

**THE RESIDENCES AT GEORGIA AVENUE
4100 GEORGIA AVENUE, NW**



THE NEIGHBORHOOD DEVELOPMENT COMPANY, LLC

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

June 20, 2005

ZONING COMMISSION
CASE No. 05-19
EXHIBIT No. 2

District of Columbia
CASE NO.05-19
EXHIBIT NO.2

DEVELOPMENT TEAM

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PREFACE

This statement is submitted by The Neighborhood Development Company, LLC in support of an application for the consolidated review and approval of a Planned Unit Development and a corresponding amendment to the Zoning Map of the District of Columbia for the properties known as 4100 Georgia Avenue, NW and 4101 Kansas Avenue, NW (Lots 803 and 35, and the alley between them, in Square 2910), to be known as The Residences at Georgia Avenue (4100 Georgia Avenue, NW), before the District of Columbia Zoning Commission. The property that is the subject of this application is formerly the site of Yabba Motors, a used car lot. It is located along the north side of Taylor Street, NW, between Georgia Avenue, NW and Kansas Avenue, NW.

The Applicant is requesting the consolidated review and approval of a PUD and related Zoning Map Amendment in order to create an exciting residential project on the site that will contribute significantly to the Petworth neighborhood. In total, approximately 78 residential units, all of which will be affordable rental housing, will be created as a result of this project. The proposed project will include direct pedestrian access to Georgia Avenue, NW 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 the Neighborhood Development Company, 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**") and a corresponding amendment to the Zoning Map for the site. The project site consists of Lots 803 and 35, and the alley between them, in Square 2910 (the "**Subject Property**" or "**Property**"). The Subject Property is located in the Petworth neighborhood of Ward 4 and consists of approximately 17,640 square feet of land area.

The Subject Property is currently located in the C-2-A Zone District. The Applicant requests a Zoning Map amendment to the C-2-A District for the Subject Property to accommodate the proposed residential development; the Applicant requests that the property be re-zoned as C-3-A. The proposed height and lot occupancy of the project are significantly less than what the PUD guidelines allow for in the C-3-A District, while the density does not exceed those guidelines. Rezoning the site to the C-3-A District is consistent with the overarching goals and policies of the Comprehensive Plan of the District of Columbia, as discussed in detail herein.

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 78 new residential units. The PUD project's residential units will be exclusively affordable housing (for a total of 68,071 square feet of affordable housing).

B. The Applicant

The Neighborhood Development Company, LLC is a developer of both commercial and residential properties. Since 1999, Neighborhood Development has developed over 200,000 square feet of real estate, and expects to begin construction on an additional 300,000 square feet over the next 18 months. In the past year, Neighborhood Development became an equity participant in development teams selected by the District to redevelop the Old Convention Center and Wax Museum sites. Collectively, these projects will encompass approximately 2 million square feet of mixed-use space. Neighborhood Development is a minority-owned, Local, Small, Disadvantaged Business Enterprise (“**LSDBE**”); its headquarters is directly across Kansas Avenue, NW from the Subject Property.

Neighborhood Development has been a significant developer of residential projects in emerging neighborhoods in the District, focusing on renovating small to medium-size buildings into condominiums as part of neighborhood revitalization projects. In addition to 4100 Georgia Avenue, NW, current projects include the Lamont Street Lofts, a 38-unit condominium project in Columbia Heights, The Lofts at Brightwood, a 32-unit condominium project at the intersection of Georgia and Missouri Avenues, and the New Yorker, a 44-unit condominium project in Stanton Park near the New York Avenue Metro Station. The Lamont Street Lofts project is a renovation of a former commercial storage facility at Lamont Street and Georgia Avenue, NW. The previously vacant property will become a five-story building with condominiums priced at below those of comparable downtown housing. The Lofts at Brightwood, located in a building that formerly housed a notoriously dangerous nightclub, will, as one local newspaper noted, “provide a real boost for the neighborhood and the city. It will rehabilitate a long-vacant building

and add new housing stock – without displacing any current residents.”¹ The New Yorker, at 3rd Street, NE and L Street, NE, will contain 45,000 square feet in a six-story building, with units of both one-bedroom and two-bedroom configurations.

Neighborhood Development recently completed at least nine other significant residential projects in the District of Columbia. For instance, Neighborhood Development’s Kennedy Flats project, completed in 2004, involved a renovation of 1960’s era buildings, with 40 units sold as condominiums and 22 units rented. The prices of the units were exceptionally affordable; indeed, the *Washington Business Journal* commented that the prices were “shockingly low,” and noted that the average price of the Kennedy Flats condominiums was \$200 per square foot, in contrast to the citywide average of \$430 per foot for new condominium units.²

Adrian Washington, President of the Neighborhood Development Company, was raised in Anacostia and is a graduate of Stanford University and Harvard Business School. In February, 2004, Mr. Washington was appointed to the District of Columbia’s Comprehensive Housing Strategy Task Force.

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

¹ THE NORTHWEST CURRENT, April 6, 2005.

² White, Suzanne, *Developer Adds New Meaning to Condo Sticker Shock*, WASHINGTON BUSINESS

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 in connection with its consideration of the request to rezone the site to the C-3-A District.

This process of engagement with the community has already begun. Indeed, on June 21, 2004, D.C. Councilmember Adrian Fenty announced NDC's purchase of the property and its plans to build residential units thereon. Further, on June 13, 2005, the Applicant met with ANC 4C, and won the ANC's support for the Project's crucial financing plan application to the District's Department of Housing and Community Development.

D. Development Timetable

Should the PUD be approved, the Applicant plans to start construction no later than March 2006 and expects that the total construction period will last approximately 12 months.

II. THE PROPOSED PUD PROJECT

A. Site Location

The Subject Property consists of approximately 17,640 square feet of land area and includes the southern portion of the block between Kansas Avenue, Georgia Avenue, Taylor Street, and Upshur Street, NW. It is commercially zoned and was used as an automobile lot for a number of decades. The square to the west of the Subject Property includes a self-storage facility, an office building, and an auto repair shop directly across from the Subject Property. To the south is a used car lot with parcels of vacant land adjoining it, lining the whole of the south side of Taylor Street NW between Georgia Avenue and Kansas Avenue. Directly to the east of

the Subject Property, across Georgia Avenue, is a park; further still, along the east side of 9th Street, NW, are two churches, a vacant lot, and several other structures. Directly to the north, and adjacent to, the Subject Property along the west side of Georgia Avenue is a building housing an Internet café and a carry-out restaurant. North of, and adjacent to, the Subject Property along the east side of Kansas Avenue is a commercial storage structure. North of the retail building and the storage structure, at the intersection of Georgia Avenue and Kansas Avenue, is a gas station. To the southeast of the Subject Property, along the west side of Georgia Avenue between Taylor Street and Shepherd Street, NW, are retail buildings. Along the east side of Georgia Avenue between Taylor Street and Shepherd Street, NW, is a large, 6-story apartment complex. To the southwest of the Subject Property, along the west side of Kansas Avenue between Taylor Street and Shepherd Street, NW, are several apartment buildings; along the east side of the block are seven townhouses.

The Subject Property is .3 miles (approximately a five-minute walk) to the Georgia Avenue-Petworth Metro Station. A number of new developments, either proposed or approved, are or will be located along Georgia Avenue between the Subject Property and the Metro station, including 3910 Georgia Avenue (a proposed mixed-use or retail-only project on 31,000 square feet), 3646 Georgia Avenue (a proposed development of sit-down restaurants and quick eateries), and a large \$40 million mixed-use project at the Metro station that will include 148 condominiums, 17,000 square feet of retail space, and underground parking.

The City's planning objectives call for more residential use in the area of the Subject Property. The site is located in the Low Density Commercial/Moderate Density Residential land use category as shown on the District of Columbia Generalized Land Use Map. The properties

north, west, and south of the Subject Property are also in the Low Density Commercial/Moderate Density Residential land use categories, as is the property one-half block to the east, and the properties to the northeast, northwest, and southwest. The property beyond one-half block to the east is in the Moderate Density Residential land use category, as is the square to the southeast.

B. Project Description

The plans, elevations and drawings of the proposed PUD project are attached as Exhibit E. The Applicant will create an inviting residential building with approximately 78 residential units. The main lobby for the building will be accessed from the Georgia Avenue entrance to the project via a residential garden which creates a visual connection to Georgia Avenue; the residential garden will also create a peaceful interlude between the street and the residences. The Project will enliven the street by with its pedestrian access and ground-floor retail. The new building will be built to a height of 82 feet, below the maximum height under the PUD guidelines for the requested C-3-A zoning. All of the residential units will be rental units.

The building will be primarily masonry and Hardi-plank cementitious siding. The massing of the building, decorative masonry base, cornice detailing, corner steel towers, panels under windows, patterned brick, ornamental medallions, and projecting bays from the face of building will create a richness of expression appropriate to this neighborhood. Elevational elements within these bays, masonry, detailing, and panels will further establish an appropriate scale relationship to nearby buildings.

While the building will relate materially with its immediate neighbors, the building's materials, though time-tested, are not often used in an apartment building of this type. The use of these materials will not only make this building a gateway for the Petworth neighborhood of

today, but will also provide impetus and direction for the development of the Petworth community of the near future.

The roof of the new building will serve as a terrace recreation space that will allow a lively visual ending to the building that, combined with the low height of the surrounding buildings and tower detailing, will create a memorable skyline.

Ingress to the below-grade parking garage of approximately 36 parking spaces will be from Taylor Street, NW; egress will be onto Kansas Avenue, NW, approximately 75 feet north of Taylor Street (approximately a quarter-way up the block between Taylor Street, NW and Upshur Street, NW). Another vehicular entrance may be added for resident and guest drop-off and pick-up only on Taylor Street, NW, as residents of the project can go directly from their parking space in the below-grade garage to their units. Two pedestrian-only entrances will be located on Georgia Avenue; one entrance will lead to the residence lobby, and the other will be a retail entry.

The proposed project will include extensive landscape and hardscape improvements on the Property. In addition to a landscaped area on the southwest corner of the project, there will be a residential garden between the northern Georgia Avenue entrance and the sidewalk with a fountain, benches, and landscaping that will serve as a common amenity for all residents, as well as a green space created along Taylor Street, NW, and a landscaped amenity space at the corner of Taylor Street, NW, and Kansas Avenue, NW.

The total gross floor area included in the proposed PUD is approximately 79,341 square feet, for a total Floor Area Ratio ("FAR") of approximately 4.5. The building will have a height of approximately 82 feet, as measured from Georgia Avenue. The proposed project will have a

lot occupancy of approximately 68%. The proposed project is equal to or smaller than what is permitted under the C-3-A District PUD Guidelines (maximum FAR of 4.5 and a maximum building height of 90 feet). It is necessary to rezone the Subject Property to the C-3-A Zone District in order to allow the structure to obtain a height of 82 feet and FAR of 4.5. Allowing this height and FAR on the Subject Property permits the inviting interior and ground-level open space of the project and, most importantly, allows for the ground-level retail and affordable housing creation to which the site is fully devoted.

C. Development Parameters Under Existing and Proposed Zoning

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

The PUD guidelines for the C-3-A District allow a height of 90 feet and a maximum FAR of 4.5, with a limit of 3.0 of non-residential FAR. The C-3-A District, as a matter-of-right, permits a maximum height of 65 feet, a maximum lot occupancy of 75% for residential uses, and a maximum floor area ratio ("FAR") of 4.0, with a limit of 2.5 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-3-A Zone District. However, the design scheme proposed for the PUD has created a configuration that does not meet all of the exact requirements of this zone. Specifically, the Applicant seeks to establish 36 parking spaces, rather than the 64 that are required under Section 2101.1 of the Zoning Regulations. This change is requested and is necessary in order to maintain the affordability of the units, while still constructing a high quality residential project that will satisfy the District and neighborhood planning goals for the area. Because the Subject Property is located so close to the Georgia Avenue-Petworth Metrorail station, as well as four Metrobus lines on Georgia Avenue, and because the immediate vicinity of the Subject Property is relatively uncongested, this smaller number of parking spaces will not result in the negative effects the Regulation seeks to avoid.

Furthermore, the Applicant requests relief from the residential recreation space requirement of 15% of residential gross floor area; instead, the Applicant seeks to create residential recreational space in the amount of approximately 6% of the residential gross floor area. This reduction will not conflict with the spirit or intention of the requirement, as the very close proximity of the Upshur Recreation Center (an extensively-equipped park including a lighted basketball court, lighted athletic fields, a swimming pool, a playground, and a multi-purpose room) and the ground floor retail space will provide ample diversionary and recreational outlets for residents of all ages.

Finally, the Applicant requests relief from the requirements regarding the minimum width of courts in buildings with a residential component. This relief will not harm the intention of the Zoning Regulations and allow for greater flexibility in design of the building.

III. PLANNING ANALYSIS

A. Introduction

Through the PUD process, the Applicant will implement numerous goals of the District of Columbia in revitalizing the Georgia Avenue Corridor and the Petworth neighborhood.

B. Land Use Impact

The proposed PUD project will create a significant residential development along the important Georgia Avenue Corridor 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.

C. Zoning Impact

The proposed Zoning Map Amendment application can be granted without adversely affecting nearby and adjacent Zone Districts. The proposed C-3-A Zone District is consistent with the Moderate Density Residential/Low Density Commercial Land Use Category designation for the Subject Property and the surrounding Generalized Land Use Map designations.

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 Georgia Avenue-Petworth Metro Station. In addition, numerous Metrobus lines utilize Georgia Avenue such that the project is adequately served by public transportation.

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 of affordable housing on the Subject Property which will help to enliven and revitalize the Georgia Avenue Corridor and the Petworth neighborhood of Ward 4.

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 78 new, rental, residential units in the Petworth neighborhood. As a whole, the project will result in the creation of approximately 68,071 square feet of

affordable housing units. 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 along Kansas Avenue, and alternating composition of projecting bays, all combine to create a sense of scale and visual interest. Indeed, the project will respond to the scale of the neighborhood while providing a focal point for its revitalization. The project will include over 4,000 square feet of recreation space on the roof top, approximately 300 square feet of space in the residential garden, plus nearly 3,400 square feet of landscaped space to the west of the project, along with green space created along Taylor Street, NW. 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, including the roof terrace and residential 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 36 parking spaces. The entrance to this garage will be along Taylor Street, NW, and the exit will be along Kansas Avenue, NW; both will be appropriately landscaped and buffered from neighboring properties. Residents of the project will be able to go directly from their parking space in the below-grade garage to their units. The project may also provide a separate entrance/exit for resident and guest vehicular drop-off and pickup on Taylor Street, NW, and a pedestrian only entrance/exit on Georgia Avenue. 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 a new building of approximately 78 households will result in the generation of significant additional tax revenues in the form of 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.

Further, the Applicant is a Local, Small, Disadvantaged Business Enterprise (LSDBE); in accordance with the spirit of D.C. Law 12-268, the District should make a particular effort to allow the Applicant this opportunity to grow its business in strength and vitality, and to allow the Applicant to be a key participant in "stimulating economic development in the District."

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, and provide so much new affordable housing. The building will be constructed of time-tested materials in an innovative

way, equipped with all modern safety amenities as well as parking and recreational space. With decorative masonry, cornice detailing, corner steel towers, panels under windows, and projecting bays from the face of building, the Project will be a valuable addition to the urban fabric of the Petworth neighborhood. The architectural detailing of the proposed building, landscaping and garden space, and the large amount of quality affordable housing provided in this project set it apart from a matter-of-right residential project. Whereas 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 68,071 square feet of high-quality 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 78 new residential units on a site that is critically important to the development of the Georgia Avenue Corridor.

A. Compliance with Major Themes

Three major themes that are applicable to this project were adopted as part of the Comprehensive Plan. The Applicant's proposal is consistent with these themes as follows:

1. Stabilizing the District's Neighborhoods

The creation of approximately 78 new residential units which will be rented rather than sold will help stabilize the Petworth neighborhood by providing an opportunity for neighborhood residents who cannot afford or do not wish to buy to continue to live in desirable housing in the neighborhood. The creation of a significant residential development on the Subject Property is also likely to help stimulate additional residential development and further stabilize the neighborhood. The influx of new residents in the neighborhood will help provide the critical mass of customers needed to patronize existing, and hopefully new, commercial uses along Georgia Avenue.

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 Georgia Avenue and Taylor Street, NW. By increasing the density and maximizing the lot usage, the Project will not only continue the streetscape along Georgia Avenue, but also create a new streetscape at Taylor. While the building is taller than its immediate neighbors, the Project's designers have used materials, banding, and layering of textures to unite the building with its surroundings and scale. Thus, the Project will not overwhelm the neighborhood and fits in well with not only its immediate neighbors, but with the taller buildings across Georgia Avenue. The Georgia Avenue and Taylor Street facades, landscaped area and residential garden, green space along Taylor Street, raised first floor level access on Kansas Avenue, 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

The Applicant will soon be in a dialogue with the community to ascertain additional project amenities. As previously mentioned, on June 21, 2004 Councilmember Fenty announced the Applicant's purchase of the Subject Property and its plans to develop residential units thereon. Furthermore, on June 13, 2005, won the support of ANC 4C for the Project's crucial financing plan application to the District's Department of Housing and Community Development.

Through the PUD process, the Applicant will continue to work with representatives of ANC 4C, as well as the surrounding neighborhood, to create a new residential community that is a benefit to the neighborhood and the District of Columbia.

B. Compliance with Major Elements.

The Comprehensive Plan also contains 11 major elements. The 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 78 rental 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 68,071 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. In addition, the common recreational areas will help create a sense of community within the project.

3. Generalized Land Use Map

As previously mentioned, the Generalized Land Use Map includes the Subject Property in the Moderate Density Residential/Low Density Commercial Land Use Category. It should be noted that, while the Generalized Land Use Map typically is helpful in determining appropriate uses and density in areas of the city, it is not intended to serve as a “general” zoning map, nor does it mandate a parcel-by-parcel limitation on permitted development.

The proposed project and C-3-A Zone District are consistent with the flexibility that the Institutional Land Use category provides for the Subject Property.

4. Ward 4 Goals and Policies

The Ward 4 Element of the Comprehensive Plan seeks to “capitalize on Metrorail station areas as focal points for retail services...and community activities” (10 DCMR § 1501.1(d)), “create and expand retail activity” (10 DCMR § 1505.1(a)), expand development on vacant commercial properties (10 DCMR § 1506.1(a)), maintain, conserve, and expanding the housing stock, particularly of affordable housing, (10 DCMR § 1507.1(a)), provide affordable housing in particular near the Georgia Avenue-Petworth Metro Station (10 DCMR § 1507.3)), provide for the housing needs of moderate-income households (10 DCMR § 1508.1(a)), encourage the private sector to provide new housing (10 DCMR § 1508.1(c)), and support the construction of rental housing (10 DCMR §1508.1(d)). Furthermore, the Ward 4 Land Use Plan calls for the implementation and upgrading of local neighborhood centers in a small area that includes the

Subject Property (10 DCMR § 1530.1 (h)(2)(C)(ii)). The proposed PUD is consistent with these provisions of the Ward 4 Elements of the Comprehensive Plan.

VI. CONCLUSION

For the foregoing reasons, the Applicant submits that the consolidated PUD application 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. Therefore, the consolidated PUD application and Zoning Map Amendment should be approved and adopted by the Zoning Commission.

Accordingly, the Applicant respectfully requests the Zoning Commission to set the PUD and accompanying Zoning Map Amendment applications down for a public hearing at the earliest possible date.

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Accordingly, the Applicant respectfully requests the Zoning Commission to set the PUD and accompanying Zoning Map Amendment applications down for a public hearing at the earliest possible date.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN, LLP

A handwritten signature in black ink, appearing to read "Allison C. Prince", is written over a horizontal line.

Allison C. Prince

Date: June 20, 2005