318 I STREET, NE



BROADWAY I ASSOCIATES LLC

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

April 12, 2005

ZONING COMMISSION
CASE No. 05-13
EXHIBIT No. 2

ZONING COMMISSION
District of Columbia
CASE NO.05-13
EXHIBIT NO.2

DEVELOPMENT TEAM

APPLICANT:	Broadway I Associates LLC c/o The Broadway Group 900 2nd Street, N.E. Suite 107 Washington, DC 20002
ARCHITECTS, ENGINEERS AND CONSULTANTS:	Esocoff & Associates Architects 1030 15th Street, N.W. Suite 430 Washington, D.C. 20005 Project Architects
	Wells & Associates 1420 Spring Hill Road Suite 600 McLean, Virginia 22102 Traffic/Parking Consultant
LAND USE COUNSEL:	Pillsbury Winthrop Shaw Pittman LLP 2300 N Street, N.W. Washington, D.C. 20037

TABLE OF CONTENTS

DEVELOPMENT TEAM i
EXHIBITS iv
PREFACE v

I. INTRODUCTION 1

A. Summary of Requested Action. 1

B. The Applicant 1

C. Project Goals and Objectives and Benefits of Using the PUD Process. 2

D. Development Timetable. 3

II. THE PROPOSED PUD PROJECT 3

A. Site Location 3

B. Project Description 4

C. Development Parameters Under Existing Zoning 6

D. Flexibility under the PUD Guidelines 6

III. PLANNING ANALYSIS 7

A. Introduction 7

B. Land Use Impact 7

C. Zoning Impact 7

D. Environmental Impact 8

E. Facilities Impact 8

IV. EVALUATION STANDARDS 8

A. Public Benefits and Project Amenities 8
1. Housing and Affordable Housing 9
2. Urban Design and Architecture 9
3. Site Planning 10
4. Effective and Safe Vehicular and Pedestrian Access 10
5. Revenue for the District 10
6. First Source Employment Program 11
7. Local Business Opportunity Program 11
8. Comprehensive Plan 11
9. Public Benefits of the Project 11

V. COMPLIANCE WITH THE COMPREHENSIVE PLAN 12

A. Compliance with Major Themes 13
1. Stabilizing the District's Neighborhoods 13
2. Respecting and Improving the Physical Character of the District 13
3. Preserving and Ensuring Community Input 13

B. Compliance with Major Elements. 14
1. Housing Element 14
2. Urban Design Element 15
3. Generalized Land Use Map 15
4. Ward 6 Goals and Policies 16

VI. CONCLUSION 16

EXHIBITS

DESCRIPTION	EXHIBIT
Application Forms	A
Certificate of Notice	B
Notice of Intent to File	C
List of Owners of Property within 200 feet of the Subject Site	D
Compliance with Consolidated PUD Requirements and Environmental Analysis	E
Architectural Drawings, Elevations, and Photographs of the Subject Property and Surrounding Area	F
Tabulation of Development Data	G

PREFACE

This statement is submitted by Broadway I Associates LLC in support of an application for the consolidated review and approval of a Planned Unit Development for the property known as 318 I Street, NE (Lots 1, 22, 23, 32, 826, and 827 in Square 775) before the District of Columbia Zoning Commission. The property that is the subject of this application is currently the site of Uptown Bakers, a wholesale bakery establishment, and the related parking lot for the many trucks owned by the bakery. It is located at the northwest corner of 4th and I Streets, NE.

The Applicant is requesting the consolidated review and approval of a PUD in order to create an exciting residential project on the site that will contribute significantly to the Near Northeast residential neighborhood. In total, approximately 140 residential units, with a significant affordable housing component, will be created as a result of this project. The proposed project will include direct pedestrian access to I Street, NE and has been thoughtfully designed to complement the existing structures and properties near the site.

Submitted in support of this application are a completed application form, a notice of intent to file a PUD (with property owner list and certification of mailing), architectural drawings, and a map depicting the zoning districts for the property and the surrounding area. As set forth below, this statement and the attached documents meet the filing requirements for a PUD application under Chapter 24 of the District of Columbia Zoning Regulations.

I. INTRODUCTION

A. Summary of Requested Action

This document supports the application of Broadway I Associates LLC ("**Applicant**") 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 1, 22, 23, 32 and 826 and 827 in Square 775 (the "**Subject Property**" or "**Property**"). The Subject Property is located in the Near Northeast neighborhood of Ward 6 and consists of approximately 28,310 square feet of land area. The Subject Property is located in the C-2-B Zone District, and the proposed height and density of the project are significantly less than the maximum provided under the PUD guidelines in the C-2-B District. The Applicant proposes to develop a signature residential project on the Subject Property that will help to enhance and revitalize the long-established residential neighborhood. In total, the project will include approximately 140 new residential units. The PUD project will also include approximately 9,150 square feet of affordable housing.

B. The Applicant

Applicant's parent company, The Broadway Group ("**Broadway**"), is an owner, manager and developer of both commercial and residential properties. Since 1978, Broadway has owned and managed in excess of twenty-three million square feet of income-producing property. Broadway's initial area of specialty was the renovation, rehabilitation and upgrade of commercial office buildings located primarily in New York City. Under-performing assets were given substantial makeovers both structurally and aesthetically and repositioned in the market.

In more recent years, Broadway has entered the D.C. market and has positioned itself to be a major developer of residential projects in the District. In addition to 318 I Street, NE, current projects include a high-profile site at 425 Massachusetts Avenue, NW, a large site in the vicinity of 9th and V Streets, NW, and in partnership with Abdo Development, Senate Square, which is the former Capital Children's Museum site. The project at 425 Massachusetts Avenue, NW in the Mount Vernon Triangle, will contain 400,000 square feet of residential space in a 14-story building. The 370 condominium apartments will contain a mix of sizes ranging from studios to three bedrooms in a wide variety of layouts. The project in the vicinity of 9th and V Streets, NW will consist of four parcels and will have combined footprints totaling approximately 80,000 square feet. On that site, all existing structures will be demolished and condominium apartments will be constructed. The project will also contain retail components on itsr V Street, NE frontage.. Finally, Senate Square is an all residential project that will span the square block bounded by H and I Streets, NE and 2nd and 3rd Streets, NE and will consist of approximately 500 condominium apartments.

C. Project Goals and Objectives and Benefits of Using 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 Applicant to ensure a well-planned development. The

PUD process will also provide the Zoning Commission with an opportunity to review the design of the project.

D. Development Timetable

The Applicant plans to start construction no later than December 2005 and expects that the total construction period will last approximately 18 - 24 months.

II. THE PROPOSED PUD PROJECT

A. Site Location

The Subject Property consists of approximately 28,310 square feet of land area and includes the southeastern portion of the block of 4th and I Streets, NE. It is commercially zoned and has a long history of non-residential use. The square to the west of the Subject Property includes commercial office buildings that line the entire length of I Street, NE directly across 3rd Street, NE from the site. To the south are five rowhouses located at the intersection of 3rd and I Streets, NE. To the southwest at the intersection of 3rd and H Streets, NE, is a large commercially-zoned, vacant property (formerly a gas station) and the former Capital Children's Museum (currently being converted to a residential project). Directly to the east of the Subject Property are rowhouses and single family homes. To the north of the Subject Property are rowhouses and a few warehouses.

The Subject Property is approximately a ten-minute walk to Union Station. In addition, the recently approved Station Place PUD project is located on the west side of Second Street, NE between F and H Streets, NE. The Station Place PUD project included a rezoning to the C-3-C Zone District and approved a commercial office development with retail and service uses of approximately 1,396,950 square feet (5.9 FAR) and a building height of 115.5 feet measured from F Street, NE. In March 2005, the Zoning Commission also granted final action to the

Capital Children's Museum PUD, which is located on the west side of 3rd Street between H and I Streets, NE. The Capital Children's Museum PUD includes a rezoning to the C-3-C Zone District and a residential development of approximately 599,134 square feet (5.72 FAR). The new buildings on the site will have a maximum height of approximately 110 feet and the other building (the existing Capital Children's Museum building) will have a height of approximately 64 feet.

The City's planning objectives call for more residential use in the area of the Subject Property. The site is located in the Moderate-Density Residential land use category as shown on the District of Columbia Generalized Land Use Map. The properties to the north and east of the Property are also included in the Moderate-Density Residential land use category. The square directly to the west of the Property and the properties to the south and southeast of the Property are located in the Mixed-Use/Moderate-Density Residential land use categories. The properties further to the west, which include the Station Place PUD site, are located in the Mixed-Use, Moderate Density land use category. The square to the northwest of the Subject Property is located in the Production/Technical Employment/Medium-High Density commercial land use category. The square directly southwest of the Property is located in the Institutional land use category.

B. Project Description

The plans, elevations and drawings of the proposed PUD project are attached as Exhibit F. The Applicant will create an inviting residential building with approximately 140 residential units. The main lobby for the building will be accessed from the I Street, NE entrance to the project via a set of arcades which create a visual connection to I Street, NE. The Project will enliven the street by having ground floor access to individual units along I and 4th Streets, NE.

The new building will be built to a height of 65 feet, the maximum height under the existing zoning. All of the residential units will be for-sale units.

The building will be primarily brick and masonry with metal windows and precast concrete and stone trim. The massing of the building, the façade and bays will create a richness of expression appropriate to this neighborhood. Along 4th and I Streets, NE, the design provides soft edges through the secondary massing of bays, balconies and setbacks. Elevational elements within these bays, ornamental brickwork, and window patterns will further establish an appropriate scale relationship to nearby buildings.

The roof of the new building will serve as a landscaped recreation space that will allow a lively visual ending to the building that will give it a memorable skyline. Esocoff & Associates have created similar emblematic roofscapes at 220 H Street, NE, 1499 Massachusetts Avenue, NW, 616 E Street, NW and 400 Massachusetts Avenue, NW. Mr. Esocoff was also the architect for 2401 Pennsylvania Avenue, NW. All these projects are well known for adding character and quality to the urban fabric of Washington. The last three projects also received public design review by a selection of the following: Office of Planning, GSA Design Excellence, Historic Preservation Review Board (HPRB), Zoning Commission, BZA and the Federal Commission of Fine Arts.

Access to the below-grade parking garage of approximately 140 parking spaces will be from the public alley located on I Street, NE in the middle of the block between 3rd and 4th Streets, NE. The vehicular entrance and exit opens onto a courtyard that has been designed as an attractive and inviting entry for residents of the project and their guests. The vehicular entrance will be used for resident and guest drop-off and pick-up only, as residents of the project can go

directly from their parking space in the below-grade garage to their units. A pedestrian-only entrance will be located on I Street, NE.

The proposed project will include extensive landscape and hardscape improvements on the Property. There will be a garden within the courtyard area of the project. Ground level units along 4th and I Streets, NE will have direct access to the street and their personalized landscaped areas. A central courtyard, which will be richly paved and landscaped, will be a common amenity for all residents. Along the I Street frontage, the Applicant will work closely with the District Department of Transportation to implement the proposed I Street streetscape improvements adjacent to the site.

The total gross floor area included in the proposed PUD is approximately 160,000 square feet for a total Floor Area Ratio ("**FAR**") of approximately 5.65. The building will have a height of approximately 65 feet measured from I Street, NE. The proposed project will have a lot occupancy of approximately 85%. The proposed project is considerably smaller than what is permitted under the C-2-B District PUD Guidelines (maximum FAR of 6.0 and a maximum building height of 90 feet).

C. Development Parameters Under Existing Zoning

The PUD guidelines for the C-2-B District allow a height of 90 feet and a maximum FAR of 6.0, with a limit of 2.0 of non-residential FAR. The C-2-B District, as a matter-of-right, permits a maximum height of 65 feet, a maximum lot occupancy of 80% for residential uses, and a FAR of 3.5 with a limit of 1.5 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-B Zone District. 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 Applicant seeks a lot occupancy of 85% rather than the 80% that is permitted. This change is requested and is necessary in order to construct a high quality residential project that will satisfy the District and neighborhood planning goals for the area.

III. PLANNING ANALYSIS

A. Introduction

Through the PUD process, the Applicant will implement numerous goals of the District of Columbia.

B. Land Use Impact

The proposed PUD project will create a significant residential development and will improve dramatically the appearance of the site. The proposed height and massing of the project is consistent with recently approved PUD projects in the area and with the District's planning goals for the future of this area of the City. The applicant has not sought a height in excess of that permitted as matter of right in recognition of the site's location east of 3rd Street, NE.

C. Zoning Impact

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

D. Environmental Impact

As more specifically detailed in Exhibit E, no adverse environmental impact will result from the construction of this project. In addition, the increased use of 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.

E. Facilities Impact

The proposed project will not have an adverse impact on the public facilities that it will rely on for service. As previously mentioned, the Subject Property is located within easy walking distance of the Union Station transportation hub, which offers Metrorail, MARC and VRE service. In addition, numerous Metrobus lines utilize H Street, NE, which is only one block south of the Subject Property, such that the project is adequately served by public transportation. Bicycle usage by residents of the project has been integrated into the design of the project. Secure bike storage areas with convenient access to a shuttle elevator that provides egress to the project's central courtyard and I Street, NE will support and encourage bicycle use.

IV. EVALUATION STANDARDS

Section 2403 of the Zoning Regulations provides the standards for evaluating 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. The instant consolidated application will achieve the goals of the PUD process by creating high quality residential development, with a significant affordable housing component, on the Subject Property which will help to enliven and revitalize the Near Northeast neighborhood of Ward 6.

1. Housing and Affordable Housing

Pursuant to Section 2403.9(f) of the Zoning Regulations, the PUD guidelines state that the production of housing is a public benefit that the PUD process is designed to encourage. This project will create approximately 140 new, for-sale, residential units in the Near Northeast neighborhood. In addition, the project will result in the creation of approximately 9,150 square feet of affordable housing units. This amount represents 15% of the additional density secured through the PUD process. Given the current strong interest in the production of affordable housing in the District of Columbia, this is a significant amenity.

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. As shown in the detailed plans, elevations, and renderings included in Exhibit F, the proposed project exhibits all of the characteristics of exemplary urban design and architecture. The landscaping, raised first floor level access, and alternating composition of projecting bays, all combine to create a sense of scale and visual interest. The I Street facade offers a two story lobby entry. The project will include over 25,000 square feet of residential recreation space. Finally, the building as a whole employs traditional, time-tested materials in new and modern ways in a design that is aesthetically enduring and which adds to the fine urban texture of the city.

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 designed to provide residents and their guests with open and inviting spaces for entertainment and relaxation. These spaces include the large landscaped open space on the interior of the site and the private garden area.

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 project amenities of a project. The proposed project will provide a below-grade parking garage with approximately 140 parking spaces. This vehicular entrance and exit will be accessed from a public alley off of I Street, NE, and will be appropriately landscaped and buffered from neighboring properties. This entrance opens onto a courtyard that has been designed as an attractive and inviting entry for residents of the project and their guests. This vehicular entrance will be used for resident and guest drop-off and pick-up only, as residents of the project can go directly from their parking space in the below-grade garage to their units. A pedestrian only entrance/exit will be constructed on I Street, NE. These separate and distinct entrances/exits will mitigate any potential pedestrian and vehicular conflicts.

5. 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 new households will result in the generation of significant additional tax

revenues in the form of recordation, transfer, property, income, sales, use and employment taxes for the District.

6. 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.

7. Local Business Opportunity Program

Pursuant to Section 2403.9(e), the use of local firms in the development and construction of the project is a representative public benefit and project amenity. Therefore, the Applicant will enter into a Memorandum of Understanding ("**MOU**") with the Local Business Opportunity Commission ("**LBOC**") to use the resources of the LBOC to utilize local business enterprises in the development of this project.

8. 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 Comprehensive Plan.

9. 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 has addressed this issue in the text of the statement, and in the table attached as Exhibit E. It is only as a result of the additional density provided through the PUD process that the Applicant is able to construct such a well-designed project. The architectural detailing of the proposed building and the large open spaces provided in this project set it apart from a matter-of-right residential project. In addition, a matter-of-right project would not be required to provide any affordable housing. The approval of this PUD application will result in the creation of approximately 9,150 square feet of affordable housing.

V. COMPLIANCE WITH THE COMPREHENSIVE PLAN

The proposed PUD is consistent with and fosters the goals and policies enumerated in the District of Columbia Comprehensive Plan, ("**Comprehensive Plan**") D.C. Law 12-275, 10 DCMR (Planning and Development) § 100 et seq. (1998).

The purposes of the District of Columbia Comprehensive Plan Act are to:

> (1) Define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development; (2) Guide executive and legislative decisions and matters affecting the District and its citizens; (3) Promote economic growth in jobs for District residents; (4) Guide private and public development in order to achieve District and community goals; (5) Maintain and enhance the natural and architectural assets of the District; and (6) Assist in conservation, stabilization and improvement of each neighborhood and community in the District.

(D.C. Code § 1-245(b) (1994 Supp.))

The proposed project significantly advances these purposes by furthering the social and economic development of the District through the creation of approximately 140 new residential units.

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 creation of approximately 140 new residential units which will be sold rather than rented will help stabilize the Near Northeast neighborhood. The creation of a significant residential development on the Subject Property is also likely to help stimulate additional residential development and stabilize the neighborhood. The influx of these new residents in this neighborhood will provide the critical mass of customers needed to patronize existing, and hopefully new, commercial uses on nearby H Street, NE.

2. Respecting and Improving the Physical Character of the District

The proposed project has been designed to improve the site's integration with the surrounding neighborhood and to dramatically improve the streetscape on 4th and I Streets, NE. The 4th and I Street facades, landscaping, raised first floor level access, and alternating composition of projecting bays, all combine to create a sense of scale and visual interest. The building as a whole employs traditional, time-tested materials in new and modern ways in a design that is aesthetically enduring and which adds to the fine urban texture of the city. Finally, the construction of a high quality residential project will be an important asset for the community.

3. Preserving and Ensuring Community Input

Through the PUD process, the Applicant will work with representatives of ANC 6C, as well as the surrounding neighborhood, to create a new residential community that is a benefit to

the neighborhood and the District of Columbia. The Applicant is now in a dialogue with the community to ascertain additional project amenities.

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. Housing Element

The Comprehensive Plan includes the following goals 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));
>
> "Review and recommend **suitable regulatory zoning**, tax and financing incentives under appropriate controls to meet housing production goals, particularly for low-income, **moderate income** and elderly households" (10 DCMR § 302.2(b)); 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)). (Emphasis added.)

The Comprehensive Plan includes the following goals of the District with regard to the production of low and moderate-income housing:

> "Provide zoning incentives, as appropriate to developers prepared to build low-and moderate-income housing, **such as permitting additional densities in exchange for incorporating low-and moderate-income housing in development projects**" (10 DCMR § 303.2(d)); (Emphasis added.)

The creation of approximately 140 for-sale residential units on this currently underutilized property fully satisfies all of the above-noted provisions of the Housing Element of the Comprehensive Plan. As previously stated, the project will provide approximately 9,150 square feet of affordable housing. The inclusion of these affordable units in the project is also entirely consistent with the provisions of the Comprehensive Plan noted above.

2. Urban Design Element

It is the goal of the District to:

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

As shown in the detailed plans, elevations, and renderings included in Exhibit F, the proposed project exhibits all of the characteristics of exemplary urban design and architecture. The construction of a prominent residential building will complement the established residential neighborhood that surrounds the site.

3. Generalized Land Use Map

As previously mentioned, the Generalized Land Use Map includes the Subject Property in the Moderate Density Residential Land Use Category. In Zoning Commission Case No. 821, all of the lots on the Subject Property, with the exception of Lot 32, were rezoned from C-M-1 to C-2-B. These lots were rezoned, in large part, because the Office of Planning determined that a designation permitting high-density residential and mixed uses was more appropriate for the largely residential area. Such a change in the designation supports the construction of a high-quality residential project on a site that is currently home to a wholesale bakery and accessory parking lot.

The proposed project and C-2-B Zone District are consistent with the flexibility that the Moderate Density Residential Land Use category provides for the Subject Property. In addition, the proposed residential project is foregoing all commercial density that would otherwise be allowed on the Subject Property in the existing C-2-B Zone District.

4. Ward 6 Goals and Policies

The Ward 6 Element of the Comprehensive Plan seeks to maintain and strengthen the quality and construction of housing, stimulate production of new housing and promote low and moderate income housing development opportunities. (See 10 DCMR § 1707.1.) The proposed PUD is consistent with these provisions of the Ward 6 Elements of the Comprehensive Plan.

VI. CONCLUSION

For the foregoing reasons, the Applicant submits that the consolidated PUD application meets 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; provide significant public benefits; and advance important goals and policies of the District of Columbia. Therefore, the consolidated PUD application should be approved and adopted by the Zoning Commission.

Accordingly, the Applicant 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



Allison C. Prince

Date: April 12, 2005

Document #: 1461749 v.2