

Tel 202.663.8000 Fax 202.663.8007 www.pillsburylaw.com



March 26, 2009

Paul A. Tummonds, Jr. Phone: 202.663.8873 paul.tummonds@pillsburylaw.com

Anthony Hood, Chairman District of Columbia Zoning Commission 441 4th Street, Room 210 Washington, DC 20001

Re:

Consolidated PUD, Zoning Map Amendment and Campus Plan Amendment Applications of Abdo Development, LLC and The President and Trustees of The Catholic University of America (Square 3654, Lots 4, 5, 6, 10, 12, 15, 16, 17, 801, 802, 803, 804, 805, 806, 811; Square 3655, Lot 1; Square 3656, Lot 800; Square 3657, Lots 805, 821, 826; Square 3831, Lot 818) – ZC Case Nos. 08-24 and 08-24A/04-25 – Proposed Modifications to PUD Project

Dear Chairman Hood and Members of the Commission:

On September 8, 2008, Abdo Development, LLC and The President and Trustees of The Catholic University of America (collectively, the "Applicant") filed applications for a consolidated planned unit development ("PUD"), a proposed amendment to the Zoning Map of the District of Columbia, and a proposed amendment to The Catholic University Campus Plan. Approval of these applications will allow the Applicant to develop a retail and residential project with a significant arts component on the properties that are known as Catholic University's South Campus. The proposed development in the initial application included 75,000-85,000 square feet of retail use, 775-875 residential units and 40-50 townhouses. The proposed development also included an 8th Street Arts Walk with artist studio spaces lining the ground floor of a new, pedestrianonly 8th Street.

In response to issues that were raised with the development that was presented in the initial application materials filed with the Zoning Commission, the Applicant has made certain refinements and modifications to the proposed development. These refinements and modifications are depicted in the attached Appendix and include:

EXHIBIT NO. 14

Please note that the Appendix included in the September 8, 2008 application is dated September 5, 2008 ISSION

District of Columbia Zoning Commission March 26, 2009 Page 2

- the proposed heights of the buildings on Blocks A1, B and E have been reduced to 70 feet;
- the number of residential units has been reduced to 725-825 (a reduction of approximately 10% of the total number of units), while the amount of retail and artist studio space has not changed;
- the Applicant will continue to reserve 8% of the residential gross floor area of the project for workforce affordable housing units, the project will now include approximately 63,000 square feet of residential space devoted to such use; and
- the number of parking spaces provided in the project has been reduced from 904 parking spaces to 834 parking spaces as a result of the reduced number of residential units (no reduction has occurred in the number of spaces allocated for retail or artist studio uses).

The proposed refinements and modifications to the project do not impact: the structures and uses included in Block C (the "Arts Walk") or Block D (the "Arts Flex Space Building"); do not impact the proposed streetscape and ground floor retail uses in all of the buildings; do not impact the proposed number or design of the townhouses in Block A2; and do not impact the proposed gateway Public Square located at the intersection of Monroe Street and Michigan Avenue. The attached materials include only those plans/elevations/sections/diagrams/charts that have been changed or modified from the materials included in the original Appendix filed with the PUD, Zoning Map amendment and Campus Plan amendment applications on September 8, 2008.

Council Approval of Brookland/CUA Metro Station Small Area Plan and the Project's Enhanced Consistency with the Approved Small Area Plan

On March 3, 2009, the District of Columbia City Council approved the Brookland/CUA Metro Station Small Area Plan (the "Small Area Plan"). In a public statement announcing the Council's approval of the Small Area Plan, the Legislative Counsel to the Chairman of the Council noted:

Council approval of the Mayor's submission of this small area plan provides a framework that will help guide growth, development and revitalization of underutilized areas within a 10-minute walk of the Brookland/Catholic University of America Metro Station. The plan is consistent with and builds upon transitoriented development and land use policies set forth for this neighborhood in the Comprehensive Plan. Zoning, streetscape and transportation changes will be

District of Columbia Zoning Commission March 26, 2009 Page 3

necessary to implement many aspects of the plan, which will require additional public reviews and approvals that encourage public input.

It is important to note that the Small Area Plan that was approved by the Council included the following language regarding Transportation, Connectivity, and Walkability:

The draft plan supports connectivity between Monroe Street, Michigan Avenue and 8th Street. That connectivity can take many forms. The conceptual plan shows an extended 8th Street that connects Monroe and Michigan Avenue; an extended 8th Street could accommodate vehicles or be limited to pedestrians. The connection could also be made via the Metropolitan Branch Trail.

This language was not included in the draft Small Area Plan that existed at the time that the Applicant filed the PUD application for this project, but clearly accommodates the pedestrian-only 8th Street Arts Walk that is included in the proposed project.

The refinements and modifications included in this submission to the Zoning Commission further the project's consistency with the approved Small Area Plan. The proposed height of the buildings on Blocks A1, B and E are now fully consistent with the Small Area Plan's recommendations for maximum building heights of 70 feet and six stories along Monroe Street, west of the WMATA/CSX tracks. The proposed 725-825 units continues to be consistent with the 750-900 units proposed for Monroe Street (between Michigan Avenue and 12th Street) and the 834 parking spaces now proposed in the project is more consistent with the guidelines noted in the Small Area Plan (which anticipates 650-850 parking spaces in the Monroe Street Sub-Area).

The Applicant looks forward to the Zoning Commission reviewing this case for set down action at the April 27, 2009 public meeting. If you have any questions, please do not hesitate to contact the undersigned.

Sincerely yours,

Paul A. Tummonds, Jr.

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was sent by first class mail or hand delivery on March 26, 2009 to:

Matthew Jesick Office of Planning 2000 14th St. NW, Suite 4000 Washington, DC 20009

ANC 5A 1322 Irving Street NE Washington, DC 20017

ANC 5C P.O. Box 77761 Washington, DC 20013

Commissioner Timothy Day, ANC 5C10 3205 7th Street, NE Washington, DC 20017

Paul Tummonds