community.

The Applicant will make a significant contribution to Washington Parks and People (in addition to the annual contribution that the Existing Apartments already makes) to be used for renovations and restoration of Meridian Hill Park, as part of the community amenities package. The Applicant also continues to engage in dialogue with Jubilee Housing regarding a contribution of \$100,000 to be used in the restoration of Jubilee Housing’s residential properties located immediately across 17th Street from the Subject Property as well as other buildings in the

immediate area. The Applicant will also make a financial contribution to DDOT's proposed signalized intersection at 16th Street and Kalorama Road.

10. 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 Applicant believes that it is more prudent to address this issue in the text of the statement, rather than in an annotated table (which is required by Section 2403.11 and is attached as Exhibit D.)) A matter-of-right project would not be required to provide any affordable housing. The approval of this PUD and Zoning Map Amendment application will result in the creation of approximately 30,000 gross square feet of affordable housing. Moreover, the additional height and density provided through the PUD and Zoning Map Amendment process allows the Applicant to create a residential project that includes: significant set-backs adjacent to the Euclid Mews townhouses to the north; a high level of architectural detail and treatment along the 17th Street façade of the project; a large open landscaped courtyard; and a significant parking garage. These attributes of this PUD project would not likely be found in a matter-of-right residential project. In fact, the limitations of the existing zoning combined with the requirement to replicate the existing parking spaces have kept the site as an unattractive surface parking lot for the last fifty years.

11. 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". As described in greater detail in Section V, the PUD is consistent with and furthers many elements and goals of

the District of Columbia Comprehensive Plan, (“**Comprehensive Plan**”) D.C. Law 12-275, 10 DCMR (Planning and Development) § 100 et seq. (1998).

V. COMPLIANCE WITH THE COMPREHENSIVE PLAN

The proposed PUD is consistent with and fosters the goals and policies stated in the elements of the Comprehensive Plan, particularly those within the Land Use Element.

The purposes of the Comprehensive Plan 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).).

The proposed project significantly advances these purposes by furthering the social and economic development of the District through the creation of high-quality and attractive residential development and an increased tax base for the District, while also encouraging other investment in Ward 1.

A. Compliance with Major Themes.

The Applicant’s proposal is consistent with three major themes of the Comprehensive Plan as follows:

1. Stabilizing the District's Neighborhoods.

Lot 816 of the Subject Property is presently a non-contributing parcel to the general vitality of the neighborhood. The creation of an appropriately-scaled residential project fronting on 17th Street as discussed herein will provide additional residents for the neighborhood that will increase its vibrancy as well as provide additional patrons of commercial uses serving the local neighborhood.

2. Respecting and Improving the Physical Character of the District.

The Proposed Addition's height and mass have been carefully designed to respect the surrounding buildings in the immediate area and the neighborhood in general. The Proposed Addition and Zoning Map Amendment create a building that is appropriately placed among smaller multi-family housing, single family housing, the larger Dorchester House Apartments building and the Citadel building (and proposed grocery store). Presently, the underutilized Site creates an unsightly hole in the fabric of the neighborhood. The proposed project will add vibrancy and vitality to the neighborhood by removing that hole and creating an active contributor to the neighborhood and the District in general. Further, the replacement of the surface parking lot with underground parking will greatly improve the physical character of the Subject Property.

3. Preserving and Ensuring Community Input.

The Applicant has had a number of discussions with members of the community and neighborhood organizations. The Applicant will continue to engage in dialogue with ANC 1C, the Reed-Cooke Neighborhood Association and other community organizations regarding this application up from the public hearing. The Applicant will also develop a Construction

Management Plan in conjunction with community input to outline the policies and procedures that will be in place for the project's construction.

B. Compliance with Major Elements.

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

1. Economic Development Element.

The Comprehensive Plan assigns high priority to the economic development of the District. As part of this effort, it is imperative that people are encouraged to move back into the District to both live and work in the city. The Proposed Addition would add to the attractive rental housing stock in the District and draw more people to an area of the city where such apartments are heavily desired.

Specifically, 10 DCMR § 200.13 states that one of the vital aspects involved in the Economic Development Element is “generation of sufficient tax revenues to fund the District’s budget”. Clearly, if the Applicant is allowed to develop this project, it will add many residents to the city and have a sizable impact on the District’s tax revenues.

2. Housing Element

The Comprehensive Plan notes that

Housing in the District is viewed as a key part of a total urban living system that includes access to transportation and shopping centers, the availability of employment and training for suitable employment, neighborhood schools, libraries, recreational facilities, playgrounds, and other public amenities. (10 DCMR § 300.4.)

In addition, the Comprehensive Plan includes the following goals of the District with regard to the production of new housing:

“Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land-use policies and objectives” (10 DCMR § 302.2(a).), and

“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).).

As discussed throughout this application, the PUD will create approximately 140 – 145 new housing units and provide for approximately thirty apartment units of affordable housing in the Reed-Cooke/Adams Morgan neighborhood adjacent to the major transportation corridor of 16th Street, N.W. The proposed project fully satisfies the above-mentioned goals of the Comprehensive Plan’s Housing Element. The proposed project is an infill project that provides new housing, close to major bus routes, Downtown, and Meridian Hill Park, and it dramatically enlivens a property that is clearly underutilized.

3. Urban Design Element

Regarding urban design, it is the goal of the District to:

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

In areas of stable character such as area surrounding the Subject Property, the Comprehensive Plan’s objectives include the desire to:

“maintain those areas of the District that have a positive physical image and to provide that new development and renovation within or adjacent to these areas is complementary in scale and character.” (10 DCMR § 711.1.)

As a policy to achieve that objective, the Comprehensive Plan has established a policy to:

“Encourage in-fill development to be complementary to the established character of the area. In-fill development in stable areas should not create sharp changes in physical pattern which might lead to deterioration.” (10 DCMR § 711.2(a).)

This application preserves and enhances the distinguishable physical qualities of the District and the architectural design of the surrounding buildings. The project is designed to complement and be consistent with the architecture, height, scale and massing of the surrounding buildings. The project provides an appropriate continuation of the surrounding buildings while enhancing the attractive appearance of the neighborhood. The landscaping that will be provided on the Subject Property will help assure that this in-fill project is complementary to the existing neighborhood and will increase the attractiveness of the Subject Property.

4. Generalized Land Use Map

The Comprehensive Plan states:

“It is the goal of the District to assure the efficient use of land resources within legal, economic, fiscal, environmental, and other public policy constraints to meet neighborhood, community, and District-wide needs, and to help foster other District goals.” (10 DCMR § 711.2(a).)

It is certainly the goal of the proposed project to achieve a more efficient use of the Subject Property. As a result of the Proposed Addition, District goals discussed above are furthered while a parking lot is converted into a multi-unit building with more underground parking spots than exist presently.

As previously mentioned, the Generalized Land Use Map includes Lot 816, the western part of the Subject Property and the location for the Proposed Addition, in the moderate density

residential land use category. The Generalized Land Use Map includes Lot 815, the eastern part of the Subject Property, in the medium density residential land use category. The Generalized Land Use Map is intended to serve as a “general” map and is not intended to serve as a parcel by parcel limitation on permitted development.

Further, while the Subject Property is not in the Reed-Cooke Special Treatment Area, it abuts the Reed-Cooke Area. One of the policies established in 10 DCMR § 1127.2(a) as part of the Reed-Cooke overlay is to “protect current housing in the area and provide for the development of new housing. (emphasis added)” Obviously, the proposed PUD would achieve this goal.

5. Ward 1 Goals and Policies.

The Ward 1 Element of the Comprehensive Plan includes the following objectives for housing:

“To stimulate the production of new and rehabilitated housing to meet all levels of need and demand in Ward 1 and provide incentives for the full range of housing needed at desired locations throughout the ward.” (10 DCMR § 1205.1(a).)

In 10 DCMR § 1206, there are many policies stated to support housing objectives in Ward 1. Clearly, the proposed project supports many of these policies by bringing a large residential development and a sizable investment into Ward 1. The Proposed Addition is unique in that it offers this benefit in a sizeable and meaningful manner, yet painstakingly maintains and enhances the character of the neighborhood.

The Ward 1 Element of the Comprehensive Plan includes the following concerns regarding environmental protection:

“Some Ward 1 areas, including Reed-Cooke, have erosion problems. [...] Sedimentation, erosion, and sewer overflows are still major causes of ward water quality degradation.” (10 DCMR § 1208.3.)

Further, in 10 DCMR § 1211.1(a), a stated objective is to improve the waterways, including the storm and sanitary sewer system of Ward 1. Presently, the parking lot occupies a land area of 39,445 square feet. However, if the Proposed Addition is constructed, the above-ground parking lot will shrink to 3,350 square feet and the landscaped area of the Subject Property will increase from 32,460 square feet to 44,020 square feet. The addition of 11,560 square feet of landscaped area and the addition of a green roof on the Proposed Addition will both beautify the Subject Property and assist the District in mitigating stormwater run-off.

The urban design objectives for Ward 1 include:

“To strengthen and enhance the physical image and symbolic qualities of Ward 1 that establish its character as an urban center in the nation’s capital;” (10 DCMR § 1222.1(a).) and

“To design new residential, commercial and other buildings to complement or enhance Ward 1’s physical character;” (10 DCMR § 1222.1(b).) and

“To design Ward 1’s buildings to include the use of appropriate arrangements of building materials, height, scale, massing, and buffering to complement the immediate areas;” (10 DCMR § 1222.1(c).) and

“To encourage development adjacent to areas of strong architectural character to provide a physical transition in building design detail in order to create a complementary form of transition;” (10 DCMR § 1222.1(d).) and

“To coordinate efforts with professional design or design-related organizations, historic preservation societies, the general public, and the development community to support policies promoting exemplary design in Ward 1.” (10 DCMR § 1222.1(g).)

The proposed project satisfies all of these urban design objectives. In addition to adding a high-quality rental residential building in Ward 1, the Proposed Addition will act to enhance the

surrounding area and provide a rich architectural experience. The architectural plans constitute a highly-attractive Art Deco mid-rise building that would more than complement the Existing Apartments and neighboring apartment buildings and structures. The Comprehensive Plan states the following action to implement the urban design objective:

“To determine appropriate height, bulk, density, and building materials so that new structures are designed to be harmonious with their surroundings by: [...] (4) Considering changes in the Zoning Regulations as necessary to make new development compatible with existing buildings in areas where rehabilitation or moderate density development goals are primary neighborhood goals....” (10 DCMR § 1223.1(a).)

Policies for land use/zoning include:

“Promote the conservation, enhancement, and revitalization of Ward 1’s residential neighborhoods for housing and neighborhood related uses;” (10 DCMR § 1230.1(a).)

An action to implement the land use/zoning policies in Ward 1 is:

“To encourage appropriate height, bulk, density, and building materials so that new structures are designed to be harmonious with their surroundings by changes in the Zoning Regulations as necessary to make new development compatible with existing buildings in areas where rehabilitation or moderate density development goals are primary neighborhood goals....” (10 DCMR § 1223.1(a).)

The Proposed Addition is consistent with, and furthers the goals and objectives of the Ward 1 Element. The addition of 140 – 145 residential units will provide a range of housing options to potential new residents to the neighborhood and to the District of Columbia. Moreover, the Proposed Addition will be a structure of strong architectural character that will greatly enhance the neighborhood.

VI. CONCLUSION

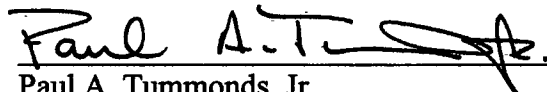
For the foregoing reasons, the Applicant submits that the consolidated PUD and Zoning Map Amendment applications: meet the standards of Chapter 24 of the Zoning Regulations; are consistent with the purposes and intent of the Zoning Regulations and Map; will enhance the health, welfare, safety and convenience of the citizens of the District of Columbia; satisfy the requirements for approval of a consolidated PUD and Zoning Map amendment; provide significant public benefits; and advance important goals and policies of the District of Columbia.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN, LLP



Phil T. Feola



Paul A. Tummonds, Jr.

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