

The Heights on Georgia Avenue

**STATEMENT
OF THE APPLICANT
TO THE
DISTRICT OF COLUMBIA ZONING COMMISSION
FOR A
CONSOLIDATED PLANNED UNIT DEVELOPMENT
AND ZONING MAP AMENDMENT**

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**ZONING COMMISSION
District of Columbia**

CASE NO. OE-26
EXHIBIT NO. 4

DEVELOPMENT TEAM

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B	Portion of Zoning Map
C	Portion of Sanborn Map and Baist Atlas
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E	Portion of Future Land Use Map
F	Portion of Generalized Policy Map
G	Traffic Impact Study
H	Green Communities Criteria Matrix
I	Certificate of Notice, Notice of Intent, and Property Owner List

I. INTRODUCTION

This statement and the attached documents are submitted by Georgia and Lamont Limited Partnership (the "Applicant" or "GLLP"), as owner of Lots 98, 903, 904, 908 and 911 in Square 2892 (the "Subject Property"), in support of its application to the Zoning Commission of the District of Columbia (the "Commission") for the consolidated review and approval of a Planned Unit Development ("PUD") and a zoning map amendment to rezone the Subject Property from the R-4 and GA/C-2-A District to the GA/C-2-B District.

The Subject Property, which includes a portion of a public alley to be closed, has a combined land area of approximately 19,191 square feet and is located at the southwest corner of Georgia Avenue and Lamont Street, N.W. Approximately 8,402 square feet of the Subject Property is located in the R-4 District, and the remaining 10,789 square feet is located in the GA/C-2-A District. The property has approximately 156 feet of frontage on Lamont Street and approximately 98 feet of frontage on Georgia Avenue. Square 2892 is bounded by Lamont Street, N.W. to the north, Georgia Avenue to the east, Kenyon Street to the south, and Sherman Street to the west. The site is within walking distance of the Georgia Avenue Metrorail Station. As shown on the area photographs and existing conditions survey included in the Architectural Plans and Elevations attached hereto as Exhibit A, the Subject Property is currently improved with two asphalt parking lots and a number of low-rise commercial buildings which the Applicant proposes to raze in connection with redevelopment of the Subject Property.

The Subject Property is also located within the Georgia Avenue Commercial Overlay District, and complies with each of the overlay's provisions applicable to the

project. In addition, the Subject Property is designated in the Mixed-Use, Medium Density Residential and Moderate Density Commercial land use category on the District of Columbia Comprehensive Plan Future Land Use Map. The portion of the Subject Property zoned R-4 is designated in a Neighborhood Conservation Area on the District of Columbia Comprehensive Plan Generalized Policy Map, and the portion of the Subject Property zoned GA/C-2-A is designated in a Main Street Mixed Use Corridor area on the map.

The Applicant is seeking consolidated PUD approval to develop a multiple-family dwelling building with ground-floor retail on the Subject Property in accordance with the C-2-B PUD zoning requirements. The project will contain approximately 86,465 square feet of gross floor area, with an overall FAR of 4.51 and a maximum building height of approximately 80 feet. The project will include a total of 69 residential units, at least half of which will be affordable to households earning 60 – 80% of the area median income ("AMI"). The project also includes 29 off-street parking spaces located in a below-grade garage.

As set forth below, this statement and the attachments meet the filing requirements for a PUD application under Chapter 24 of the District of Columbia Zoning Regulations.

A. Information Regarding Development Team

The Applicant is a partnership between the Neighborhood Development Company and Mi Casa, Inc. The Neighborhood Development Company ("NDC") is a unique real estate development company that focuses on the revitalization of emerging urban neighborhoods. The company's mission is to create exciting, customized residential and commercial properties that advance the revitalization of urban neighborhoods while

respecting the rich diversity of their existing fabric. Founded in 1999, the company has completed the development of over 250,000 square feet of real estate. Additionally, NDC has projects that represent over \$50 million of investment that total over 170,000 square feet that are currently underway. These numbers do not include NDC's Joint Venture participation in the CityVista project, a 1.2 million square foot mixed use project, which is presently under construction. NDC is also an equity participant in the development team selected by the city to redevelop the Old Convention Center site. This project will also create over 1 million square feet of mixed-use space.

NDC believes that neighborhoods can prosper without losing the vibrant diversity, neighborhood history and urban lifestyles that make each community unique in the first place. The company works cooperatively with government, community groups and residents to be a positive force in the revitalization of urban neighborhoods, improving the quality of life for both newcomers and long-term residents.

NDC's total focus is on building neighborhoods, and the company has developed an innovative system called "Strategic Neighborhood Development," pursuant to which the company systematically identifies neighborhoods with high potential for revitalization and follows up with strategic, long-term investments to augment and participate in their success. Existing neighborhood resources, both human and architectural, are respected, preserved and strengthened. NDC successfully pioneered this approach in the Washington, DC's Columbia Heights neighborhood, and is actively pursuing opportunities in other high-potential neighborhoods in the region.

Mi Casa, Inc. ("Mi Casa") is a D.C.-based company committed to providing affordable home ownership in the District. Mi Casa has also helped to preserve over

73,000 square feet of renovated open and multiple use community service space in the District. Mi Casa's activities include purchasing abandoned or deteriorating single-family homes and renovating them for affordable sale to first-time homebuyers; guaranteeing that families are able to prepare for purchase by coordinating with other service organizations; and facilitating open access to financing, offering as collateral quality renovated housing, a sound investment for both families and financial institutions.

Mi Casa is also very active in providing development consulting services to community and tenant organizations. Mi Casa's consulting services focus on ensuring that apartments, neighborhood open spaces and community multi-use and service areas are maintained for existing populations. In addition, the company provides development consulting services to a number of tenant associations and other non-profit organizations undertaking multi-family property purchases and redevelopment projects.

II. PROJECT DESCRIPTION

A. Project Design

The Heights on Georgia Avenue is a six story, mixed-use project with five stories of residential units above one story of ground-floor retail space. One level of parking is provided in a below-grade garage. The project has been designed in conformance with the Georgia Avenue Commercial Overlay District design guidelines, as well as the guiding principles of the Comprehensive Plan. The project also incorporates a number of architecture and urban design standards and best practice principles appropriate for a project on a major corridor, including:

- Augmenting existing diverse neighborhood resources with an affordable housing product and desirable retail venues;

- Creating a streetscape environment that is pleasant, safe and effective as a pedestrian experience for walking, shopping, socializing and conducting business;
- Designing according to smart growth principals with increased density on an underutilized site with infrastructure in place and in close proximity to the Metro, shopping and the workplace;
- Integrating architecture that is appropriate in scale and character for a mixed-use corridor, but respectful of the adjacent lower scale residential fabric; and
- Using Green Communities criteria to establish achievable sustainable design features for the project.

1. Site Planning

This project maximizes the opportunities for improving an underutilized site in response to the Comprehensive Plan, the Georgia Avenue Overlay District guidelines, and sound urban design principals. The site plan is compact, efficient and economical, which creates the maximum possible residential, retail and support spaces on the Subject Property in accordance the applicable Zoning Regulations. Street frontage for retail use is maximized along Lamont and Georgia with an emphasis at the corner. Building service and access to the below grade parking is accommodated via a proposed 20-foot easement for ingress and egress located along the western property line. The residential entrance is located on Lamont Street near the western property line and near adjacent residential uses. Site planning prioritizes the experience of the pedestrian – with large expanses of glass at the predominantly transparent and activated street level.

2. Building Plan and Organization

The project ideally located and configured urban retail space and a variety of much-needed affordable residential units. Two retail suites are provided – the larger of which encompasses the corner of Lamont and Georgia in a high-bay space behind a comparably high storefront system. This configuration creates an attractive location for potential high-quality retail tenants looking to lease space in the building. Although the Applicant anticipates that most of the retail users will live within the immediate community and walk to the site, retail parking is provided with a secure elevator and corridor from the garage to the street level.

The residential entrance and general building services – including loading, resident and retail trash, and mechanical and electrical spaces – are located near the western side of the site. The typical residential floor plan is organized in a “U” configuration with the inside of the “U” facing south to maximize natural light in the resultant courtyard. A mix of unit types are provided in response to carefully considered criteria, including the need for appropriate and sustainable affordable housing. Amenity space, including a landscaped courtyard plaza, is provided on the second floor of the building for residents of the building.

3. Architectural Image and Character

The Heights on Georgia Avenue is a project which anticipates the continued transformation of Georgia Avenue into a pedestrian oriented, tree-lined, thriving mixed-use corridor. Higher density residential and high quality community oriented retail uses will help to create a vital, safe and lively urban environment.

The design is one of simple and clearly organized contemporary styling, but with traditional approaches to massing. The street level is nearly twice as tall as the typical

floors above, and is composed of a rhythm of large masonry openings defining the retail storefront and creating a substantial building base. Suspended metal canopies further define the rhythm and the building base while sheltering retail access and providing a measure of detail, texture and scale to the pedestrian experience at the sidewalks. Masonry piers extend from the base at the Georgia Avenue facade, providing a sense of support and continuity for the building middle and top. These piers flank and define the building corner which is emphasized as a vertical feature using larger windows and an elevated trellis at the roof line which acts as a cornice. As the façade turns the corner to Lamont Street, the masonry piers above the base transform to become masonry bays – referencing the smaller scale and rhythm of the existing buildings on Lamont Street.

The residential entrance on Lamont Street is clearly differentiated from that of the retail zones of the street level façade through the use of color, rhythm and the character of the entrance canopy. The pattern of “punched openings” at the upper floors distinguishes a residential character. The building materials consist of masonry at the street level, and a combination of masonry and an exterior insulated finish system above the street level.

B. Matter of Right Development under Existing R-4 and GA/C-2-A Requirements

The Subject Property is currently zoned R-4 and GA/C-2-A. The Applicant is seeking to rezone the Subject Property to GA/C-2-B in connection with this Application. The R-4 zoning classification is designed to include areas developed with row dwellings and dwellings for two or more families. 11 DCMR § 330.1. R-4 Districts permit residential uses, child/elderly development centers, hospitals, churches, public and charter schools, and other similar uses as a matter-of-right. 11 DCMR § 330.5. The maximum permitted matter-of-right height in the R-4 District is 40 feet with a maximum

of three stories. 11 DCMR § 400.1. The R-4 District requires a minimum lot area ranging from 1,800 square feet to 9,000 square feet (depending on the use), and a minimum lot width ranging from 18 feet to 120 feet (depending upon the use). 11 DCMR § 401.3. There is no prescribed maximum floor area ratio ("FAR") in the R-4 District. 11 DCMR § 402.4.

The maximum percentage of lot occupancy in the R-4 District ranges from 40% to 70%, depending upon the use. 11 DCMR § 403.2. Moreover, pursuant to Section 404.1 of the Zoning Regulations, a rear yard with a minimum depth of 20 feet must be provided for each structure in the R-4 District. Side yards generally are not required in the R-4 District. However, if a side yard is provided, it must be at least three inches wide per foot of building height, but not less than eight feet. 11 DCMR §405.6.

Where an open court is provided in the R-4 District for anything other than a one-family dwelling, the court must have a minimum width of four inches per foot of height of court, but not less than ten feet. 11 DCMR §406.1. Where a closed court is provided in the R-4 District for anything other than a one-family dwelling, the court must have a minimum width of four inches per foot of height of court, but not less than fifteen feet, and an area of twice the square of the required width of court dimension based on the height of court, but not less than 350 square feet. Id.

An apartment house or multiple dwelling in the R-4 District is required to provide one parking space for each three dwelling units. 11 DCMR §2101.1. The loading requirement for an apartment house or multiple dwelling with 50 or more dwelling units in all zoning districts is one loading berth at 55 feet deep, one loading platform at 200 square feet, and one service/delivery loading space at 20 feet deep. 11 DCMR §2201.1.

Development of the Subject Property under the PUD guidelines for the R-4 District would allow a maximum building height of 60 feet, and a maximum FAR of 1.0, all of which would be devoted to residential use. 11 DCMR §§ 2405.1 and 2405.2.

The C-2 zoning classification is divided into C-2-A, C-2-B and C-2-C Districts. The C-2-A District is designed to provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District outside of the central core. 11 DCMR § 720.2. The maximum permitted matter-of-right height in the C-2-A District is 50 feet with no limit on the number of stories. 11 DCMR § 770.1. The maximum floor area ratio ("FAR") in the C-2-A District is 2.5, all of which may be devoted to residential use, but not more than 1.5 of which may be devoted to non-residential uses. 11 DCMR § 771.2. In the C-2-A District, the maximum percentage of lot occupancy for a building or portion of building devoted to residential use is 60%. 11 DCMR § 772.1. Moreover, pursuant to Section 774.1 of the Zoning Regulations, a rear yard with a minimum depth of 15 feet must be provided for each structure in the C-2-A District. Side yards generally are not required in the C-2-A District. However, if a side yard is provided, it must be at least two inches wide per foot of building height, but not less than six feet. 11 DCMR §775.5.

Where an court is provided for a building or portion of building devoted to residential uses, at any elevation in the court, the width of court must be a minimum of four inches per foot of height, measured from the lowest level of the court to that elevation, but not less than fifteen feet. 11 DCMR §776.3. In the case of a closed court for a building or portion of a building devoted to residential uses, the minimum area must

be at least twice the square of the width of court based upon the height of court, but not less than 350 square feet. 11 DCMR § 776.4.

An apartment house or multiple dwelling in the C-2-A District is required to provide one parking space for each two dwelling units. 11 DCMR §2101.1. The loading requirement for an apartment house or multiple dwelling with 50 or more dwelling units in all zoning districts is one loading berth at 55 feet deep, one loading platform at 200 square feet, and one service/delivery loading space at 20 feet deep. 11 DCMR §2201.1.

Development of the Subject Property under the PUD guidelines for the C-2-A District would allow a maximum building height of 65 feet, and a maximum FAR of 3.0, all of which may be devoted to residential use, but not more than 2.0 of which may be devoted to non-residential uses. 11 DCMR §§ 2405.1 and 2405.2.

C. Matter of Right Development under Proposed GA/C-2-B Requirements

The Applicant proposes to rezone the Subject Property to GA/C-2-B in connection with this Application. The C-2-B District is designed to serve commercial and residential functions similar to the C-2-A District , but with high-density residential and mixed-uses. 11 DCMR § 720.6. The C-2-B Districts are compact and located on arterial streets, in uptown centers, and at rapid transit stops. 11 DCMR § 720.7. Buildings may be entirely residential or a mixture of residential and commercial uses in the C-2-B District. 11 DCMR § 720.8. The C-2-B District includes the following development requirements:

- A maximum matter-of-right height of 65 feet with no limit on the number of stories (§770.1), and a maximum height of 90 feet under the PUD requirements (§2405.1);

- A maximum matter-of-right FAR of 3.5, all of which may be devoted to residential use, but not more than 1.5 of which may be devoted to non-residential uses (§771.2), and a maximum FAR of 6.0, all of which may be devoted to residential use, but not more than 2.0 of which may be devoted to non-residential uses under the PUD requirements (§2405.2);
- A maximum lot occupancy of 80% (§772.1);
- A minimum rear yard depth of 15 feet (§774.1);
- If provided, a side yard at least two inches wide per foot of building height, but not less than six feet (§775.5);
- If provided, a minimum court width of four inches per foot of height, but not less than fifteen feet (§776.3) and in the case of a closed court, a minimum area of at least twice the square of the width of court, but not less than 350 square feet (§776.4);
- For a retail establishment in excess of 3,000 square feet, 1 off-street parking space for each additional 350 square feet of gross floor area and cellar floor area (§2101.1);
- For an apartment house or multiple dwelling with 50 or more units, 1 off-street parking space for each 3 dwelling units (§2101.1);
- For a retail establishment with 5,000 to 20,000 square feet of gross floor area, one loading berth at 30 feet deep and one loading platform at 100 square feet (no service/delivery loading space is required) (§2201.1) and

- For an apartment house or multiple dwelling with 50 or more dwelling units, one loading berth at 55 feet deep, one loading platform at 200 square feet, and one service/delivery loading space at 20 feet deep (§2201.1).

D. Tabulation of Development Data

The tabulation of the project's development data is included in the Architectural Plans and Elevations attached hereto as Exhibit A.

E. Flexibility under PUD Guidelines

The PUD process was created to allow greater flexibility in planning and design than may otherwise be possible under conventional zoning procedures. Thus, the Applicants seek flexibility from several provisions of the Zoning Regulations. As permitted under section 2403, the Commission may grant such flexibility in its discretion.

1. Flexibility From Parking Requirements (Section 2101.1)

Pursuant to Section 2101.1 of the Zoning Regulations, the project is required to provide a total of 33 off-street parking spaces. However, the Applicant is seeking flexibility to provide 29 instead of 33 off-street parking spaces. This request is necessary given the size of the building footprint. The parking garage has been designed to encompass the full area of the building footprint – some of which must be used to accommodate necessary and required functions such as the garage access ramp, egress stairs, building systems and the elevator lobby. Given the geometry of the standard and accessible parking spaces, as well as the anticipated vehicle movements, no more than 29 parking spaces could be achieved without extraordinary and impractical structural and construction measures.

Moreover, as indicated in the Traffic Impact Study prepared by Symmetra Design, attached hereto as Exhibit G, the amount of proposed parking is sufficient to

meet the anticipated parking demand. The site is located on Georgia Avenue, which is served by a number of bus routes. Moreover, the Subject Property is within walking distance of the Georgia Avenue/Petworth Metrorail Station. Thus, reducing the number of parking spaces will not have an adverse impact on the project or the area.

2. Flexibility From Loading Requirements (Section 2201.1)

The Applicant requests relief from the loading requirements. Pursuant to Section 2201.1 of the Zoning Regulations, the Applicant is required to provide the following: 1 loading berth at 30 feet deep; 1 loading berth at 55 feet deep; 1 loading platform at 100 square feet; 1 loading platform at 200 square feet; and 1 service/delivery space at 20 feet deep. However, due to the anticipated needs of the residents and retail uses, the Applicant is seeking flexibility to provide 1 loading berth at 30 feet deep; 1 loading platform at 120 square feet; and 1 service/delivery space at 21 feet deep. This requested flexibility is in accordance with the Comprehensive Plan's recommendations to consolidate loading areas within new developments and minimizing curb cuts on streets to the greatest extent possible, and to provide shared loading spaces in mixed-use buildings.

Given the nature and size of the residential units, it is unlikely that the building will be served by 55 foot tractor-trailer trucks. In addition, the loading areas are likely to be used by the residents primarily when they move in or out of the building, and any subsequent use by residents is generally infrequent and can be restricted to times which pose the least potential conflicts with retail users. Likewise, retail users can be restricted to use the loading facilities during times which cause the least amount of conflict with the loading needs of the residents.

3. Flexibility From Roof Structure Requirements

The Applicant requests flexibility from the roof structure requirements of the Zoning Regulations because, as shown on the Roof Plan sheet included in the Plans, there will be multiple roof structures (§411.3 and §770.6(a)), and the roof structure containing the elevator tower cannot be setback from all exterior walls a distance equal its height above the roof (§§ 411.2 and 770.6(b)).

Each roof structure is a necessary feature and the structures have to be separated due to the building code requirement to provide separate means of egress for buildings, as well as the desire to break up massing on the roof. Moreover, each roof structure meets the setback requirement from all street frontages. The location and number of mechanical units on the roof is driven by the layout and design of the residential units within the building. In addition, the Applicant is providing the greatest setbacks possible given the size of the roofs and the internal configuration of the proposed buildings. The requested roof structure design will not adversely impact the light and air of adjacent buildings since each element has been located to minimize its visibility. Therefore, the intent and purposes of the Zoning Regulations will not be materially impaired and the light and air of adjacent buildings will not be adversely affected.

4. Additional Areas of Flexibility

The Applicant has made every effort to provide a level of detail that conveys the significance and appropriateness of the project's design for this location. Nonetheless, some flexibility is necessary that cannot be anticipated at this time. Thus, the Applicant also requests flexibility in the following areas:

- a. To be able to provide a range in the number of residential units.

- b. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the building.
- c. To vary the number, location and arrangement of parking spaces, provided that the total is not reduced below the minimum level required.
- d. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction without reducing the quality of the materials; and to make minor refinements to exterior details and dimensions, including curtainwall mullions and spandrels, window frames, glass types, belt courses, sills, bases, cornices, railings and trim, or any other changes to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit.

III. THE PROJECT MEETS THE STANDARDS OF THE ZONING REGULATIONS AND PUD REQUIREMENTS

A. PUD Process is Appropriate Mechanism for the Project

The PUD process is the appropriate mechanism for guiding the development of the PUD Site. It allows the project to be developed within the purview of the Zoning Commission while at the same time providing opportunities for input from various agencies and parties. Through the PUD process, the Office of Planning and other District agencies will have the opportunity for greater participation in the fulfillment of the District's planning objectives for this area. Similarly, the adjacent property owners and area residents will have the opportunity to express their views about the proposed development. Accordingly, the use of the PUD process gives the community and District agencies an opportunity to work with the Applicants to ensure a well-planned development.

B. PUD Requirements under Chapter 24 of the Zoning Regulations

1. Area Requirements under Section 2401.1

The Subject Property has a land area of 19,191 square feet. The Zoning Regulations require a minimum land area of 15,000 for a PUD to be located in commercial districts. 11 DCMR § 2401.1(C). Thus, the Subject Property meets the area requirement of Section 2401.1.

2. Height and FAR Requirements under Sections 2405.1 and 2405.2

The PUD regulations permit a maximum building height of 90 feet and a maximum FAR of 6.0 in the C-2-B District. 11 DCMR §§ 2405.1 and 2405.2. The project has a maximum building height of approximately 80 feet and a FAR of 4.51, and thus meets the PUD height and FAR requirements.

3. Impacts of the Project under Section 2403.3

The proposed PUD will have a positive impact on the surrounding area. Overall, the proposed development will significantly improve the existing area by virtue of the exceptional architectural design which carefully considers the nearby uses and accordingly, will have a minimal impact on the area. The proposed PUD's design carefully considers the nearby uses and accordingly, will have a minimal impact on that area. Moreover, as indicated in the Traffic Impact Study attached hereto as Exhibit G, the proposed development will not have an adverse impact on existing or future traffic conditions.

4. Not Inconsistent with Comprehensive Plan under Section 2403.4

As discussed at length in Section IV below, the PUD project is not inconsistent with the Comprehensive Plan.

C. Public Benefits and Project Amenities

1. Overview

The PUD guidelines require the evaluation of specific public benefits and project amenities for a proposed project. Public benefits are defined as “superior features of a proposed planned unit development that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from the development of the site under the matter of right provisions....” 11 DCMR 2403.6. A project amenity is further defined as “one type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds attractiveness, convenience or comfort of the project for occupants and immediate neighbors.” 11 DCMR 2403.7. Additionally, when deliberating the merits of a PUD application, the Zoning Commission is required to “judge, balance and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.” 11 DCMR 2403.8. Public benefits and project amenities may be exhibited in a variety of ways and may overlap with furthering the policies and goals of the Comprehensive Plan.

This project will help to achieve a number of the goals of the PUD process by creating a residential development with thoughtful, high-quality, environmentally-friendly design, including an affordable housing component, and landscaping and open spaces areas. These and the other significant public benefits and amenities, as described in more detail below, reflect and implement the goals of the PUD process, the surrounding community and the District.

2. Urban Design, Architecture, Landscaping and Open Space (Section 2403.9(a))

The Heights on Georgia Avenue project which, implements a number of urban design and architectural best practices, will assist in the further development of Georgia Avenue into a major mixed-use corridor with higher-density residential uses and high-quality community oriented retail uses. Moreover, given the width of the Georgia Avenue right-of-way, taller buildings holding a uniform street wall will create a well proportioned street section with a better sense of enclosure and place. This new street section in combination with the mix of uses and streetscape improvements employed here will support the ultimate revitalization of this portion Georgia Avenue into another great Washington mixed-use main street.

3. First Source Employment Agreement and Local, Small and Disadvantaged Business Enterprises (Section 2403.9(j))

Expanding employment opportunities for residents and local businesses is a priority of the Applicant. Therefore, the Applicant will enter into a First Source Employment Agreement with the Department of Employment Services. The Applicant will also enter into a CBE Agreement with the District's Office of Local Business Development.

4. Housing and Affordable Housing (Section 2403.9(f))

The single greatest benefit to the area, and the city as a whole, is the creation of new housing consistent with the goals of the Zoning Regulations, the Comprehensive Plan and the Mayor's housing initiative. The proposed PUD includes 75,905 square feet of residential gross floor area, at least half of which will be designated as affordable housing units for households earning 60 – 80% of the AMI. This substantially exceeds

the amount of affordable housing that would be required under the Inclusionary Zoning requirements set-forth in Section 2603.1 of the Zoning Regulations.

5. Environmental Benefits (Section 2403.9(h))

The Applicant is fully-committed to providing high-quality affordable housing in the District of Columbia. Through the development of this project, the Applicant will expand its commitment by ensuring the environmental, economic and social sustainability of the residents through the implementation of sustainable design features. The Applicant's goal is to provide high quality affordable housing that will promote a healthy living environment, reduce life cycle costs for long term property management, promote efficient utility costs for residents and create a synergy that will enhance interest in practical green building in the community.

The Applicant is also participating in the Green Communities program. Green Communities is a five-year, \$555 million commitment funded by Enterprise Community Partners, Inc. to build more than 8,500 healthy, efficient homes for low-income people and make environmentally sustainable development the mainstream in the affordable housing industry. Green Communities provides funds and expertise to enable developers to build and rehabilitate homes that are healthier, more energy efficient and better for the environment -- without compromising affordability. Green Communities also assists state and local governments to ensure their housing and economic development policies are smart and sustainable. Green Communities homes are built according to the Green Communities Criteria, the first national framework for healthy, efficient, environmentally smart affordable homes.

The project will include a number of sustainability features, including, for example:

- Implementation of a number of best management practices regarding erosion and sediment control;
- Installation of water conserving fixtures;
- Use of Energy Star appliances and lighting fixtures;
- Installation of individual electricity meters;
- Use of a "cool roof" to reducing the heat-island effect;
- Use of Energy Star-compliant and High-emissive roofing;
- Use of low/no VOC (Volatile Organic Compounds) paints, primers, adhesives and sealants; and
- Installation of exhaust fans.

A more detailed listing and description of the sustainable features to be included in the project is shown on the Applicant's Green Communities Criteria matrix attached hereto as Exhibit H.

IV. COMPLIANCE WITH THE COMPREHENSIVE PLAN

The proposed PUD advances the purposes of the Comprehensive Plan, is consistent with the Future Land Use Map and Generalized Policy Map, complies with the guiding principles in the Comprehensive Plan, and furthers a number of the major elements of the Comprehensive Plan.

A. Purposes of the Comprehensive Plan

The purposes of the Comprehensive Plan are six-fold: (1) to define the requirements and aspirations of District residents, and accordingly influence social,

economic and physical development; (2) to guide executive and legislative decisions on matters affecting the District and its citizens; (3) to promote economic growth and jobs for District residents; (4) to guide private and public development in order to achieve District and community goals; (5) to maintain and enhance the natural and architectural assets of the District; and (6) to assist in conservation, stabilization, and improvement of each neighborhood and community in the District. D.C. Code §1-245(b) (§ 1-301.62).

The PUD project significantly advances these purposes by promoting the social, physical and economic development of the District through the provision of a high-quality state-of-the-art, eco-friendly residential development that will add 132 residential units to the District, without generating any adverse impacts.

B. Future Land Use Map

The Subject Property is designated in the Mixed-Use, Medium Density Residential and Moderate Density Commercial land use category on the District of Columbia Comprehensive Plan Future Land Use Map. The Medium Density Residential designation is used to define neighborhoods or areas where mid-rise (4-7 stories) apartment buildings are the predominant use. Pockets of low and moderate density housing may exist within these areas. The Medium Density Residential designation also may apply to taller residential buildings surrounded by large areas of permanent open space. The R-5-B and R-5-C Zone districts are generally consistent with the Medium Density designation, although other zones may apply in some locations. (§2.4.2, ¶224.8)

The Moderate Density Commercial designation is used to define shopping and service areas that are somewhat more intense in scale and character than the low-density commercial areas. Retail, office, and service businesses are the predominant uses. Areas with this designation range from small business districts that draw primarily from the

surrounding neighborhoods to larger business districts uses that draw from a broader market area. Buildings are larger and/or taller than those in low density commercial areas but generally do not exceed five stories in height. The corresponding Zone districts are generally C-2-A, C-2-B, and C-3-A, although other districts may apply. (§224.12)

The Applicant's proposal to rezone the property from the R-4 and GA/C-2-A Districts to the GA/C-2-B District to construct a mixed-use development on the Subject Property is consistent with the Comprehensive Plan designation of the Subject Property. The Applicant proposes to construct 3.96 FAR of residential use on the Subject Property, which is consistent with the amount of residential density permitted in moderate density zones. Moreover, the proposed C-2-B zoning classification is specifically identified as a moderate density commercial zone district. In addition, one of the primary purposes of the C-2-B District is to provide commercial and residential functions within a single building, which is also consistent with the stated principle of the mixed-use designation of the Subject Property. The Subject Property is also located along a transportation corridor and is in close proximity to a Metrorail station. Given the District's stated policy of channeling new residential and retail growth into areas near transit stations and along bus routes, the proposed project and map amendment are consistent with the Comprehensive Plan's designation of the Subject Property.

C. Generalized Policy Map

A portion of the Subject Property is designated in a Neighborhood Conservation Area on the District of Columbia Comprehensive Plan Generalized Policy Map, and the remaining portion is designated in a Main Street Mixed Use Corridor on the map. Neighborhood Conservation Areas are anticipated to include some new development and reuse opportunities. The guiding philosophy in these areas is to preserve and enhance the

character of these neighborhoods, and that new developments should be compatible with the existing scale and architectural character of the area.

Main Street Mixed Use Corridors are traditional commercial business corridors with a concentration of older storefronts along the street. The service area for Main Streets can vary from one neighborhood (e.g., 14th Street Heights or Barracks Row) to multiple neighborhoods (e.g., Dupont Circle, H Street, or Adams Morgan). Their common feature is that they have a pedestrian-oriented environment with traditional storefronts. Many have upper story residential or office uses. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and serve neighborhood needs. Any development or redevelopment that occurs should support transit use and enhance the pedestrian environment.

The proposed PUD is consistent with each of these designations. With respect to the Neighborhood Conservation Area policies, the project presents a new development opportunity that will help to enhance, and have an overall positive impact on, the surrounding area by virtue of the proposed retail uses, additional residents, and the project's exceptional architectural design. Moreover, consistent with the purpose of the Main Street Mixed Use Corridors, the project includes both residential and retail uses, which will help to further economic and housing opportunities and serve neighborhood needs.

D. Compliance with Guiding Principles of the Comprehensive Plan

The Project is consistent with many guiding principles in the Comprehensive Plan for managing growth and change, creating successful neighborhoods, and building green and healthy communities, as set-forth in the Comprehensive Plan.

1. Managing Growth and Change.

In order to manage growth and change in the District, the Comprehensive Plan encourages, among other factors, the growth of both residential and non-residential uses, particularly since non-residential growth benefits residents by creating jobs and opportunities for less affluent households to increase their income. (§ 2.3, ¶ 217.4). The Comprehensive Plan also states that redevelopment and infill opportunities along corridors is an important part of reinvigorating and enhancing neighborhoods. (§ 2.3, ¶ 217.6). The proposed PUD is fully-consistent with each of these goals. Redeveloping the Subject Property into a vibrant mixed-use development will further the revitalization of the neighborhood.

2. Creating Successful Neighborhoods.

One of the guiding principles for creating successful neighborhoods is getting public input in decisions about land use and development, from development of the Comprehensive Plan to implementation of the plan's elements. (§ 2.3, ¶218.8). The proposed PUD furthers this goals since, as part of the PUD process, the Applicant will be working with the Advisory Neighborhood Commission to ensure that the development provides a positive impact to the immediate neighborhood.

3. Building Green and Healthy Communities.

One of the guiding principles for building green and healthy communities is that building construction and renovation should minimize the use of non-renewable resources, promote energy and water conservation, and reduce harmful effects on the natural environment. (§2.3, ¶221.3) As discussed in more detail above, the building will include a significant number of sustainable design features.

E. Land Use Element

For the reasons discussed above, the Project supports the following policies of the Land Use Element:

1. Policy LU-1.3 Transit-Oriented and Corridor Development

The project exemplifies the principals of Transit-Oriented Development. The Subject Property is steps from multiple MetroBus stops and a 10 minute walk to both the Columbia Heights and Georgia Avenue-Petworth Metro Stations, which are serviced by the yellow and green lines. In addition, the project is located on Georgia Avenue, which the District has targeted as a revitalization area in need of increased density and neighborhood retail and services. Georgia Avenue is also designated as one of the District's "Great Streets," which are intended to help spur economic development, transportation, and urban design benefits on the corridor. The development includes retail and residential uses, as well as a great design, all of which will help to increase the vitality of this portion of Georgia Avenue. In addition, the project is consistent with the following principles:

- A preference for mixed residential and commercial uses rather than single purpose uses, particularly a preference for housing above ground floor retail uses;
- A preference for diverse housing types, including affordable units; and
- A priority on attractive, pedestrian-friendly design and a de-emphasis on auto-oriented uses and surface parking.

2. Policy LU-1.4.1: Infill Development

The project is consistent with the goal of encouraging infill development on vacant land within the city, particularly in areas where there are vacant or underutilized lots that create gaps in the urban fabric and detract from the character of a commercial or

residential street. The development complements the established character of the area and does not create sharp changes in the physical development pattern.

3. Policy LU-2.1.11: Residential Parking Requirements

Policy LU-2.1.11 calls for ensuring that parking requirements for residential buildings are responsive to the varying levels of demand associated with different unit types, unit sizes, and unit locations, including proximity to transit. This policy also recognizes that parking reductions should be considered where a reduction in demand can be clearly demonstrated. The project is consistent with this policy in that the Applicant is seeking zoning relief to reduce the residential parking requirement to ensure that the project is not over-parked. Moreover, as indicated in the Traffic Impact Study attached hereto as Exhibit G, the project includes a sufficient amount of parking to meet the anticipated demand, particularly given the availability of public transportation in the immediate vicinity of the Subject Property.

4. Policy LU-2.2.4: Neighborhood Beautification.

Policy LU-2.2.4 encourages projects to improve the visual quality of the District's neighborhoods. As shown on Architectural Plans and Elevations, the Applicant's architect has designed the building to improve the visual aesthetic of the neighborhood. Moreover, the development of the site will be an improvement to the current neighborhood condition and will help to revitalize the area.

F. Environmental Protection Element.

The Environmental Protection Element addresses the protection, restoration, and management of the District's land, air, water, energy, and biologic resources. This element provides policies and actions on important issues such as energy conservation

and air quality, and specific policies include the following:

1. Policy E-1.1.1: Street Tree Planting and Maintenance - encourages the planting and maintenance of street trees in all parts of the city;
2. Policy E-1.1.3: Landscaping - encourages 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;
3. Policy E-2.2.1: Energy Efficiency - promotes the efficient use of energy, additional use of renewable energy, and a reduction of unnecessary energy expenses;
4. Policy E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff - calls for the promotion of tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction; and
5. Policy E-3.1.3: Green Engineering - has a stated goal of promoting green engineering practices for water and wastewater systems.

As discussed in both the Environmental Benefits and Building Green and Healthy Communities sections of this statement, the proposed project includes street tree planting, landscaping, energy efficiency, methods to reduce stormwater runoff, and green engineering practices, and is therefore fully consistent with the Environmental Protection Element.

G. Housing Element

The overarching goal of the Housing Element is to "[d]evelop and maintain a safe, decent, and affordable supply of housing for all current and future residents of the District of Columbia." 10 DCMR § 501.1. The proposed project will help achieve this goal by advancing the policies discussed below.

1. Policy H-1.1.1: Private Sector Support

The project helps to meet the needs of present and future District residents at locations consistent with District land use policies and objectives. Specifically, the project will contain approximately 79,905 square feet of gross floor area devoted to

residential uses, at least half of which will be designated as affordable units. This represents a substantial contribution to the District's housing supply, and the provision of new affordable residential units at this location is fully consistent with the District's land use policies.

2. Policy H-1.1.4: Mixed Use Development

In accordance with Policy H-1-1.4, the project will help to promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers and along the Georgia Avenue corridor on a site that is well-served by public transportation.

3. Policy H-1.1.5: Housing Quality

As shown on the Architectural Plans and Elevations included with this application, the project has been designed to include high-quality materials and design elements. Moreover, at least half of the residential uses will be devoted to affordable housing. Consistent with this policy goal, the affordable units will meet the same high-quality architectural standards provided for the market-rate housing and will be indistinguishable from market rate housing in their exterior appearance.

4. Policy H-1.2.1: Affordable Housing Production as a Civic Priority

NDC and Mi Casa are both committed to increasing the amount of housing for low and moderate income households in the District. Thus, at least half of the residential units included in the project will be designated as affordable units for households earning 60 – 80% of the AMI, which is fully-consistent with this policy.

5. Policy H-1.2.3: Mixed Income Housing

The proposed development is mixed-income in that it includes a number of affordable housing units dedicated to families earning various percentages of the AMI. Thus, the project will further the District's policy of dispersing affordable housing throughout the city in mixed-income communities, rather than concentrating such units in economically depressed neighborhoods.

6. Policy H-1.3.1: Housing for Families

The proposed project includes 30 one-bedroom units, 29 two-bedroom units, and 10 three-bedroom units, which is consistent with the Policy H-1.3.1's recommendation of providing housing units for families with children, by including three-bedroom units in developments.

H. Urban Design Element

The proposed PUD is also consistent with a number of the policies included in the Urban Design Element of the Comprehensive Plan. Consistent with Policy UD-2.2.1: Neighborhood Character and Identity, and Policy UD-2.2.7: Infill Development, the proposed development will help to strengthen the architectural quality of the immediate neighborhood by relating the project's scale to the existing neighborhood context, while also avoiding overpowering contrasts of scale, height and density. In addition, as shown on the Architectural Plans and Elevations, the project includes an attractive, visually-interesting and well-designed building façade that eschews monolithic or box-like forms, or long blank walls which detract from the human quality of the street. See Policy UD-2.2.5.

The project is also consistent with the goals of Policy UD-3.2.5: Reducing Crime Through Design, since the development will bring additional "eyes and ears" to the area,

as well as adequate lighting, clear lines of sight and visual access, all of which will help to minimize the potential for criminal activity in the immediate area.

I. Economic Development Element

The Economic Development Element of the Comprehensive Plan indicates that the addition of 125,000 jobs during the next 20 years will create the demand for office, retail, hospitality, institutional, and industrial space, and that several hundred acres of land will be required to sustain this development, in a variety of settings with a variety of building types. (§706.1). Policy ED-2.2.3 therefore recommends creating additional shopping opportunities in Washington's neighborhood commercial districts to better meet the demand for basic goods and services. This policy also indicates that Reuse of vacant buildings should be encouraged, along with appropriately-scaled retail infill development on vacant and underutilized sites. Moreover, Policy ED-3.1.1 calls for promoting the vitality and diversity of neighborhood commercial areas by retaining existing businesses, attracting new businesses, and improving the mix of goods and services available to residents. Finally, as set-forth in Policy ED-3.2.8, expanding opportunities for local, small, and disadvantaged business enterprises through city programs, incentives, contracting requirements, and other activities is an additional important goal. The Applicant's proposed development of new retail uses on the Subject Property, as well as its commitment to enter into a First Source Employment Agreement with the Department of Employment Services and a CBE Agreement with the District's Office of Local Business Development, are consistent with, and helps to implement, each of these goals.

J. Mid-City Area Element

Policy MC-1.1.3 of the Mid-City Area Element of the Comprehensive Plan encourages the redevelopment of vacant lots and the rehabilitation of abandoned

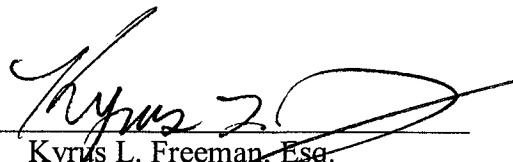
structures within the community, particularly along Georgia Avenue, and recommends that infill development be compatible in scale and character with adjacent uses. Similarly, Policy MC-2.1.3 calls for upgrading the visual quality of the Georgia Avenue corridor through a number of improvements, including urban design and façade improvements that establish a stronger identity and improved image. The proposed PUD is consistent with these policies since the development will help to strengthen the architectural quality of the immediate neighborhood by relating the project's scale to the existing neighborhood context, and as shown on the Architectural Plans and Elevations, the project includes an attractive, visually-interesting and well-designed building façade that will help to improve the neighborhood's visual identity and image.

V. CONCLUSION

For the reasons stated above, the Applicant submits that the PUD and zoning map amendment meets the standards of Chapter 24 of the Zoning Regulations and is consistent with the purposes and intent of the Zoning Regulations and Zoning Map. Accordingly, the Applicant requests that the Zoning Commission determine that the application has merit and that a public hearing on the application should be scheduled.

Respectfully submitted:

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