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CANAL PARC



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

ZONING COMMISSION CASE NO. 08-21

The Athena Group, LLC

July 2008

ZONING COMMISSION
District of Columbia
CASE NO. 08-21
EXHIBIT NO. 3

DEVELOPMENT TEAM FOR CANAL PARC¹

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¹ This project was formerly referred to as "MacArthur Court."

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Preface

This statement is submitted in support of an application of The Athena Group, LLC (“Applicant”), for consolidated review and approval of a Planned Unit Development (“PUD”) and for a PUD-related map amendment for property located at 4460 MacArthur Boulevard in Washington, DC (Square 1376, Lots 28, 929, 932, 933) (the “Property”). The property to be redeveloped is the site of the Riverside Hospital, formerly the largest psychiatric facility for troubled children in the District of Columbia. The PUD was initially approved in 1971 as Zoning Commission Case No. 70-15. Order No. 70-15 approved a rezoning of 93,545 square feet of land (what was known at that time as Lot 836) from the R-1-B Zone District to the R-5-A Zone District for use as a private general psychiatric hospital. The Applicant is proposing to maintain the area of the original PUD located in the R-5-A Zone District and to further extend it to the south to include property currently located in the R-1-B Zone District. It seeks relief for a PUD-related map amendment to maintain the R-5-A zoning designation as well as rezone that certain area from the R-1-B Zone District to the R-5-A Zone District. The Applicant plans to replace the existing psychiatric hospital with 37 mixed-income, single-family townhomes.

I. INTRODUCTION

A. Summary of Requested Action

The Applicant is seeking consolidated review and approval of a PUD and related map amendment, pursuant to Chapter 24 of the Zoning Regulations and to request a PUD-related map amendment for a small portion of the Property. The property that is the subject of this application is located along MacArthur Boulevard; more specifically, it is comprised of Lots 28, 929, 932, and 933 in Square 1376. The Property has frontage along MacArthur Boulevard to the north, and sits among a medley of single-family houses, apartment buildings and townhomes. It is currently the site of the Riverside Hospital, a psychiatric hospital.²

The Property was first approved for use as a psychiatric institute in 1971 by Zoning Commission Order No. 21 (“Original PUD”). The Original PUD approved a PUD-related map amendment to rezone Lot 836 from the R-1-B Zone District to the R-5-A Zone District. Since its initial approval, the PUD site has been subdivided to create Lot 28, which is slightly larger than the original lot.³ In Case No. 70-15, the Commission approved a structure with a maximum height of 42 feet (3 stories), a lot occupancy of 23%, and a floor area ratio (“FAR”) of .89. The hospital was approved to house up to 200 patients, with an equal number of parking spaces available on site.

The Applicant is proposing to expand the area of the Original PUD to include property to the southeast (Lots 929, 932, and 933), which is located in the R-1-B Zone District. This increases the PUD site to approximately 120,944 square feet. The Applicant is proposing to replace the existing hospital with 37 three and four-story townhomes (“Project”). Some of the

² Riverside has closed its operation at this site. The hospital stopped accepting long term patients in July 2007.

³ To our knowledge, no application was filed to modify the lot size of the PUD.

homes will face MacArthur Boulevard, enlivening a stretch of the Boulevard that has not yet been defined, while the remaining houses will frame a central landscaped plaza. The proposed structures will have a lesser visual and traffic impact on adjacent properties than the existing hospital and are more in keeping with the single-family home character of the neighborhood.

The Property is given primarily the institutional land use designation under the Comprehensive Plan. The small piece of land south of Lingan Road is designated for use as parks, recreation and open space under the Comprehensive Plan. The proposed residential use is more appropriate for the site than the existing institutional use given the neighboring residential uses. Similarly, the residential use proposed for that portion of the site designated as park, recreation and open space, is low impact and the Applicant has gone to great lengths to ensure that it will ameliorate any wetlands or stormwater management issues, as discussed further below. The development the Applicant is proposing is consistent with the zoning parameters for the R-5-A Zone District, which is consistent with the institutional density that has occupied the site for almost forty years.

B. Current Owner and Applicant

The Athena Group, LLC, through Saimac Development LLC, together with Washington MacArthur Associates, is the owner of the Property, which they purchased in 2006. Athena is a private real estate investment, operating and development company founded in 1993. Louis M. Dubin, the firm's founder, serves as President and Chief Executive Officer of Athena and has built a management team of professionals who have an average of over 24 years of experience in the real estate industry with extensive experience across the firm's core competencies and operating activities, including acquisitions, development (including planning, architecture and construction), sales marketing and leasing, as well as capital markets and finance (including purchases of distressed debt). It specializes in residential development and has approximately

4500 residential units in its development and construction portfolio. It has projects all over the nation, including one in Arlington and another in Reston. Athena is known in the real estate industry for its quality product and commitment to community.

Willco Residential , LLC, is an Associate Developer of the property. Willco is a leader in urban residential development in Washington and brings a wealth of experience as a result of their portfolio of successful projects, including the recently completed *Jefferson Row* in Dupont Circle, *The Escalade* in Capitol Hill, and *The Providence* in Shaw. Currently, Willco is developing an apartment building on Georgia Avenue in Petworth. Willco Residential's President, Gary Cohen, is a third generation developer in Washington, D.C.

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

The Applicant's goals are to create new homeownership opportunities for residents of the District and Ward 3 and to develop the site with a better and higher use than the existing psychiatric hospital. The proposed townhouses better integrate with the neighboring single family homes than the hospital, as do the high quality materials of the townhomes. Similarly, the landscaping the Applicant is proposing for the grounds are an improvement over the barbed-wire fence and unsightly surface parking that surrounds the hospital. The Applicant is mitigating a stormwater management problem that has existed for years and is addressing and improving a wetlands issue that has been largely overlooked on the Property.

The PUD process is the appropriate means of achieving these objectives because it gives the community and District agencies the tools to ensure that the Project is well-designed and best meets the needs of the community while making sure the density is appropriate and the architecture is compatible to the surrounding neighborhood.

D. Development Timetable

The Applicant hopes to start construction by Fall 2009 and expects that the total construction period will last approximately 16 months.

II. THE PROJECT SITE

A. Site Location

The PUD Site is composed of approximately 120,994 square feet of land. It is situated in the Palisades neighborhood and is currently improved with the Riverside Hospital, a psychiatric facility serving troubled children. The existing hospital consists of a three story building constructed in a “T” formation with four dead-end corridors. The Property fronts MacArthur Boulevard, NW and is immediately adjacent to residential uses to its east, west, and south. The Property is just west of the intersection of MacArthur Boulevard and Foxhall Road, N.W.

The Property is located primarily in the R-5-A Zone District, which is the predominant zone district along MacArthur Boulevard as it stretches west from Canal Road. The R-1-B Zone District is located immediately south of the R-5-A Zone District and includes many of the neighboring residential uses. Neighborhood-serving retail uses in the C-1 Zone District are located to the east of the Property at the intersection of Foxhall Road and MacArthur Boulevard, N.W.

B. Project Description

The architectural drawings and plans depicting the design and layout of the Project are attached as Exhibit A. The Project has been revised from its initial submission to reduce the number of townhomes from 41 to 37. Nine of the townhomes will front MacArthur Boulevard and the remaining houses will line an extensively landscaped plaza. Street trees will line each of the streets, including MacArthur Boulevard and there will be extensive plantings along the

property lines, specifically the western property line, to screen the townhouses from the neighboring residential uses.

Plans call for establishing two internal private streets that will provide access from the development to MacArthur Boulevard via an existing single curb cut. Each street will be 20 feet wide and will be paved with asphalt. The proposed development will not connect with Lingan Road; rather, all access to the townhomes will be via MacArthur Boulevard. Along the internal street network, the Applicant will establish a network of sidewalks to make a cohesive connection among the houses and MacArthur Boulevard.

The townhomes will range from three to four stories depending on their location within the PUD site. Those townhomes along the northwest property line will be a maximum of 38 feet tall, while the townhomes throughout the remainder of the project will have a maximum height of 48 feet.⁴ The townhomes will have widths ranging from 14 feet to 29 feet and will primarily consist of 2 bedrooms. The Project will have a FAR of .98, which is consistent with the parameter for a PUD within the R-5-A Zone District. Fifty-three (53) parking spaces will be included in the PUD, providing a 1.43:1 parking space to residential unit ratio. The PUD will also include 13 visitor parking spaces along the internal private streets.

The Applicant also seeks flexibility from the rear yard, side yard, and lot occupancy provisions of the Zoning Regulations. Four of the seven buildings do not satisfy the twenty foot rear yard requirement for the R-5-A Zone District.⁵ Two buildings will provide a rear yard of 15 feet while the other two will provide rear yards of 18.5 feet. The Applicant seeks flexibility from the side yard requirement. Six of the buildings will not provide the required side yards. Where

⁴ The townhomes will not be as tall as the existing hospital when including the penthouse on the hospital roof; thus, the townhomes will not have as much of a visual impact on the neighboring properties.

⁵ It should be noted that those buildings that do satisfy the rear yard requirement provide in excess of the requirement. In some cases, a rear yard of 50 feet is provided rather than the 20 foot requirement.

provided, the yards will range from 5 feet to 82.9 feet. See Exhibit A. The entire site has a lot occupancy of 30 %, which is less than the 40% restriction in the R-5-A Zone District, but some of the individual townhomes occupy more of their lot than 40%. Thus, the Applicant also seeks flexibility with regard to the lot occupancy requirements for each theoretical lots. Depending on the lot, the townhomes will occupy 37% - 93% of the lot. Id.

The Applicant seeks approval of a theoretical lot subdivision but requires flexibility from those provisions as well, namely the requirement that each unit have street frontage and that a 60 foot turning area be provided for ingress/egress purposes.

C. Comparison of Existing Use and Proposed Use

Below is a chart summarizing the requirements of a R-5-A PUD, the zoning parameters of the existing use, and the zoning parameters of the proposed use:

Requirement	R-5-A PUD Guidelines	Existing Use	Proposed Use
Use	Residential/Institutional	Institutional	Residential
FAR	1.0	.89	.98
Building Height	60 feet	42 feet (three stories)	Varies, but maximum of 48 feet (four stories)
Lot Occupancy	40%	23%	30% (for entire PUD)
Gross Floor Area	120,944 square feet	83,255 square feet ⁶	118,234 square feet
Rear Yard	20 feet	N/A	Varies, but at least 15 feet on external property lines
Side Yard	Not required, but if provided, shall be at least 3 inches per foot of height, but not less than 8 ft wide	N/A	Varies, but where provided, it will be at least 5 feet on external property lines
Parking	Residential uses: 1 for each dwelling unit (37 spaces)	200 spaces	66 spaces (including 13 visitor spaces)

The proposed PUD is consistent with the zoning parameters of the R-5-A Zone District and it is of a similar height and density as the existing use.

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 constraints. 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 Applicant is simultaneously requesting approval

⁶ The Original PUD was constructed on a smaller lot than the lot on which the instant PUD will be constructed.

of a theoretical lot subdivision and relief from the lot occupancy, and the side and rear yard requirements.

III. PUD EVALUATION STANDARDS

A. Public Benefits and Project Amenities

This PUD will achieve the goals of the PUD process by providing high quality residential development on the Property with significant public benefits to the neighborhood and the District as a whole.

1. Urban Design and Architecture

The Project employs basic urban design elements that improve the landscape along MacArthur Boulevard. One of the primary improvements the Project will have is that it is replacing an institutional building that does not utilize any good urban design principles. In place of the deep setback that currently exists, the Project will situate a row of townhouses along the property line fronting MacArthur Boulevard. This is not only good urban design but it will add character to a non-descript portion of MacArthur Boulevard. Moreover, the Project will infill an underutilized site along a major District corridor and entry into the city. The remaining townhomes will be pulled to their front property lines to retain an urban feel throughout the development. The Project will also include a central plaza that will provide passive recreation space for families.

The homes themselves strike a balance between the nearby institutional (ie. Georgetown Day School), multi-family structures across the street and the adjacent single-family homes. The Applicant will use detailed landscaping to screen the Project from the neighboring uses in a less harsh manner than the existing barbed wire fence that surrounds the property. The materials and design are traditional in keeping with other buildings along MacArthur Boulevard.

The Applicant is incorporating a network of sidewalks for a convenient pedestrian experience. The sidewalks will also connect with the sidewalks lining MacArthur Boulevard and link to nearby neighborhood-serving retail.

2. Site Planning

The proposed density of the Project is appropriate for the Property. The FAR (.98) is within the FAR standards for a PUD in the R-5-A Zone District. The Project makes efficient use of the site by lining the houses along internal streets. The internal roadways are 20 feet wide and the townhouses are pulled close to the street's edge to give a neighborhood feel to the street similar to that of Corcoran or Church Streets in the Dupont Circle neighborhood. Siting the townhouses close to the street also enables the Project to provide deeper backyards, particularly for those along the western edge of the property. It also allows for rear yards along the western edge of the property that do not interfere with the existing wetlands.

The Project provides sidewalks, street trees, a central plaza, and on-street parking, slowing automobile traffic and promoting pedestrian activity; which, in turn, encourages the casual meetings that form the bonds of community.

3. Effective and Safe Vehicular and Pedestrian Access

The Project provides effective and safe vehicular and pedestrian access. The Project will provide one point of access off of MacArthur Boulevard. The Applicant has had extensive discussions with property owners along Lingan Road and has determined that Lingan Road is too narrow to provide sufficient access for the Project. Additionally, where Lingan Road intersects MacArthur Boulevard, the resulting angle makes it difficult to make a left-hand turn. Accordingly, the Applicant will effectively close the private Lingan Way to ensure that all traffic from the Project enters and exits directly from MacArthur Boulevard at the designated existing curb cut.

The Applicant is also taking care to establish a safe pedestrian network throughout the Project. To that end, it is incorporating brick sidewalks and crosswalks with pavers. The varied material will make it clear to drivers that they must use caution as the area is frequented by pedestrians. The Project also provides residents with 53 off-street parking spaces, which will limit the amount of pedestrian traffic on the interior street network to and from vehicles.

Finally, the Applicant has engaged Wells & Associates, LLC to analyze the impacts of the proposed project on the surrounding street system. The full Transportation Impact Study was filed with the initial application.

4. Housing and Affordable Housing

Production of housing and affordable housing is a public benefit that the PUD process is designed to encourage. In support of this important goal, the proposed PUD project will add 37 new, for-sale residential units to the Palisades neighborhood. The Project will include 2 townhomes as affordable housing, both at 80% of the average median income.

5. Revenue for the District

The addition of 37 new households will result in the generation of significant additional tax revenues in the form of property, income, sales and employment taxes for the District.

6. First Source Employment Program

Section 2403.9(e) of the Zoning Regulations states that “employment and training opportunities” are representative public benefits and project amenities. The Applicant will 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 during the development and construction process.

7. Local, Small and Disadvantaged Business Enterprises (“LSDBE”)

The use of local firms in the development and construction of the Project is a representative public benefit and project amenity pursuant to Section 2403.9(e). The Project is committed to use as many LSDBE’s as possible during the development of the Project.

8. Uses of Special Value to the Neighborhood

The Applicant is focusing its amenities package on promoting green design principles and furthering one of the District’s top priorities, see Sustainable Design Features attached as Exhibit B.

- Green Design: The Applicant has committed to meeting the standards for LEED Neighborhood Development and the standards set by the National Association of Home Builders. It will also re-plant a majority of native plant and tree species throughout the site, which will help clean and enhance the existing wetlands. It will establish a storm water management system to provide both water quality and quantity control. Other green features the Applicant will incorporate is the Chicago-style “Green Alley” which makes use of permeable pavers, a rain garden, and a park-like “wetlands overlook” with butterfly garden.
- Beautify MacArthur Boulevard: MacArthur Boulevard is a major gateway to the District, yet, it becomes more non-descript the further into the District it goes. The proposed development will assume a prominent location along MacArthur Boulevard and the Applicant will work to improve the presence of the Boulevard as it nears Foxhall and Canal Roads.

As a part of the PUD, the Applicant will include brick pavers, lamp posts, and trees along MacArthur Boulevard. Further, it will remove the existing barbed

wire, replace a dilapidated building and groom green areas associated with the development.

9. Long-Term Environmental Benefits

The Applicant has committed to a number of improvements on the site that will have significant and positive impacts on the land, water, and overall sustainability of the site. The Applicant will meet the standards for LEED Neighborhood Development (“LEED ND”) as well as those for the National Association of Home Builders (“NAHB”) for green residential buildings (discussed in more detail below). It will re-plant a majority of native plant and tree species throughout the site, which will clean and enhance the existing wetlands. There are a number of other eco-friendly initiatives the Applicant will implement into the project including a rain garden, a park-like “wetlands overlook” and butterfly garden, a “green alley” that uses permeable pavers, and a storm water management system to provide both water quality and quantity control.

The LEED ND program has defined high standards for green building and development. This program considers factors such as:

- site design for habitat or wetlands conservation;
- restoration of habitat or wetlands;
- construction activity pollution prevention;
- LEED certified green buildings;
- Energy efficiency in buildings (Energy Star home qualification);
- Storm water management;
- Light pollution reduction; and
- Innovation in design.

Similarly, the standards for the NAHB program include:

- Avoiding environmentally sensitive areas as identified by a third-party;
- Choosing an infill site;
- Minimizing soil disturbance and soil erosion;
- Managing storm water using low-impact development;
- Devising landscape plans to limit water and energy demand while preserving or enhancing the natural environment;
- Restoring or enhancing natural vegetation that is cleared during construction;
- Minimizing impervious surfaces;
- Utilizing permeable materials for parking areas, walkways, and streets;
- Using advanced building techniques that reduce the amount of building material;
- Enhancing durability and reducing maintenance; and
- Using Energy Star rated windows, appliances and equipment.

IV. COMPLIANCE WITH COMPREHENSIVE PLAN

The proposed PUD is consistent with and fosters numerous goals and policies enumerated in the new Comprehensive Plan, adopted in 2006 (the “Plan”).

The purposes of the Comprehensive Plan are to:

(a) Define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development; (b) Guide executive and legislative decisions and matters affecting the District and its citizens; (c) Promote economic growth in jobs for District residents; (d) Guide private and public development in order to achieve District and community goals; (e) Maintain and enhance the natural and architectural assets of the District; and (f) Assist in

conservation, stabilization and improvement of each neighborhood and community in the District (D.C. Code § 1-245(b)).

The Project significantly advances these purposes by furthering the social and economic development of the District through the creation of 37 new residential units on underutilized land, with a significant affordable housing component, enhancing the urban environment in the immediate neighborhood.

A. Compliance with Citywide Elements

The Project serves the goals of several of the citywide elements of the Comprehensive Plan.

1. Land Use Map

The Future Land Use Map designates the Property as being in the Institutional Land Use Category and the Parks, Recreation, and Open Space categories. The institutional land use designation “includes land and facilities occupied and used by colleges and universities, large private schools, hospitals, religious organizations, and similar institutions,” while the parks, recreation and open space designation includes the federal and District park systems. 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. It should further be noted that the Applicant owns all of the property included in this application; none of the designated “park land” is owned by the District or the federal government.

The proposed residential density will have less of an impact on adjacent properties than the existing use. It will be appropriately screened with attractive landscaping and it will have less of a traffic impact on the area than the hospital. In light of the District’s desire to increase residential uses in the District, this development is consistent with District policy.

2. Land Use Element

The Plan cites the importance of transit-oriented development. (§306.1). The Project will be located along three different bus lines. As such, it fulfills the Plan's desire for infill development. Furthermore, the Project has been designed to be completely complementary to the surrounding neighborhood. The design and materials used on the townhomes make them an attractive attribute to the community and the sidewalks promote the walkable nature of the neighborhood. The development also includes a green space plan that is open to the public unlike the grounds of the fenced-in hospital.

The Plan also seeks to achieve "land use compatibility" – specifically, the enhancement and stabilization of the District's neighborhoods by the protection of residential neighborhoods from non-residential and disruptive uses. (§311.1-4). The Property is located in a primarily residential and institutional neighborhood. A new development of townhomes in this neighborhood will not be disruptive, but will provide a new type of residential opportunity for existing residents of the neighborhood. As noted above, no displacement of residents will occur as a result of this application.

3. Transportation Element

The Plan states that "although the District has already developed walkable, transit-oriented neighborhoods, future opportunities will arise to strengthen the linkage between land use and transportation as new development takes place." (§403.2). The development of 37 townhouses along an important bus corridor, will encourage people to live within the District and utilize public transportation resulting in a decrease in automobile traffic. The Plan promotes smart growth as a regional solution, "a regional strategy of promoting infill, mixed-use and transit-oriented development in urbanized areas is needed to ensure transportation efficiency both in the District and the region." (§405.3).

The Applicant will enhance the existing road network of the District by creating an effective and safe internal street system. Furthermore, the sidewalks of the proposed development will be connected to the existing sidewalk system on MacArthur Boulevard. The sidewalks on these streets will be safer and more user-friendly with the use of bricks to clearly mark the difference between street and sidewalk and the use of pavers to mark the cross-walks for both drivers and pedestrians.

4. Housing Element

The Housing Element of the Plan seeks to ensure housing affordability, foster housing production and promote home ownership. The Comprehensive Plan's primary residential neighborhood objectives include the enhancement and stabilization of the District's neighborhoods and the protection of residential neighborhoods from non-residential and disruptive uses. The Property is located in a residential and institutional neighborhood. A new development of townhomes in this neighborhood will not be disruptive, and in fact provides a new type of residential opportunity for existing residents of the neighborhood. No displacement of residents will occur as a result of this application.

The Plan notes that "[e]xpanding the housing supply is a key part of the District's vision to create successful neighborhoods," (§503.1) and especially seeks to achieve this via the private sector. The Project will expand the housing supply with the proposed 37 townhouses which will be carried out by a private-sector entity. The Plan also emphasizes that "[r]egardless of its affordability level, new or renovated housing should be indistinguishable from market rate housing in its exterior appearance." (§503.6). The Applicant has followed this guidance carefully, and will use the same materials on the facades of the affordable units, making them visually indistinguishable from the neighboring market-rate units.

5. Environmental Protection Element

The Plan seeks to encourage the planting of street trees and the “use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity.” (§603.6, 603.7). There is an extensive landscape plan with significant sustainability features providing for abundant trees and comprehensive and creative stormwater treatment. The Applicant has gone through great lengths to address the wetland conditions along the rear of the Property.

The Project proposes elements to improve water quality through the use of a rain garden to treat runoff from impervious surfaces, such as roofs and paved areas; and through the use of a vegetative swale (bio-filtration) to treat runoff from the Property. The Applicant is also incorporating a “wetlands overlook” that will resemble a park and include a butterfly garden.

In addition, the Project will promote environmental sustainability by complying with the U.S. Environmental Protection Agency and the U.S. Department of Energy’s Energy Star Program for new homes. For example, the homes will have low-e glass on all windows, third-party certified duct leakage performance, third-party certified building envelope air filtration performance, Energy Star appliances, Energy Star HVAC equipment, Energy Star front doors, just to name a few. Energy Star qualified homes offer homebuyers all the features they want in a new home, plus energy-efficient improvements that deliver better performance, greater comfort, and lower utility bills.

6. Parks, Recreation, and Open Space Element

The Comprehensive Plan specifically recognizes the value of functional open space. There will be a central plaza that will serve as public recreation space. The plaza will include an ornamental tree grove, a water feature, and other decorative plantings. The Applicant will also

create a park-like wetlands overlook and butterfly garden on the PUD site. These will serve as a central points for residents and will create attractive places that residents can appreciate while they take an evening stroll, walk the dog, or simply read a book outside.

7. Urban Design Element

The Urban Design Element of the Plan seeks to, among other goals, strengthen civic identity through a renewed focus on public spaces and boulevards; designing for successful neighborhoods and large site reintegration; improving the public realm, particularly street and sidewalk space; and promoting design excellence throughout the District.

The proposed development will reflect the beneficial architectural qualities of the surrounding residential neighborhoods, and it will reintegrate into the surrounding residential neighborhood, a hospital campus that had previously been isolated and guarded with barbed wire fencing. The proposed residential development will screen the Property through natural means rather than with large, imposing fences. The Project proposes an appropriate number and density of residential units, while allowing for sufficient private and public open space for the residents.

B. Compliance with Area Element

The Comprehensive Plan also contains ten area elements, with the PUD Site located in the Near Northwest Area Element. The Project is consistent with this Element of the Plan.

1. Residential Neighborhoods: Maintain and enhance the historic, architecturally distinctive mixed-density character of Near Northwest residential neighborhoods, including Burleith, Georgetown, Foggy Bottom, Dupont Circle, Sheridan-Kalorama, Logan Circle, Mount Vernon Square and Shaw. Ensure that infill development within these areas is architecturally compatible with its surroundings and positively contributes to the identity and quality of each neighborhood.

As described above, the Project is architecturally consistent with adjacent uses. The Project not only employs superior design and materials but is of an appropriate height and density considering the structure it is replacing and its context within the greater community.

2. Managing Transportation Demand: Strongly support buses, private shuttles, and other transportation solutions that address travel needs within the Near Northwest Area, including connections between Metrorail and universities and the Georgetown commercial district.

The Property is located along three major bus routes, which will make using public transportation convenient for residents.

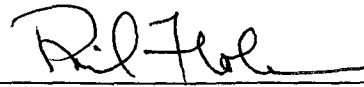
3. Increasing Park Use and Acreage: Identify opportunities for new pocket parks, plazas and public spaces, as well as opportunities to expand and take full advantage of existing parks.

The Project incorporates a plaza that will be used primarily by residents, but will be open to the public. Incorporating this public green space into the near northwest community is in stark contrast to how the property is currently used: the green space is locked behind barbed-wire fences for use solely by patients of the hospital.

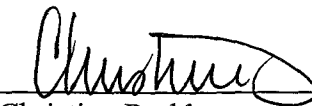
V. CONCLUSION

For the foregoing reasons, the Applicant submits that the application for consolidated review and approval of a PUD pursuant to the standards of Chapter 24 of the Zoning Regulations. It is consistent with the purposes and intent of the Zoning Regulations and Map; it will enhance the health, welfare, and safety and convenience of the citizens of the District of Columbia; and it provides significant public benefits as well as advancing 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 approve this application.

Respectfully submitted,
Pillsbury Winthrop Shaw Pittman LLP

A handwritten signature in black ink, appearing to read "Phil Feola", written over a horizontal line.

Phil Feola

A handwritten signature in black ink, appearing to read "Christine Roddy", written over a horizontal line.

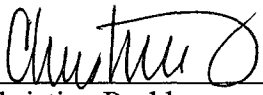
Christine Roddy

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Applicant's PUD pre-hearing statement were sent to the following by first-class mail or by hand delivery on July 28, 2008:

Maxine Brown-Roberts
Office of Planning
801 N. Capitol Street, NE
Washington, DC 20001

ANC 3D
P.O. Box 40846
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Christine Roddy