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ZONING COMMISSION

CASE No. 06-02

EXHIBIT No. 5

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District of Columbia

CASE NO.06-02

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NOTICE OF INTENT TO FILE A ZONING APPLICATION

Application to the District of Columbia Zoning Commission For a Planned Unit Development and Rezoning

January 10, 2006

Petworth Development, L.L.C. (the "Applicant"), hereby gives notice of its intent to file an application for a Planned Unit Development ("PUD") and rezoning. This application will be filed with the District of Columbia Zoning Commission under Chapter 24 of the District of Columbia Zoning Regulations, 11 DCMR (February 2003, as amended) not less than ten (10) days from this date. This notice is given pursuant to Section 2406.7 of the Zoning Regulations.

The property that is the subject of this application is located on Lot 49 in Square 2910 ("Subject Property"), also known as 4136 Georgia Avenue, NW. The Subject Property is currently the site of a gas station. The Subject Property consists of approximately 13,149 square feet of land area and has frontage on Georgia and Kansas Avenues and Upshur Street, NW. The Subject Property is presently located in the C-2-A Zone District. The application involves the rezoning of the site from C-2-A to C-3-A.

The Subject Property will be developed with a seven-story residential building. The new residential building will include approximately 57 residential condominiums. The first floor will be devoted to retail use. There will be approximately 36 parking spaces for the entire project.

The total gross floor area included in the proposed PUD is approximately 57,795 square feet for a total floor area ratio ("FAR") of approximately 4.4. The new building will have a height of approximately 75 feet. The proposed project will have a lot occupancy of approximately 75%. The proposed project is within the maximum FAR permitted under the C-3-A Zone District PUD Guidelines (maximum FAR of 4.5) and is significantly under the maximum building height of 90 feet.

The Applicant is represented by John Formant, the architects are members of SGA Architects Inc., and the land use counsel is Pillsbury Winthrop Shaw Pittman LLP. If you require additional information regarding the proposed PUD application, please contact Allison Prince (202) 663-8853 or Jeffrey Utz (202) 663-8715.

cc: ANC 4C (Chairman, SMD and Office)
John Formant
Sassan Gharaj