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dated September 5, 2008!

JUDICIAL COMMISSION  
District of Columbia

CASE NO. 08-24

EXHIBIT NO. 14

- 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 transit-oriented development and land use policies set forth for this neighborhood in the Comprehensive Plan. Zoning, streetscape and transportation changes will be

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:

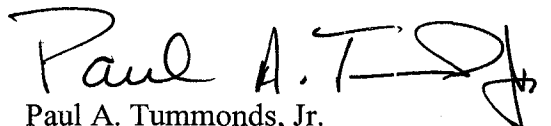
The draft plan supports connectivity between Monroe Street, Michigan Avenue and 8<sup>th</sup> Street. That connectivity can take many forms. The conceptual plan shows an extended 8<sup>th</sup> Street that connects Monroe and Michigan Avenue; an extended 8<sup>th</sup> Street could accommodate vehicles 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 8<sup>th</sup> 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 12<sup>th</sup> 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 7<sup>th</sup> Street, NE  
Washington, DC 20017

By:   
Paul Tummonds