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July 6, 2004

By Hand Delivery

Ms. Jerrily R. Kress, FAIA
Director
Office of Zoning
441 Fourth Street, N.W., Suite 210
Washington, D.C. 20001

Re: Submission of Pre-Hearing Statement; BZA Application No. 17192; Redevelopment Land Agency Revitalization Corporation, a subsidiary of National Capital Revitalization Corporation, on behalf of the United States Department of Housing and Urban Development, by Fort Lincoln-Pulte Limited Liability Company; Square 4325, Lots 38, 39 and 40

Dear Ms. Kress:

Enclosed please find the original and twenty (20) copies of the above-referenced Submission for filing with the Board.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

GREENSTEIN DELORME & LUCHS, P.C.

By: _____
Stephanie A. Baldwin

236873v1
Enclosures

BZA
Case No. 17192
Exhibit No. 22

Board of Zoning Adjustment
District of Columbia
CASE NO.17192
EXHIBIT NO.22

cc: All Copies By First Class Mail
Chairperson, ANC 2C
Office of Planning (Attn: Mr. Joel Lawson) (by messenger)
D.C. Department of Transportation (Attn: Sharlene Reed) (by messenger)
Mr. Theodore N. Carter
Mr. William Collins
Ms. Michele Hagans
Mr. John Lutostanski
Ms. Jami Milanovich
Mr. Kyle Oliver
Gilbert E. DeLorme, Esquire
Jacques B. DePuy, Esquire

PRE-HEARING STATEMENT OF APPLICANT
BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

Re:	**Application of the Redevelopment Land Agency Revitalization Corporation, a subsidiary of National Capital Revitalization Corporation, on behalf of the United States Department of Housing and Urban Development, by Fort Lincoln-Pulte Limited Liability Company**	**BZA Application No. 17192** **Public Hearing: July 20, 2004** **ANC 5A**

July 6, 2004

This Pre-Hearing Statement ("Statement") is of the intended use of the Property (as hereinafter defined) and an explanation as to the manner in which the application ("Application") of the Redevelopment Land Agency Revitalization Corporation, a subsidiary of National Capital Revitalization Corporation, on behalf of the United States Department of Housing and Urban Development ("Owner"), by the Fort Lincoln-Pulte Limited Liability Company ("Applicant"), meets the specific tests and burden of proof identified in the Zoning Regulations for special exceptions and area variances. This Statement is submitted on behalf of the Applicant by its attorneys, Greenstein DeLorme & Luchs, P.C., by Jacques B. DePuy, Esquire and Stephanie A. Baldwin, Esquire.

I.

Summary of Application. The Application seeks special exceptions pursuant to the Zoning Regulations, 11 DCMR § 3104.1, for permission to (a) develop a townhouse community consisting of two hundred nine (209) residential dwellings within a R-5-A zoning district pursuant to Section 353 and (b) to construct two (2) or more principal buildings on a single subdivided lot under Section 2516. In addition, the Application seeks area variances pursuant to 11 DCMR §3103.2 from the maximum floor area ratio requirements under Section 402, from the maximum lot occupancy requirements under Section 403, from the minimum rear yard depth requirements under Section 404 and from the minimum front yard depth requirements under Section 2516.5(b).

II.

The Owner and Applicant. The Owner, Redevelopment Land Agency Revitalization Corporation, a subsidiary of National Capital Revitalization Corporation ("NCRC"), is an independent instrumentality of the District of Columbia created by the District of Columbia in 1998 to stimulate development and economic revitalization. The Applicant, Fort Lincoln-Pulte Limited Liability Company, is the developer of the Property.

III.

Property Description; Existing Land Use Controls. The subject property is located in the Fort Lincoln area of northeast Washington, D.C. It is bounded by South Dakota Avenue, N.E., 31st Place, N.E., Fort Lincoln Drive, N.E., 33rd Place, N.E. and private property and consists of parcels identified as Square 4325, Lots 38, 39 and 40 (the "Property"). The Property is comprised of approximately 22.68 acres (988,169.65 square feet) and is zoned R-5-A. The Property is also part of the residential neighborhood originally planned in the late 1960s as a federal government-financed urban renewal community or "new town" known as the Fort Lincoln Urban Renewal Area.[1] The site is thus subject to the Fort Lincoln Urban Renewal Plan (the "Fort Lincoln Plan"), a guide for the development of Fort Lincoln as a model in-town community.[2] The Fort Lincoln Plan seeks the development of the neighborhood as a mixed-use area including townhouses, high-rise apartments and condominiums, park and recreational areas, retail and office areas, preserved natural areas and historic landmarks.

Existing and Intended Use. The Property is currently undeveloped. The land is heavily wooded, is subject to significant grade changes throughout the site and has unstable soil conditions due to marine clay. With respect to the unusual topography of the site, the Property falls seventy-five feet (75 ft.) from its highest point along Fort Lincoln Drive to its lowest point along South Dakota Avenue.

Applicant seeks to develop two hundred nine (209) townhomes for sale at market rate prices. The development is to be known as Fort Lincoln New Town Townhomes. The Townhome Project will include the development of private roadways, tot lots, open space common areas, tree preservation areas and surface parking spaces.

Site and Surrounding Area Description. The Property lies on the west side of the Fort Lincoln Urban Renewal Area and is part of a tract of land bounded by South Dakota Avenue, 31st Place, Fort Lincoln Drive and 33rd Place, N.E. This tract also includes the Petersburg Apartments. Across Fort Lincoln Drive, to the east and northeast of the Property, is parkland and the Lincoln Elementary School. Directly to the north across 31st Place are townhomes and apartments. These townhomes and apartment buildings are set back from the roadways and accessed by local streets and interior parking lots. Across South Dakota Avenue, N.E. to the northwest of the Property are residential single family homes and to the southwest are commercial and light manufacturing buildings. To the south and southeast of the Property, across 33rd Place, N.E., is vacant land upon which a shopping center is planned.

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[1] The Fort Lincoln Urban Renewal Area can roughly be described as the area of land bounded by South Dakota Avenue, N.E., Bladensburg Road, N.E., the District of Columbia – Maryland line and New York Avenue, N.E.

[2] Adopted on May 19, 1972 and readopted on April 5, 1990 by the National Capitol Planning Commission and approved by the District of Columbia Council on July 26, 1972, and by the Council of the District of Columbia on December 6, 1994.

Description of Townhome Project. The townhome project will be a community of two hundred nine (209) three-story townhomes ("Townhome Project" or "Project"). The townhomes will be sold at market-rate, fulfilling the Fort Lincoln Renewal Area's need for middle income housing units. Each of the townhomes will offer a garage accessed from the front of the unit. All of the townhomes will have an optional deck and/or rear addition.[3] Among the townhomes there will be three different models, the Hathaway, the Fairlington and the Silverbrook. All townhouse will be thirty-five (35 ft.) in height. The townhomes will be grouped in strings of four to six units. The site topography prescribes that some units in the same string will be at different elevations. This will cause the rear of some unit's lower levels to be partially underground, while other units may have basements.

Variety among the models will be created by varying color schemes, materials and decorative features including window bays, window treatments, roof lines, entry ways, dormers, and gables. The Silverbrook model will have a one-car garage, while the Hathaway and Fairlington models will have two-car garages. The garage doors will vary in design. The Hathaway and Fairlington models will be approximately 2,376 square feet in size, while the Silverbrook model will be approximately 2,160 square feet.

The Project will include over 493,376.55 square feet of open space, including 122,005.16 square feet of tree preservation areas, and 137,822.16 square feet of other open space, including tot lots and lawn areas (See "Exhibit A"). Including the space dedicated to private streets and sidewalks, this results in approximately fifty percent (50%) of the Property being dedicated to open space with twelve percent (12%) of the Property preserved as wooded areas. A variety of deciduous and coniferous trees will be used in landscaping, as listed in Exhibit "A" The tree preservation areas are located along the perimeter of the Property. Two tot lots are located on the Property within the common areas, in addition to many common green areas. Along South Dakota Avenue, there will be a significant amount of open space including terraced landscaping of trees and shrubs. The terraced landscaping is necessary due to the steep grade change along South Dakota Avenue, as well as to provide the community a buffer to the heavily trafficked and commercial Avenue.

The development will include two major private streets: Patricia Harris Roberts Lane which will be accessed off of 31st Place, and Theodore R. Hagans Drive which will circle off of Fort Lincoln Drive at two egress/ingress points. The design and location of the private streets is in response to the existing topography and the site's variable grade. Consistent with the other residential developments in the Fort Lincoln neighborhood, the townhomes near 31st Place and Fort Lincoln Drive are not accessed directly from adjacent roads. Instead, all of the townhomes will front internal private streets and courts. Each side of the private streets and courts will have adjacent sidewalks. Three hundred eighty-eight (388) parking spaces will be provided within the

[3] The footprint of the townhomes on each of the lots on the site plan submitted includes the optional deck and rear addition.

Townhome Project. Of such total, three hundred twenty-seven (327) will be provided as garage spaces and sixty-one (61) will be provided as surfaces spaces. Twelve (12) handicap parking spaces will also be provided.

The Project will also include two tot lots and a substantial amount of preserved and wooded open space along 31st Place, N.E. and in the southeast corner of the Property, next to the Petersburg Apartments.

A homeowners association ("HOA") composed of all townhome owners will be established by the developer. The HOA will own and be responsible for the maintenance of all of the common areas, including but not limited to, streets, common parking spaces, sidewalks, tot lots, lighting fixtures, other infrastructure (i.e. the water run-off management system), entrance features (if any), open space, tree preservation and lawn areas not included on any individual lot of the Project ("HOA Maintained Features"). The HOA will obtain adequate reserves for the maintenance of the HOA Maintained Features. The HOA will also be responsible for securing private refuse collection for the townhome community.

IV.

There is Ample Precedent for Approval of the Subject Application. The Board of Zoning Adjustment has previously reviewed and approved similar applications involving theoretical lot subdivisions and requests for area variances. With Application No. 15301 of the W.C. and A.N. Miller Company (August 17, 1990), as amended, which involved the construction of one hundred fourteen (114) single-family detached dwellings, the Board of Zoning Adjustment ("Board") approved the request for a theoretical lot subdivision with front and rear yard variances. The Board approved a theoretical lot subdivision, which included variances from rear yard, side yard and lot occupancy requirements, for the construction of sixty-two flats, thirty single-family dwellings and a community and child development center, in Application No. 16131 of the District of Columbia Housing Authority and the Ellen Wilson Redevelopment Limited Liability Company (September 23, 1996). Additional applications involving Board approval of theoretical lot subdivisions and variances requests can be found with Application No. 15911 of the Department of Housing and Community Development (March 22, 1994) and Application No. 15340 of N.W. Homes Ltd. Partnership (August 17, 1990).

Equally importantly, in its review of the subject Application the Board should be mindful of, and give appropriate consideration to, the purposes of the theoretical lot regulations. As indicated below, the Application is wholly consistent with the purposes, objectives and requirements of the theoretical lot regulations, both as to the letter and spirit of such regulations. As the Board is aware, the Zoning Commission amended the theoretical lot regulations to require BZA review of such projects pursuant to Zoning Commission Order No. 627 (July 31, 1989). The purpose of such regulations was to impose BZA review -- and specific area and other

zoning requirements -- on developments that were occurring in the late 1980s on large parcels of land that were located on the interior of certain squares in residential neighborhoods. Such development projects often resulted in large houses on "pipestem lots" or other irregularly shaped lots in the interior of blocks that were out of character with generally smaller houses that faced public streets. Thus, the Zoning Commission, in Order No 627, stated "the trend to maximize development potential produces as a corollary a greater potential for negative impact on adjacent dwellings." (Emphasis added.) Thus, the Commission concluded, "the response to an increase in the density of residential buildings ... must also allow for appropriate controls and review."

The subject Application requires theoretical lot development review by the Board because the Applicant's Project has no lots that front on public streets. Significantly, however, the Project also has no townhouses and no lots -- out of a total of 209 -- *that are adjacent to any other dwellings*. Thus, this townhouse development project does not interpose large houses in the interior of a block that is surrounded by small houses that face adjacent streets. Instead, the Townhome Project offers modestly sized dwellings that are surrounded by tree preservation areas, landscaped buffers and other open areas. Thus, the potential impact of this Project on abutting, adjacent or nearby dwellings is non-existent because such dwellings are located at a considerable distance from the new towhhomes.

V.

Statement of Satisfaction of Burden of Proof for Zoning Relief Sought. The Applicant submits that, based upon (i) its Application and the materials submitted in conjunction therewith, (ii) the evidence to be presented at the public hearing and (iii) other evidence to be submitted subsequent hereto, it will satisfy and comply with the applicable legal standards and burdens of proof for the special exceptions and variances requested.

A. Special Exceptions.

This Application submitted by Applicant will satisfy the requirements of a special exception under Section 3104.1 of the Zoning Regulations. Those regulations require a special exception to be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and to not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps... ."

1. Theoretical Lot Development.

The Application satisfies the requirements of a special exception under Section 3104.1 and Section 2516 of the Zoning Regulations. Subsection 2516.5 of the Zoning Regulations provides

that in cases where buildings have no street frontage, theoretical lots may be authorized so long as certain criteria are met.

The Townhome Project has been designed with all of the townhome lots facing private streets and courts. This design is partly influenced by the irregular topography of the site, but is also due to a desire to screen the new townhome community from the commercial character of South Dakota Avenue, S.E. and to build along 31st Place and Fort Lincoln Drive in a manner that is consistent with the Fort Lincoln neighborhood. Thus, the residential development along 31st Place and Fort Lincoln Drive is set back a minimum of ten feet (10 ft.) from such streets and all residential units face interior streets. This design contributes to the creation of an intimate and quite townhome community.

The development will not adversely affect neighboring or nearby property and meets the purpose and intent of the objectives of the Fort Lincoln Plan and the zone plan. The design of the Townhome Project is in harmony with the surrounding community. The scale, size, orientation and materials of the proposed townhomes are compatible with the other residential developments in the Fort Lincoln neighborhood.

The Project also meets the objectives and goals of the Fort Lincoln Plan. A discussion of compliance with this plan follows.

As indicated in the Transportation Study prepared by Wells & Associates, LLC (See "Exhibit B"), the Townhome Project will provide a sufficient number of parking spaces to support its residents and their visitors and the surrounding road network will support the additional traffic generated by the townhouse community (Fort Lincoln Plan §322.15). The surface parking spaces are distributed throughout the townhouse community, so that no area is without additional parking spaces and conversely, no area is burdened with a large parking lot. The design of the private roadway system respects the existing topography of the Property (Fort Lincoln Plan § 322.14). The Project includes both private road and sidewalk ingress and egress to and from the Townhome Project and the Fort Lincoln neighborhood (Fort Lincoln Plan §§ 321.17 and 322.30). The Townhome Project is supported by near-by bus service on 33rd Place and South Dakota Avenue (Fort Lincoln Plan § 310.04e). The bus routes provide service to both the Rhode Island and Brookland-CUA Metro Stations.

The Townhome Project will provide a substantial amount of open space and wooded areas, as well as landscaped and play areas, in furtherance of the goals of the Fort Lincoln Plan. These plan goals require ample open space for the community and the preservation of the areas of natural beauty and ecology (Fort Lincoln Plan §§ 310.04f, 321.15 and 324.17). Furthermore, the design of the Project respects the existing environmental character and quality of the Property by preserving considerable amounts of natural vegetation in the tree preservation areas (Fort Lincoln Plan §§ 324.11 and 324.16).

Finally, the construction of the Townhome Project will further the development goals of the Fort Lincoln Plan by the construction of desirable middle-income family housing for home ownership within Fort Lincoln, thereby bringing additional vitality and life to the neighborhood. (Fort Lincoln Plan §§ 321.11, 321.12, 321.13). The development will also increase the variety of housing types in Fort Lincoln (Fort Lincoln Plan § 310.04a). Currently, approximately half of the housing types in the Fort Lincoln Urban Renewal Area consist of low and moderate income housing.

Pursuant to Subsection 2516.4, the number of principal buildings permitted on a theoretical lot development is not limited, provided that the design of the development meets the requirements of chapter 25 of the Zoning Regulations. Theoretical lot developments must satisfy the specified criteria of Section 2516. The Application satisfies the requirements as follows:

- The front of the building must be on the side where the principal entrance is located (§ 2516.5(a)). The Townhome Project meets this requirement.
- Theoretical lots must have a front yard of a size which is equivalent to the required rear yard depth for the zone district in which the building is located (§ 2516.5(b)) (the required rear yard depth in R-5-A District is twenty feet (20 ft.)). Some townhouse units comply with this requirement but others require a variance.
- The theoretical lots must have a rear yard (§ 2516.5(c)). The Townhomes Project lots have rear yards.
- If the boundary of a theoretical lot is located in common with the rear lot line of the subdivided lot, the boundary of the theoretical shall be along the boundary of the lot line of the subdivided lot. The Townhome Project conforms to this requirement.
- Subsection 2516.6 requires that the area of land that forms a covenanted means of ingress or egress must be twenty-five feet (25 ft.) in width and cannot be included in the area of any theoretical lot (§ 2516.6(a) & (b)). The Project complies with this requirement.
- Under Subsection 2516.6, where there are not at least two (2) entrances or exits from a means of ingress or egress, a turning area shall be provided with a diameter of not less than sixty feet (60 ft.) (§ 2516.6(c)). The Townhome development meets these requirements of Subsection 2516.6.

Finally, Subsection 2516.9 requires that the proposed development comply with the substantive provisions of the Zoning Regulations and is not likely to have an adverse effect on the present character and future development of the neighborhood. As discussed below in the analysis of the special exception for a R-5-A residential development, the Townhome Project is in harmony with the surrounding community and will not have any adverse impacts on

surrounding properties nor the present or future character of the Fort Lincoln neighborhood. Furthermore, the Townhome Project, with the exception of those lots for which variances are requested, complies with the provisions of the Zoning Regulations.

Thus, except for those lots that do not conform to the open space requirements for front yards under Subsection 2516.5(b) (and for which variance relief is requested), the lots, dwellings and private roads within the Townhome Project meet the requirements and applicable standards of Section 2516 for a theoretical let development.

2. R-5-A Residential Development.

The development of a new residential community in a R-5-A zone district is also controlled by Section 353 of the Zoning Regulations. This Section requires that the Application comply with the requirements of Section 3104.1 of the Zoning Regulations. The Application complies with these requirements.

The development will not adversely affect neighboring or nearby property and meets the purpose and intent of the objectives of the Fort Lincoln Plan and the zone plan. The design of the Townhome Project is in harmony with the surrounding community. The scale, size, orientation and materials of the proposed townhomes are compatible with the other residential developments in the Fort Lincoln neighborhood.

The Project also meets the objectives and goals of the Fort Lincoln Plan. A discussion of compliance with this plan follows.

As indicated in the Transportation Study prepared by Wells & Associates, LLC (See "Exhibit B"), the Townhome Project will provide a sufficient number of parking spaces to support its residents and their visitors and the surrounding road network will support the additional traffic generated by the townhouse community (Fort Lincoln Plan §322.15). The surface parking spaces are distributed throughout the townhouse community, so that no area is without additional parking spaces and conversely, no area is burdened with a large parking lot. The design of the private roadway system respects the existing topography of the Property (Fort Lincoln Plan § 322.14). The Project includes both private road and sidewalk ingress and egress to and from the Townhome Project and the Fort Lincoln neighborhood (Fort Lincoln Plan §§ 321.17 and 322.30). The Townhome Project is supported by near-by bus service on 33rd Place and South Dakota Avenue (Fort Lincoln Plan § 310.04e). The bus routes provide service to both the Rhode Island and Brookland-CUA Metro Stations.

The Townhome Project will provide a substantial amount of open space and wooded areas, as well as landscaped and play areas, in furtherance of the goals of the Fort Lincoln Plan.

These plan goals require ample open space for the community and the preservation of the areas of natural beauty and ecology (Fort Lincoln Plan §§ 310.04f, 321.15 and 324.17). Furthermore, the design of the Project respects the existing environmental character and quality of the Property by preserving considerable amounts of natural vegetation in the tree preservation areas (Fort Lincoln Plan §§ 324.11 and 324.16).

Finally, the construction of the Townhome Project will further the development goals of the Fort Lincoln Plan by the construction of desirable middle-income family housing for home ownership within Fort Lincoln, thereby bringing additional vitality and life to the neighborhood. (Fort Lincoln Plan §§ 321.11, 321.12, 321.13). The development will also increase the variety of housing types in Fort Lincoln (Fort Lincoln Plan § 310.04a). Currently, approximately half of the housing types in the Fort Lincoln Urban Renewal Area consist of low and moderate income housing.

The Property is zoned R-5-A, which requires densities and building heights that are less than those allowed in most of the surrounding neighborhood which is designated R-5-D. The area is also generally depicted as "moderate density residential" according to the District of Columbia Generalized Land Use Map. According to the Land Use Plan of the Fort Lincoln Plan, most of the surrounding area, as well as the Property, is designated as residential, except for the area across 33rd Place, N.E. which is designated for retail/shopping. The area is also designated as a "housing opportunity area" as indicated by the Generalized Land Use Policies Map. Although C-3-C and C-M-1 zone districts are located across 33rd Place, N.E. and South Dakota Avenue, N.E., respectively, the Property is buffered from these areas by treed inclines (tree preservation areas) and the landscaped areas.

The Townhome Project as developed with strings of four or five single-family row dwellings will be harmonious with the surrounding neighborhood, the underlying zoning, the Fort Lincoln Plan and future uses as designated by the Generalized Land Use Maps. The development meets a general objective of the Housing Element of the District of Columbia Comprehensive Plan which calls for the stimulation of the "production of new housing" by "encouraging housing on suitably located ... properties that are vacant, surplus, underutilized, or unused ... ."[4] Furthermore, the Townhome Project contributes to the Fort Lincoln New Town "housing opportunity area" as designated in the Housing Objectives for Ward 5 under the Comprehensive Plan. (10 DCMR §1609.1(a)(2)).

Thus, the Townhome Project is in harmony with the surrounding community and will not have any adverse impacts on surrounding properties nor the present or future character of the Fort Lincoln neighborhood.

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[4] District of Columbia Comprehensive Plan, adopted in 1984 and 1985, updated in 1998 and 1999, published at Title 10 of the District of Columbia Municipal Regulations.

B. Variances.

By this Application, variance relief is requested from the maximum floor area ratio requirements under Section 402, the maximum lot occupancy requirements under Section 403, the minimum rear yard depth under Section 404 and the minimum front yard depth under Section 2516.5(b). For a detailed chart of requested variances on a lot-by-lot basis, see "Exhibit C".

The development standard for the R-5-A zoning district requires a floor area ratio of 0.90, a maximum percentage of lot occupancy of forty percent (40%), and a minimum rear yard depth of twenty feet (20 ft.). Additionally, pursuant to the requirements for theoretical lots, the open space in a front yard must be equivalent to the required rear yard depth in the applicable zone district (i.e. twenty feet (20 ft.) in the R-5-A district).

The overall floor area ratio and lot occupancy for the Townhome Project as a whole is well within the requirements for a R-5-A zoning district (See chart below). The total area for the site is 988,169.65 square feet, the aggregate floor area is 575,000 square feet and the aggregate building footprint for the entire Project is approximately 205,460 square feet. This results in an overall floor area ratio of 0.58, which is significantly less than the 0.90 allowed under Section 402. Furthermore, the lot occupancy for the entire site is approximately twenty-one percent (21%), which is approximately half the maximum lot occupancy allowed under Section 403. Therefore, the intent of the Zoning Regulations, in regard to open space and density of the Property, is met with the provision of common land areas and open space within the Townhome Project.

SUMMARY OF MANNER IN WHICH PROJECT IN THE AGGREGATE COMPLIES WITH KEY ZONING REQUIREMENTS

	Zoning Requirements	Provided:
Lot Occupancy	40% maximum	21%
FAR	0.9 maximum	0.58
Building Height	40 feet maximum/3 stories	All Townhomes: 35 feet/3 stories
Parking	209 (1 for each Dwelling Unit)	388 Parking Spaces (327 Garage & 61 Surface Spaces)

The variances requested by this Application will satisfy the variance requirements of Section 3103.2 of the Zoning Regulations.

First, the Applicant must show that the Property is unique by reason of its exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situation or condition. The Property is characterized by a significant number of such unique conditions and situations, all of which result in practical difficulty (as discussed below). The unique conditions and situations are as follows:

1. The Property has a unique topography. The most notable and visible characteristic of the Property is its irregular topography. The Property has a significant slope from its high point on Fort Lincoln Drive to its low point along South Dakota Avenue, N.E., which in some places reflects a drop of seventy-five feet (75 ft.) from the high point to the low point.

2. Another exceptional condition of the Property is the soil. The Property is underlain by Cretaceous Aged clay soils that are known to be unstable in moderately steep natural or cut slope configurations. Because the site experiences such significant grade changes, the Applicant must re-grade large portions of the site in order to overcome the instability caused by the clay soils and to improve the site's usability.

3. The Property is heavily wooded, a condition that is not typical of most properties in the District of Columbia. Although a large number of trees will need to be removed to accommodate development of the site, the Applicant desires to preserve as many trees as possible. Setting aside a large tree preservation area is also an objective of the Fort Lincoln Plan.

4. The Property is unique in that it is an integral and important component part of a planned community -- Fort Lincoln -- that has been planned and developed on a "suburban", rather than an "urban", development model. Thus, rather than being premised on a pattern of lots and houses that face public streets, Fort Lincoln has been planned and developed with (i) a grid of interior private streets that provide direct access to all dwelling units and (ii) a pattern of public streets that are not interrupted by curb cuts and driveways.

Because it is undesirable to locate the townhomes directly on South Dakota Avenue, as well as inconsistent with the pattern of Fort Lincoln, and very difficult and unsafe because of the topography to place them directly on 31st Place and Fort Lincoln Drive, interior private streets were planned. The design and positioning of these interior streets were dictated by the Property's unusual topography. Additionally, the condition of the soil and the need to maintain ground stability of the Property further dictated the positioning of the interior streets and the placement of the townhomes along them. Furthermore, consistent with the objectives of the Fort Lincoln Plan, the Applicant sought to preserve wooded areas and natural open spaces on the Property,

which further restricted the layout of the interior streets. Consequently, these factors -- which prescribed the street plan for the Townhome Project and directed the placement of townhomes -- resulted in the need for the requested variances for FAR, lot occupancy, front yard and rear yard set backs for some of the theoretical lots as discussed below.

The second prong of the area variance test is that strict application of the Zoning Regulations would result in a peculiar and exceptional practical difficulty. The Applicant submits that the Application complies with this requirement because the unique conditions of the Property result in and cause such practical difficulty. Specifically, the unique conditions of the Property dictate the locations and configuration of all of the theoretical lots and the overall plan of the townhome units.

It should be noted that lots which require a rear yard variance do not require a front yard variance and vice versa. Furthermore, the rear yard depth measurements assume that all homeowners will request a ten foot (10 ft.) optional deck and optional three-story rear addition to the back of each townhome. However, if these options are not selected by particular purchasers, the rear yard of such units will increase by ten feet, which will result in the required depth of twenty feet (20 ft.).

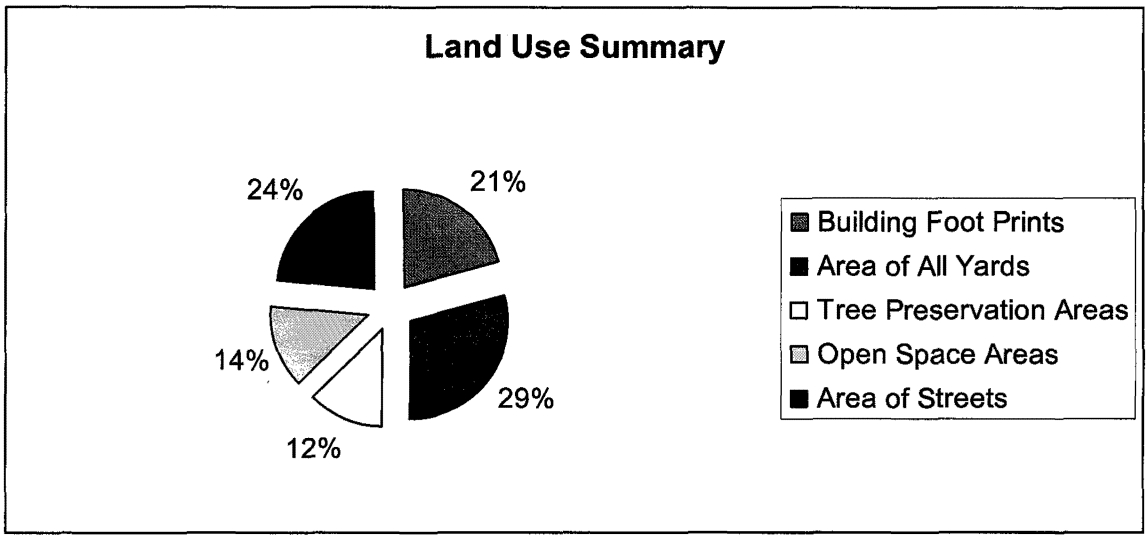
For the analysis of individual lot variances requested, the Townhome Project models have been separated into seven typical lot layouts. There are two typical Hathaway layouts, two typical Fairlington layouts and three typical Silverbrook layouts. (See the "Detailed BZA Site Plan" which accompanied the BZA Application). To facilitate the variance analysis, each typical layout will be addressed separately.

Prior to setting forth a detailed justification for the requested variances, the following factors should be given appropriate consideration:

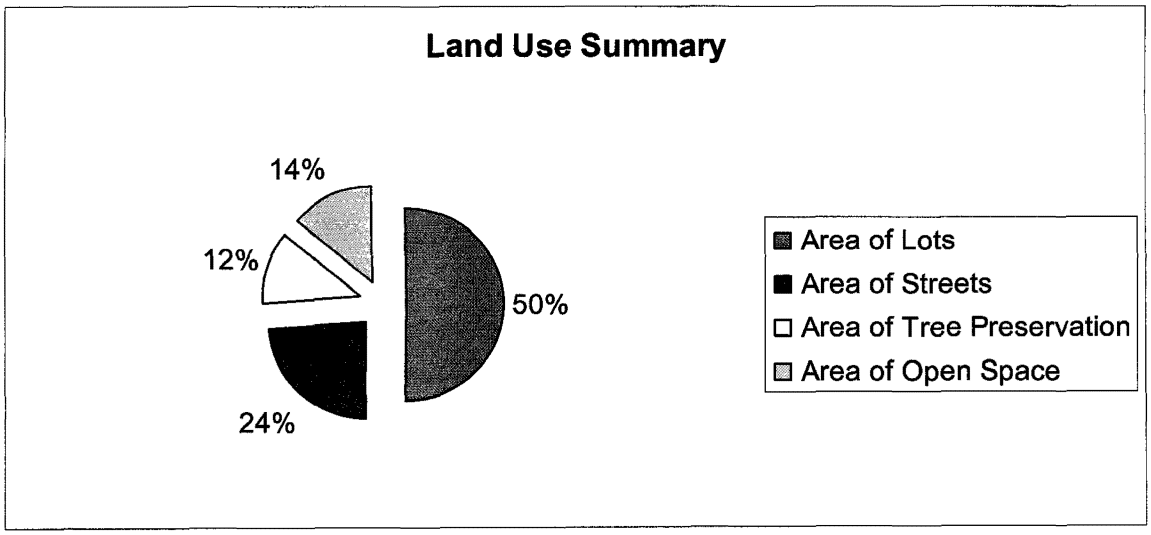
1. The entire site -- AND each of the 209 individual lots -- are affected by at least three of the four unique conditions or circumstances: steeply sloping topography, unstable soil conditions and the "surburban" Ft. Lincoln development pattern and Ft. Lincoln Plan objectives and requirements.

2. In order to (a) avoid curb cuts on South Dakota Avenue and on the public streets within Ft. Lincoln that abut the site, (b) preserve as large an amount of existing trees as possible and (c) respond to the significant topographical and soil challenges of the site, the development plan contains a concentration of townhouses within the interior of the Property. This concentration drives up the FAR and the lot occupancy of many of the individual lots. At first glance, it might appear as if the Property is being "over-developed." However, nothing could be further from the truth and, in fact, the site -- and each individual lot -- is proposed to be developed in a very sensitive and appropriate manner. As is indicated in the chart below, the

aggregate building footprints -- the amount of the site to be developed by dwellings -- only represent twenty-one percent (21%) of the total site. As a result, twelve percent (12%) of the site is being set aside for tree preservation, fourteen percent (14%) of the site is devoted to other open space and twenty-nine percent (29%) of the property is dedicated to front and rear yards.



Furthermore, as indicated in the chart below, the aggregate area of all lots -- which includes dwellings and open space in the form of front and rear yards -- only totals fifty percent (50%) of the Property. Thus, twenty-four percent (24%) of the site is devoted to streets, fourteen (14%) to general open space and twelve percent (12%) to tree preservation.



Hathaway 1.

Lot Occupancy Variance. Pursuant to Section 403 of the Zoning Regulations, the maximum lot occupancy is forty percent (40%). The Hathaway 1 model lots require a lot occupancy variance of one to fifteen percent (1% to 15%). For the most part, it is the three interior lots within a string of townhomes which require a lot occupancy variance, due to the lack of a side yard. As a result of (i) the irregular topography and soil stability conditions that dictate the locations of the interior streets and the layout, location and configuration of all lots, (ii) the Fort Lincoln neighborhood standard of locating homes off of Fort Lincoln Drive and 31st Place, (iii) the undesirability of locating homes along South Dakota Avenue, and (iv) the preservation of a large amount of wooded areas and open space as common areas within the Townhome Project, the Project was designed with a concentration of the townhomes towards the center of the Property. Consequently, the lots are smaller than the Property's total area would appear to allow. Thus, although the lot occupancy of the structures on each of the lots exceed the maximum allowed, the overall lot occupancy for the entire Property is well below the forty percent maximum. Furthermore, the livability of the Hathaway 1 model townhomes within the Project is not diminished because of the lot occupancy of each lot.

FAR Variance. Pursuant to Section 402 of the Zoning Regulations, the maximum floor area ratio is 0.9. The Hathaway 1 model lots require a FAR variance of 0.11 to 0.55. Due to (i) the irregular topography and soil stability conditions that dictate the locations of the interior streets and the layout, location and configuration of all lots, (ii) the Fort Lincoln neighborhood standard of locating homes off of Fort Lincoln Drive and 31st Place, (iii) the undesirability of locating homes along South Dakota Avenue, and (iv) the preservation of a large amount of wooded areas and open space as common areas within the Townhome Project, the Project was designed with a concentration of the townhomes towards the center of the Property. Consequently, the lots are smaller than the Property's total area would appear to allow. Thus, although the FAR of the structures exceed the maximum allowed for each lot, the overall FAR for the entire Property is well below the 0.9 maximum allowed, and the townhouses are not "oversized." Furthermore, the livability of the Hathaway 1 model townhomes within the Project is not diminished because of the FAR of each lot.

Front Yard Variance. Pursuant to Subsection 2516.5(b) of the Zoning Regulations that applies to theoretical lot developments, the required front yard depth is twenty feet (20 ft.).[5] The Hathaway 1 model lots require a front yard variance of seven to twelve feet (7 to 12 ft.). Each of the Hathaway 1 model lots have a rear yard with a depth of twenty or forty feet (20 or 40 ft.). The rear of the Hathaway 1 model is partially underground due to grade changes. In many cases, it appears that the Hathaway 1 models could be "pushed" back, in order to create larger front yards, without forsaking the required rear yard depth. However, due to steep grade changes and the

5 A front yard is not normally required by the Zoning Regulations in any zone. Only "theoretical lot developments" are required to provide front yards.

need to maintain soil stability within the Property, the prescribed locations of the Hathaway 1 models on their respective lots result in a front yard that is smaller than required. Additionally, due to (i) the irregular topography and soil stability conditions that dictate the locations of the interior streets and the layout, location and configuration of all lots, (ii) the Fort Lincoln neighborhood standard of locating homes off of Fort Lincoln Drive and 31st Place, (iii) the undesirability of locating homes along South Dakota Avenue, and (iv) the preservation of a large amount of wooded areas and open space as common areas within the Townhome Project, the Project was designed with a concentration of the townhomes towards the center of the Property. As a consequence, the front yards of many Hathaway 1 model lots are truncated. Nonetheless, although the Hathaway 1 model lots requires a variance for front yard depth, the Hathaway 1 model lots have sufficient open space in the rear yard. Furthermore, ample amounts of common area open space are available throughout the Townhome Project.

Hathaway 2.

Lot Occupancy Variance. Pursuant to Section 403 of the Zoning Regulations, the maximum lot occupancy is forty percent (40%). The two interior lots within the string of Hathaway 2 model lots require a lot occupancy variance of fourteen percent (14%), due to the lack of a side yard. As a result of (i) the irregular topography and soil stability conditions that dictate the locations of the interior streets and the layout, location and configuration of all lots, (ii) the Fort Lincoln neighborhood standard of locating homes off of Fort Lincoln Drive and 31st Place, (iii) the undesirability of locating homes along South Dakota Avenue, and (iv) the preservation of a large amount of wooded areas and open space as common areas within the Townhome Project, the Project was designed with a concentration of the townhomes towards the center of the Property. In particular, the grading east of the circle drive off of Patricia Harris Roberts Drive is extremely steep and fixes the positioning of the circle drive, thus limiting the amount of space available to the lots on which the Hathaway 2 model lots are located. Consequently, the lots are smaller than the Property's total area would appear to allow. Additionally, visitor parking spaces are located to the rear of the Hathaway 2 model lots, which also reduce the amount of available space for those lots. Thus, although the lot occupancy on each of the lots exceed the maximum allowed, the overall lot occupancy for the entire Property is well below the forty percent maximum. Furthermore, the livability of the Hathaway 2 model townhomes within the Project is not diminished because of the lot occupancy of each lot.

FAR Variance. Pursuant to Section 402 of the Zoning Regulations, the maximum floor area ratio is 0.9. The Hathaway 2 model lots require a FAR variance of 0.13 to 0.56. Due to (i) the irregular topography and soil stability conditions that dictate the locations of the interior streets and the layout, location and configuration of all lots, (ii) the Fort Lincoln neighborhood standard of locating homes off of Fort Lincoln Drive and 31st Place, (iii) the undesirability of locating homes along South Dakota Avenue, and (iv) the preservation of a large amount of wooded areas and open space as common areas within the Townhome Project, the Project was designed with a concentration of the townhomes towards the center of the Property. In particular,

the topography east of the circle drive off of Patricia Harris Roberts Drive is extremely steep and fixes the positioning of the circle drive, thus limiting the amount of space available to the lots on which the Hathaway 2 model lots are located. Consequently, the lots are smaller than the Property's total area would appear to allow. Additionally, visitor parking spaces are located to the rear of the Hathaway 2 model lots, which also reduce the amount of available space for those lots. Thus, although the FAR of the structures exceed the maximum allowed for each lot, the overall FAR for the entire Property is well below the 0.9 maximum allowed, and the townhouses are not "oversized." Furthermore, the livability of the Hathaway 2 model townhomes within the Project is not diminished because of the FAR of each lot.

Rear Yard Variance. Pursuant to Section 404 of the Zoning Regulations, the required rear yard depth is twenty feet (20 ft.). The Hathaway 2 model lots require a rear yard variance of six feet (6 ft.). Each of the Hathaway 2 model lots has a front yard of twenty feet (20 ft.). The rear of the Hathaway 2 models are partially underground due to grade changes. Due to (i) the irregular topography and soil stability conditions that dictate the locations of the interior streets and the layout, location and configuration of all lots, (ii) the Fort Lincoln neighborhood standard of locating homes off of Fort Lincoln Drive and 31st Place, (iii) the undesirability of locating homes along South Dakota Avenue, and (iv) the preservation of a large amount of wooded areas and open space as common areas within the Townhome Project, the Project was designed with a concentration of the townhomes towards the center of the Property. In particular, the topography east of the circle drive off of Patricia Harris Roberts Drive is extremely steep and fixes the positioning of the circle drive, thus limiting the amount of space available to the lots on which the Hathaway 2 models are located. Consequently, the rear yards for Hathaway 2 model lots are truncated. Additionally, visitor parking spaces are located to the rear of the Hathaway 2 lots, which also reduce the amount of available space for the rear yard. Nonetheless, although the Hathaway 2 model lots require a variance for rear yard depth, the Hathaway 2 model lots have sufficient open space in the front yard. Furthermore, ample amounts of common area open space are available throughout the Townhome Project. In particular, a tot lot is located between the two strips of Hathaway 2 models.

Fairlington 1.

Lot Occupancy Variance. Pursuant to Section 403 of the Zoning Regulations, the maximum lot occupancy is forty percent (40%). The Fairlington 1 model lots require a lot occupancy variance of seven percent to seventeen percent (7% to 17%). Those Fairlington 1 model lots which require a lot occupancy variance are the interior lots of a string of Fairlington 1 models, due to the lack of a side yard. As a result of (i) the irregular topography and soil stability conditions that dictate the locations of the interior streets and the layout, location and configuration of all lots, (ii) the Fort Lincoln neighborhood standard of locating homes off of Fort Lincoln Drive and 31st Place, (iii) the undesirability of locating homes along South Dakota Avenue, and (iv) the preservation of a large amount of wooded areas and open space as common areas within the Townhome Project, the Project was designed with a concentration of the

townhomes towards the center of the Property. Consequently, the lots are smaller than the Property's total area would appear to allow. Thus, although the lot occupancy on each of the lots exceed the maximum allowed, the overall lot occupancy for the entire Property is well below the forty percent maximum. Furthermore, the livability of the Fairlington 1 model townhomes within the Project is not diminished because of the lot occupancy of each lot.

FAR Variance. Pursuant to Section 402 of the Zoning Regulations, the maximum floor area ratio is 0.9. The Fairlington 1 model lots require a FAR variance of 0.01 to 0.64. Those Fairlington 1 model lots which require a greater FAR variance are the interior lots of a string of Fairlington 1 models. Due to (i) the irregular topography and soil stability conditions that dictate the locations of the interior streets and the layout, location and configuration of all lots, (ii) the Fort Lincoln neighborhood standard of locating homes off of Fort Lincoln Drive and 31st Place, (iii) the undesirability of locating homes along South Dakota Avenue, and (iv) the preservation of a large amount of wooded areas and open space as common areas within the Townhome Project, the Project was designed with a concentration of the townhomes towards the center of the Property. Consequently, the lots are smaller than the Property's total area would appear to allow. Thus, although the FAR of the structures exceed the maximum allowed for each lot, the overall FAR for the entire Property is well below the 0.9 maximum allowed, and the townhouses are not "oversized." Furthermore, the livability of the Fairlington 1 model townhomes within the Project is not diminished because of the FAR of each lot.

Front Yard Variance. Pursuant to Subsection 2516.5(b) of the Zoning Regulations, the required front yard depth is twenty feet (20 ft.). The Fairlington 1 model lots require a front yard variance of five to twelve feet (5 to 12 ft.). Each of the Fairlington 1 model lots has a rear yard of twenty-five or forty feet (25 or 40 ft.). The rear of the Fairlington 1 model lots has a walk-out basement due to significant grade changes. In many cases, it appears that the Fairlington 1 models could be "pushed" back, in order to create larger front yards, without forsaking the required rear yard depth. However, due to steep grade changes and the need to maintain soil stability within the Property, the prescribed locations of the Fairlington 1 models on their respective lots result in a short front yard. Additionally, due to (i) the irregular topography and soil stability conditions that dictate the locations of the interior streets and the layout, location and configuration of all lots, (ii) the Fort Lincoln neighborhood standard of locating homes off of Fort Lincoln Drive and 31st Place, (iii) the undesirability of locating homes along South Dakota Avenue, and (iv) the preservation of a large amount of wooded areas and open space as common areas within the Townhome Project, the Project was designed with a concentration of the townhomes towards the center of the Property. Consequently, the front yards for Fairlington 1 model lots are truncated. Nonetheless, although the Fairlington 1 model lots require a variance for front yard depth, the Fairlington 1 model lot has sufficient open space in the rear yard. Furthermore, ample amounts of common area open space are available throughout the Townhome Project.

Fairlington 2.

Lot Occupancy Variance. Pursuant to Section 403 of the Zoning Regulations, the maximum lot occupancy is forty percent (40%). The Fairlington 2 model lots require a lot occupancy variance of one percent or seventeen percent (1% or 17%). Except for two of these lots (which require the one percent variance), it is the interior lots within the string of townhomes which require the lot occupancy variance of seventeen percent due to the lack of a side yard. As a result of (i) the irregular topography and soil stability conditions that dictate the locations of the interior streets and the layout, location and configuration of all lots, (ii) the Fort Lincoln neighborhood standard of locating homes off of Fort Lincoln Drive and 31st Place, (iii) the undesirability of locating homes along South Dakota Avenue, and (iv) the preservation of a large amount of wooded areas and open space as common areas within the Townhome Project, the Project was designed with a concentration of the townhomes towards the center of the Property. Consequently, the lots are smaller than the Property's total area would appear to allow. Thus, although the lot occupancy on each of the lots exceed the maximum allowed, the overall lot occupancy for the entire Property is well below the forty percent maximum. Furthermore, the livability of the Fairlington 2 model townhomes within the Project is not diminished because of the lot occupancy of each lot.

FAR Variance. Pursuant to Section 402 of the Zoning Regulations, the maximum floor area ratio is 0.9. The Fairlington 2 model lots require a FAR variance of 0.19 to 0.64. Due to (i) the irregular topography and soil stability conditions that dictate the locations of the interior streets and the layout, location and configuration of all lots, (ii) the Fort Lincoln neighborhood standard of locating homes off of Fort Lincoln Drive and 31st Place, (iii) the undesirability of locating homes along South Dakota Avenue, and (iv) the preservation of a large amount of wooded areas and open space as common areas within the Townhome Project, the Project was designed with a concentration of the townhomes towards the center of the Property. Consequently, the lots are smaller than the Property's total area would appear to allow. Thus, although the FAR of the structures exceeds the maximum allowed for each lot, the overall FAR for the entire Property is well below the 0.9 maximum allowed, and the townhouses are not "oversized." Furthermore, the livability of the Fairlington 2 model townhomes within the Project is not diminished because of the FAR of each lot.

Front Yard Variance. Pursuant to Subsection 2516.5(b) of the Zoning Regulations, the required front yard depth is twenty feet (20 ft.). The Fairlington 2 model lots require a front yard variance of seven feet (7 ft.). The Fairlington 2 model lots have a rear yard depth of twenty feet (20 ft.). Due to (i) the irregular topography and soil stability conditions that dictate the locations of the interior streets and the layout, location and configuration of all lots, (ii) the Fort Lincoln neighborhood standard of locating homes off of Fort Lincoln Drive and 31st Place, (iii) the undesirability of locating homes along South Dakota Avenue, and (iv) the preservation of a large amount of wooded areas and open space as common areas within the Townhome Project, the Project was designed with a concentration of the townhomes towards the center of the Property.

As a result of these conditions, the amount of space available for townhome units located within the interior of the site is limited. Consequently, the front yards for Fairlington 2 model lots are truncated. Nonetheless, although the Fairlington 2 model lots require a variance for front yard depth, the Fairlington 2 model lots have sufficient open space in the rear yard. Furthermore, ample amounts of common area open space is available throughout the Townhome Project.

Silverbrook 1.

Lot Occupancy Variance. Pursuant to Section 403 of the Zoning Regulations, the maximum lot occupancy is forty percent (40%). The Silverbrook 1 model lots require a lot occupancy variance of one percent to eighteen percent (1% to 18%). For the most part, it is the interior lots within a string of townhomes which require a lot occupancy variance, due to the lack of a side yard. As a result of (i) the irregular topography and soil stability conditions that dictate the locations of the interior streets and the layout, location and configuration of all lots, (ii) the Fort Lincoln neighborhood standard of locating homes off of Fort Lincoln Drive and 31st Place, (iii) the undesirability of locating homes along South Dakota Avenue, and (iv) the preservation of a large amount of wooded areas and open space as common areas within the Townhome Project, the Project was designed with a concentration of the townhomes towards the center of the Property. Consequently, the lots are smaller than the Property's total area would appear to allow. Thus, although the lot occupancy on each of the lots exceeds the maximum allowed, the overall lot occupancy for the entire Property is well below the forty percent maximum. Furthermore, the livability of the Silverbrook 1 model townhomes within the Project is not diminished because of the lot occupancy of each lot.

FAR Variance. Pursuant to Section 402 of the Zoning Regulations, the maximum floor area ratio is 0.9. The Silverbrook 1 model lots require a FAR variance of 0.16 to 0.65. Due to (i) the irregular topography and soil stability conditions that dictate the locations of the interior streets and the layout, location and configuration of all lots, (ii) the Fort Lincoln neighborhood standard of locating homes off of Fort Lincoln Drive and 31st Place, (iii) the undesirability of locating homes along South Dakota Avenue, and (iv) the preservation of a large amount of wooded areas and open space as common areas within the Townhome Project, the Project was designed with a concentration of the townhomes towards the center of the Property. Consequently, the lots are smaller than the Property's total area would appear to allow. Thus, although the FAR of the structures exceed the maximum allowed for each lot, the overall FAR for the entire Property is well below the 0.9 maximum allowed, and the townhouses are not "oversized." Furthermore, the livability of the Silverbrook 1 model townhomes within the Project is not diminished because of the FAR of each lot.

Front Yard Variance. Pursuant to Subsection 2516.5(b) of the Zoning Regulations, the required front yard depth is twenty feet (20 ft.). The Silverbrook 1 model lots require a front yard variance of eight and a half feet (8 ½ ft.). All of the Silverbrook 1 model lots have a rear yard depth of twenty feet (20 ft.). Due to (i) the irregular topography and soil stability conditions that

of the Silverbrook 3 model townhomes within the Project is not diminished because of the FAR of each lot.

Rear Yard Variance. Pursuant to Section 404 of the Zoning Regulations, the required rear yard depth is twenty feet (20 ft.). The Silverbrook 3 model lots require a rear yard variance of five feet (5 ft.). All of the Silverbrook 3 model lots have a front yard depth of twenty feet (20 ft.). Due to (i) the irregular topography and soil stability conditions that dictate the locations of the interior streets and the layout, location and configuration of all lots, (ii) the Fort Lincoln neighborhood standard of locating homes off of Fort Lincoln Drive and 31st Place, (iii) the undesirability of locating homes along South Dakota Avenue, and (iv) the preservation of a large amount of wooded areas and open space as common areas within the Townhome Project, the Project was designed with a concentration of the townhomes towards the center of the Property. Consequently, the amount of available space for the lots on which Silverbrook 3 models are located is limited. Furthermore, the fixed location of Patricia Harris Roberts Drive, caused by the irregular topography and soil instability of the Property, the terraced grade change along South Dakota Avenue and the undesirability of locating townhomes along South Dakota Avenue compels the positioning of the Silverbrook 3 models so that the units do not face or back into the Avenue, but instead are parallel to the Avenue. The need for a buffer between the townhomes and the Avenue further limits the space available to the Silverbrook 3 model lots. Due to these conditions, the rear yards for Silverbrook 3 model lots are truncated. Nonetheless, although the Silverbrook 3 model lots require a variance for rear yard depth, the Silverbrook 3 model lots have sufficient open space in the front yard. Furthermore, ample amounts of common area open space are available throughout the Townhome Project.

Under the third prong of the variance test, relief granted cannot cause substantial detriment to the public good or substantially impair the intent, purpose and integrity of the zoning plan. (§3103.2). No substantial adverse impacts or detriment to the public good will result if the variances are granted. Due to the substantial amounts of open space surrounding the development, the Project will not have adverse impacts on neighbors by way of noise or light. The FAR, lot occupancy and front and rear yard variances for the affected lots will not cause a substantial adverse effect or cause detriment to the public good because of the low overall density of the Project and the abundant amount of wooded and natural open spaces preserved within the Property by the Applicant.

Furthermore, the Townhome Project will contribute to the development and vitality of the Fort Lincoln Urban Renewal Area. As previously discussed under the analysis of the special exception for a R-5-A residential development, the Townhome Project meets the objectives and goals of the Fort Lincoln Plan. Furthermore, the construction of the Townhome Project will meet the purpose and intent of the objectives concerning the stimulation of housing construction in the Fort Lincoln, pursuant to the Fort Lincoln Plan, the Housing Element of the District of Columbia Comprehensive Plan and the Housing Objectives for Ward 5 Plan. The Comprehensive Plan designates the Property as a part of a "Housing Opportunity Area." The Fort Lincoln Plan

includes support for the "*[c]onstruction of ... [d]welling [u]nits with a wide variety of housing types, densities and bedroom sizes ... with expanded opportunities for home ownership by all income groups*" (§310.04) , and the Ward 5 Plan includes support for objectives which "*[s]timulate the production of new housing, such as in Fort Lincoln, ...to meet the needs of all the ward's residents ,...*" (§ 1608.1(b)) and to "*encourage homeownership*" (§ 1608.1(d)).

Additionally, the design of the Townhome Project conforms with the requirements of the R-5-A zone district while also complementing and enhancing the surrounding neighborhood. The Townhome Project will provide sufficient parking for its residents and guests. The surrounding road network will support the additional traffic generated by the community.

Thus, the Townhome Project will not have an adverse impact on the neighborhood nor cause any detriment to the public good.

VI.

Witnesses. The following witnesses will testify in support of the Application:

1. A representative of NCRC
2. Mr. William Collins, Fort Lincoln-Pulte Limited Liability Company
3. Mr. John Amatetti, VIKA, Inc.
4. Mr. Kyle Oliver, VIKA, Inc.
5. Ms. Jami Milanovich, Wells & Associates, LLC

VII.

Conclusion. For the reasons set forth above, the Redevelopment Land Agency Revitalization Corporation and Fort Lincoln-Pulte Limited Liability Company, by and through counsel, submit that its Application has satisfied (and will satisfy) all applicable zoning requirements and the requisite burdens of proof for special exceptions and the requested variances and, therefore, should be granted.

Respectfully submitted,

GREENSTEIN DELORME & LUCHS, P.C.

By: _____
Jacques B. DePuy

By: _____
Stephanie A. Baldwin

236589v2

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Pre-Hearing Statement of the Applicant was mailed, first-class, postage prepaid this 6th day of July 2004 to:

Advisory Neighborhood Commission 5A
Chairperson
14th & Irving Streets, N.E.
Washington, DC 20017

Stephanie A. Baldwin

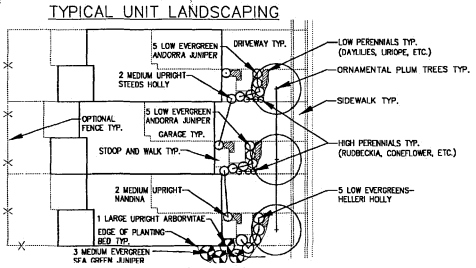


Exhibit "A"

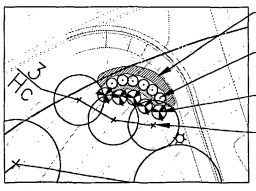
Landscape Plan



TYPICAL UNIT LANDSCAPING



POTENTIAL ENTRY FEATURE LANDSCAPING



LEGEND

- DECIDUOUS SHADE TREE (25' DIA CANOPY)
- ORNAMENTAL TREE (14' DIA CANOPY)
- EVERGREEN TREE (15' DIA CANOPY)

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

FORT LINCOLN NEW TOWN
TOWNHOMES
LOTS 38, 39 & 40 / SQUARE 4325
N.E., WASHINGTON, D.C.

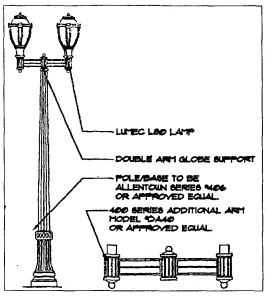
BZA LANDSCAPE PLAN

VIKA
VIKA, INCORPORATED
ENGINEERS/PLANNERS/SURVEYORS
8180 GREENSBORO DRIVE, SUITE 200, MCLEAN, VIRGINIA 22102
(703) 442-7800 FAX: (703) 761-2787
WALDORF, MD. ANNAPOLIS, MD. CULPEPER, VA.

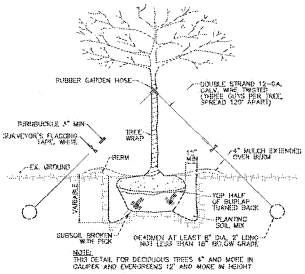
VIKA REVISIONS
REVISED PER BZA COMMENTS 7/05/04

DATE: DECEMBER, 2003
DES. KJD DWN. CADD
SCALE: 1"=40'
PROJECT/FILE NO. 53108
SHEET NO. 3

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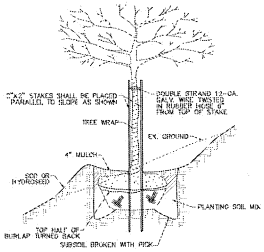


POTENTIAL STREET LIGHT

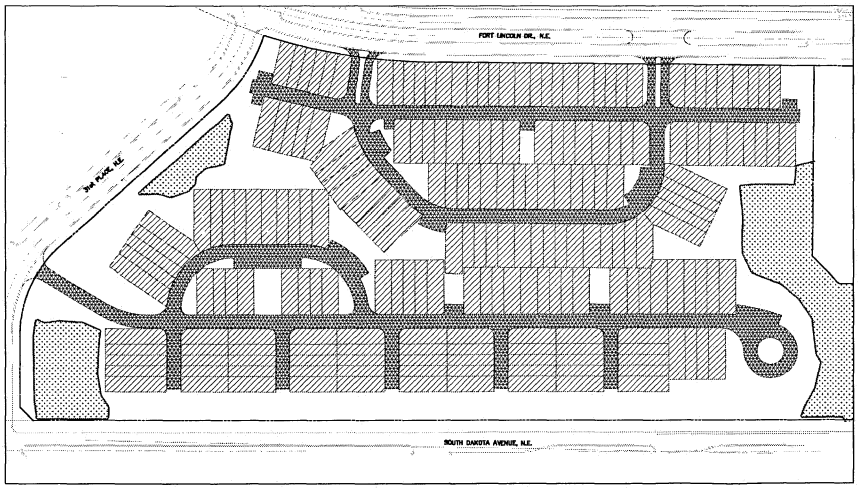


NOTE:
THIS DETAIL FOR DECIDUOUS TREES 4" AND MORE IN CALIPER AND EVERGREENS 12' AND MORE IN HEIGHT

PLANTING AND GUYING DETAIL
NOT TO SCALE



SLOPE PLANTING DETAIL
NOT TO SCALE



OPEN SPACE EXHIBIT

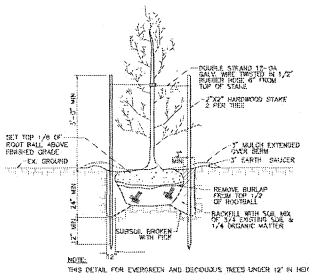
TOTAL SITE AREA = 22.68525 AC

PROPOSED LOTS AREA = 11.35889 AC

PROPOSED STREETS AREA = 5.36155 AC

TREE PRESERVATION AREA = 2.80085 AC

OPEN SPACE AREA = 5.96 AC



NOTE:
THIS DETAIL FOR EVERGREEN AND DECIDUOUS TREES UNDER 12' IN HEIGHT.

PLANTING AND STAKING DETAIL
NOT TO SCALE

PLANT LIST

KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
LARGE DECIDUOUS TREES					
Ar	36	Acer rubrum	Red Maple	2"-2.5" cal.	B&B
Cj	28	Cercidiphyllum japonicum	Katsuratree	2"-2.5" cal.	B&B
Qp	40	Quercus phellos	Willow Oak	2"-2.5" cal.	B&B
Tc	32	Tilia cordata 'Greenspire'	Greenspire Linden	2"-2.5" cal.	B&B
EVERGREEN TREES					
Ps	62	Pinus sylvestris	Scotch Pine	6'-8' Ht.	B&B
Pt	65	Pinus thunbergiana	Japanese Black Pine	6'-8' Ht.	B&B
Ts	54	Tsuga canadensis	Canadian Hemlock	6'-8' Ht.	B&B
ORNAMENTAL TREES					
Cc	56	Cercis canadensis	Redbud	8'-8' Ht.	B&B
Ck	44	Cornus kousa	Kousa Dogwood	8'-8' Ht.	B&B
Hv	71	Hamelis carolina	Carolina Silverbell	8'-8' Ht.	B&B
Py	54	Prunus yedoensis	Yoshino Flowering Cherry	8'-8' Ht.	B&B

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

VIKA

VIKA, INCORPORATED
ENGINEERS ■ PLANNERS ■ SURVEYORS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS
8180 GREENSBORO DRIVE, SUITE 200 ■ MCLEAN, VIRGINIA 22102
(703) 442-7800 ■ FAX: (703) 761-2787
WWW.VIKA.COM

FORT LINCOLN NEW TOWN TOWNHOMES
LOTS 38, 39 & OUTLOT A, SQUARE 4325
N.E., WASHINGTON, D.C.

LANDSCAPE NOTES AND DETAILS

VIKA REVISIONS

REVISED PER DDOT	
COMMENTS 7/29/04	

DATE: DECEMBER, 2003

DES.	DWN.
KGO	CADD

SCALE: N/A

PROJECT/FILE NO.
5310R

SHEET NO. 5

07/29/2004 12:34:12 PM EDT
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TYPICAL SILVERBROOK ELEVATION



TYPICAL HATHAWAY ELEVATION



TYPICAL FAIRLINGTON ELEVATION

VIKA

DESIGNERS PLANNERS ENGINEERS ARCHITECTS SURVEYORS

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FORT LINCOLN NEW TOWN
TOWNHOMES
LOTS 38, 39 & 40 / SQUARE 4325
N.E., WASHINGTON, D.C.

TYPICAL BUILDING ELEVATIONS

VIKA REVISIONS
REVISED PER DDOT COMMENTS 7/29/04

DATE: DECEMBER, 2003
DES. KUS | DWN. CASO
SCALE: N/A
PROJECT/FILE NO. 5310R
SHEET NO. 8

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Exhibit "B"

Traffic Impact Study

TRAFFIC IMPACT STUDY
FOR THE
FORT LINCOLN NEW TOWN
TOWNHOMES
WASHINGTON, D.C.

Prepared for:
The Concordia Group

Prepared by:
Wells & Associates, LLC

July 2004

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Section 1
INTRODUCTION

Overview

The Concordia Group, in conjunction with Pulte Homes, is proposing to construct a residential community consisting of 209 townhouses on a 22.68 acre tract of land designated as Lots 38, 39, and 40 of Square 4325 in Northeast Washington, DC. Square 4325 is bounded by South Dakota Avenue, Fort Lincoln Drive, 31st Place, and 33rd Place. The Site Location Map is shown on Figure 1-1.

The subject site is currently undeveloped and zoned R-5-A. A special exception is being sought for permission to develop a townhouse community consisting of 209 units within an R-5-A zoning district and to construct two or more principal buildings on a single subdivided lot. The proposed site plan for the development is shown on Figure 1-2.

Study Area

The study area was selected based on those intersections that could potentially be affected by the proposed development. Based on a scoping meeting with District Department of Transportation (DDOT) staff, the following intersections were selected for detailed analysis:

1. South Dakota Avenue/31st Place
2. South Dakota Avenue/33rd Place
3. Fort Lincoln Drive/Eastern Drive/Bladensburg Road
4. Banneker Drive/Bladensburg Road
5. Banneker Drive/31st Place
6. Fort Lincoln Drive/Proposed site accesses

This report presents an analysis of existing transportation conditions in the site vicinity, an analysis of 2008 no-build conditions, and an analysis of 2008 conditions after the proposed development is completed.

Tasks undertaken in this study included the following:

1. Review of development plans prepared by VIKA.
2. Agreement with DDOT staff regarding the traffic study scope.
3. A field reconnaissance of existing roadway and intersection geometrics, traffic controls, and speed limits.
4. Turning movement counts at the study intersections during the AM and PM peak periods.
5. Analysis of existing and projected levels of service at the study intersections.
6. Estimation of the number of AM and PM peak hour trips that would be generated by the proposed project.
7. Recommendation of improvements required to mitigate the impact of the proposed development.

The conclusions and recommendations of this study are as follows:

1. Currently, all study intersections operate at acceptable levels of service, with the exception of the Bladensburg Road/Eastern Avenue intersection. During the PM peak hour, this intersection operates at capacity.

2. Under background conditions, levels of service at the study intersections are expected to remain relatively unchanged from existing conditions.

3. The proposed residential development is anticipated to generate 82 AM peak hour vehicular-trips and 97 PM peak hour vehicular-trips.

4. The proposed development would account for less than one percent of the total 2008 AM and PM peak hour traffic on South Dakota Avenue.

5. The proposed development is expected to minimally increase traffic on Banneker Drive. In 2008 during both the AM and PM peak hour, less than 10 trips on Banneker Street would be attributable to the proposed development.

6. In 2008, less than three percent of the total AM and PM peak hour traffic volumes on Fort Lincoln Drive, between Bladensburg Road and 31st Place, would be attributable to the proposed development.

7. According to the District of Columbia Municipal Regulations[1], 209 on-site parking spaces would be required for the 209 townhouses.

8. A total of 388 on-site parking spaces are proposed. Three hundred twenty-seven spaces would be provided in one and two car garages. The remaining 61 spaces would be surface spaces located throughout the development

9. In order to mitigate the impact of the proposed development during the AM peak hour, minor timing adjustments should be made at the intersection of Bladensburg Road and Eastern Avenue. The timing adjustment would involve shifting less than five seconds of green time from the northbound/southbound Bladensburg Road phase to the eastbound/westbound Eastern Avenue phase.

10. In order to improve existing deficiencies, timing improvements could also be made at the Bladensburg Road/Eastern Avenue intersection during the PM peak hour. Analyses show that shifting 11 seconds of green time from the northbound/southbound Bladensburg Road phase to the eastbound/westbound Eastern Avenue phase would improve the operation of the intersection. This improvement is not required as a result of the proposed development.

11. Since traffic generated by the Fort Lincoln New Town Townhomes is expected to add minimal through traffic to Banneker Drive, traffic calming measures are not necessary in conjunction with this project.

12. Likewise, minimal through traffic resulting from the proposed development would be added to Fort Lincoln Drive between 31st Place and Bladensburg Road. Therefore, traffic calming measures are not necessary in conjunction with this project.

[1] District of Columbia Municipal Regulations, Title 11-Zoning, Section 2101.1, 2001 Edition.

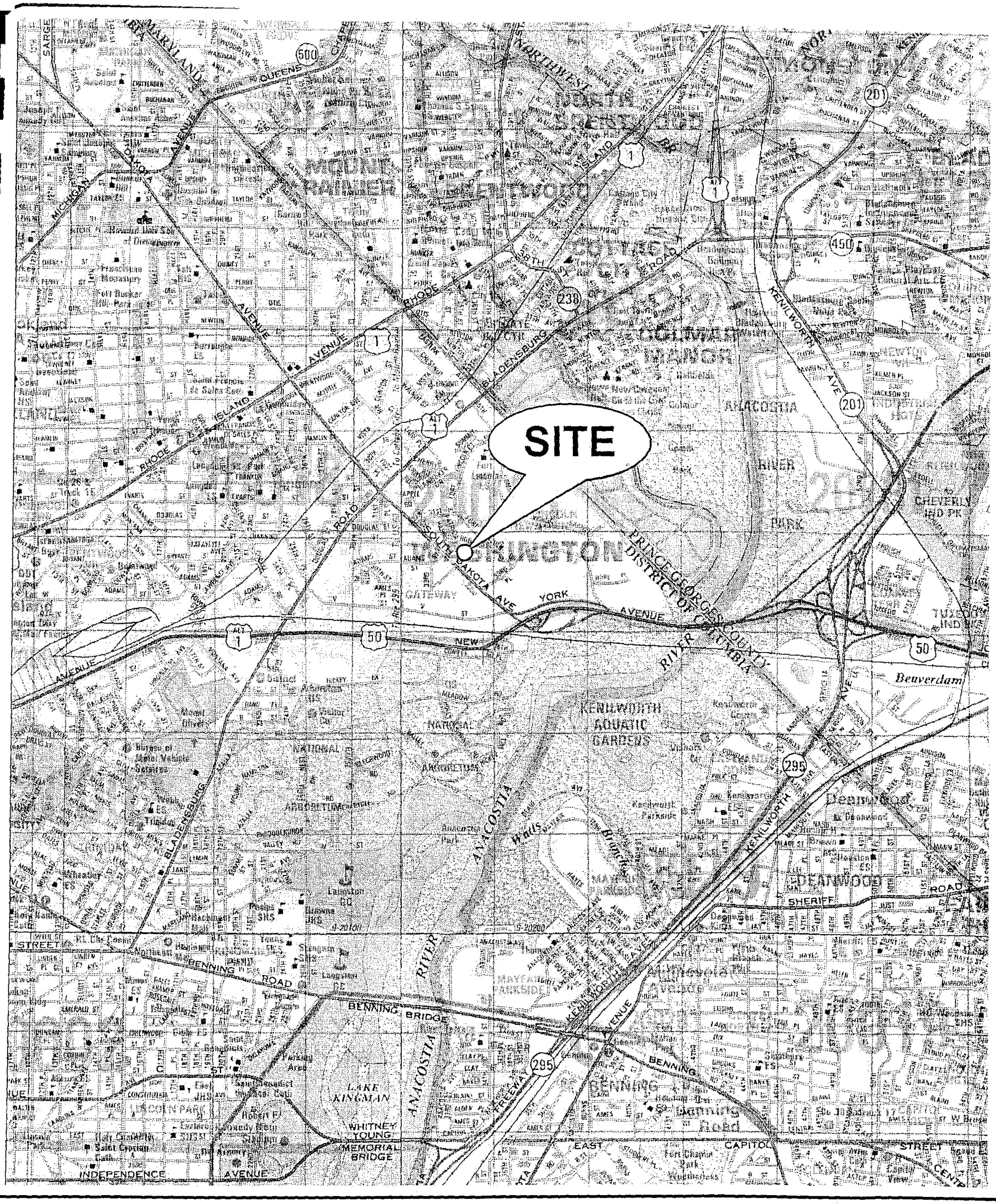


Figure 1–1
Site Location

North
Schematic

Fort Lincoln New Townhomes
Washington, D.C.

WELLS & ASSOCIATES, LLC.
TRAFFIC, TRANSPORTATION, and PARKING CONSULTANTS

J:\Projects\2001-2500\2494 Fort Lincoln-Pulte\Graphics\2494 Site Loc.dwg-ADD Permitted No. 2029639

Fort Lincoln New Town Townhomes
Washington, D.C.

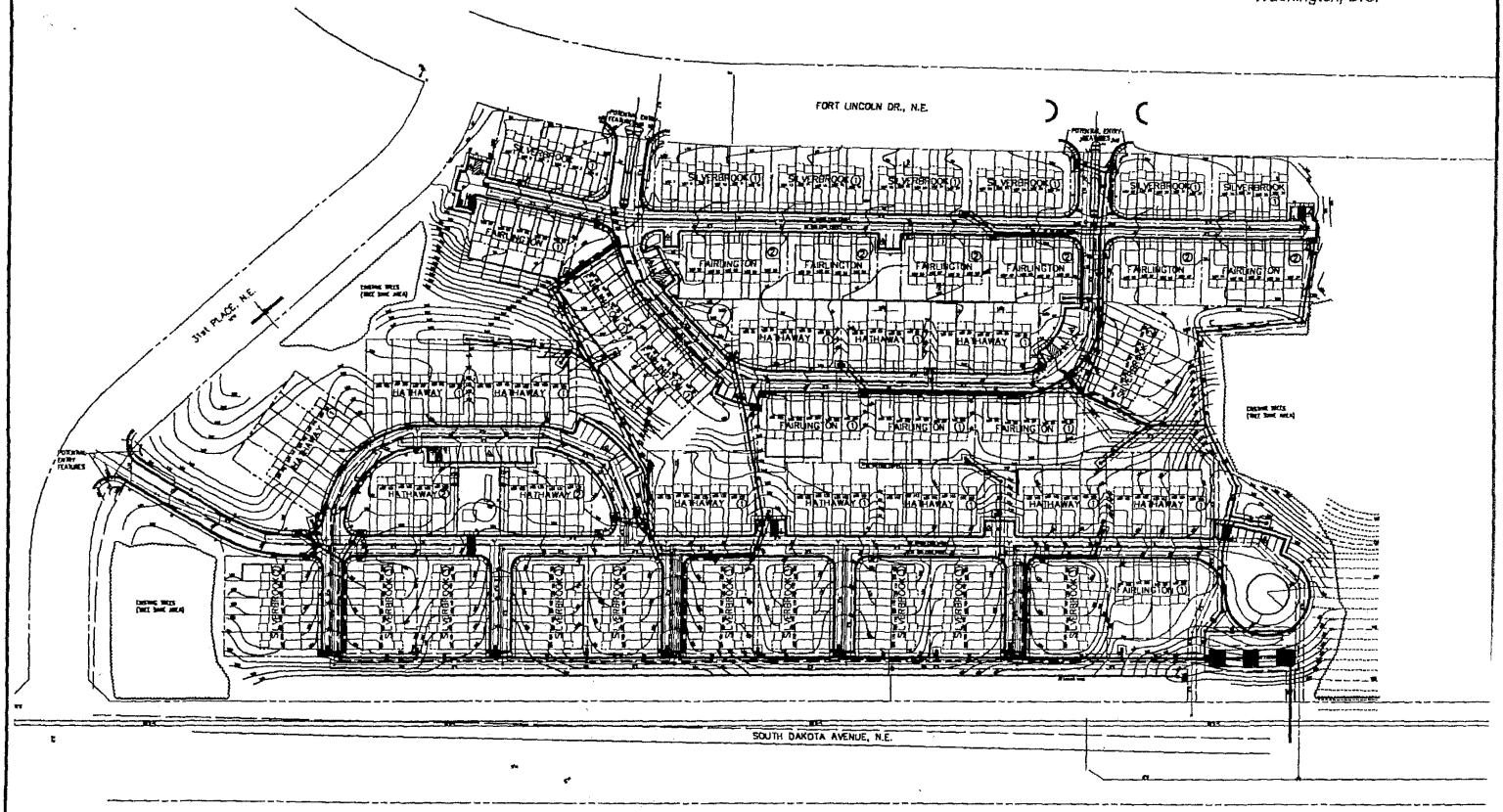


Figure 1-2
Proposed Site Plan

WELLS & ASSOCIATES, LLC

North

O:\Projects\2001-2500\2494 Fort Lincoln-Pulte\Graphics\2494 Site Locdwg-MJB

Section 2
EXISTING CONDITIONS

Land Use

The subject site is part of the residential neighborhood originally planned in the 1960s as a federally funded urban renewal community. Known as the Fort Lincoln Urban Renewal Area, the surrounding community, including the subject site, is guided by the Fort Lincoln Urban Renewal Plan. The Plan calls for the development of the community as a mixed use area including townhouses, high-rise apartments, condominiums, recreational areas, retail areas, offices, preserved natural areas, and historic landmarks.

Currently the subject site is undeveloped. The area surrounding the site is mainly residential. The Petersburg Apartments are located immediately adjacent to the site on the east side. Apartments and townhouses are located north of the site and single family homes are located west of the site, across South Dakota Avenue. Lincoln Elementary School is located to the north of the site, while parkland is located to the northeast of the site across Fort Lincoln Drive.

Roadway Network

South Dakota Avenue is a four-lane roadway with a posted speed limit of 25-mph in the vicinity of the site. A grade-separated interchange is provided at New York Avenue. This facility provides a major east-west connection in the City, carrying an average daily traffic volume ranging from 36,900 to 45,100 vehicles per day in the vicinity of the site.

Bladensburg Road is a six-lane divided roadway with a posted speed limit of 30-mph in the study area. Between South Dakota Avenue and Eastern Avenue, Bladensburg Road carries an average daily traffic volume ranging from 28,500 to 15,300 vehicles per day.

33rd Place/Fort Lincoln Drive is a four-lane, divided roadway that serves the Fort Lincoln area. This facility has a posted speed limit of 25-mph, and a traffic signal is provided at its intersection with South Dakota Avenue. The western extension of Fort Lincoln Drive consists of a four-lane divided roadway with sidewalks on both sides. Near its intersection with Bladensburg Road/Eastern Avenue, Fort Lincoln Drive carries an average daily traffic volume of 11,100 vehicles per day.

The existing lane use and traffic control for each study intersection is shown on Figure 2-1.

Public Transportation Facilities and Services

The Fort Lincoln Shuttle Line (Metrobus Routes B8 and B9) and the Brookland – Fort Lincoln Line (Metrobus Route H6) currently provide bus service in the study area. Bus stops are located on 33rd Place and at the South Dakota Avenue/Bladensburg Road intersection. Routes B8 and B9 provide service to the Rhode Island Metro Station. Route H6 provides access to the Brookland-CUA Metro Station.

Pedestrian/Bicycle Routes

The roadways in the Fort Lincoln Community provide an integrated system of pedestrian pathways. Sidewalks adjacent to the proposed internal streets would be provided as part of The Fort Lincoln New Town Townhomes to serve the local community.

The signalized intersections on South Dakota Avenue at 33rd Place and 31st Place and on Bladensburg Road at Banneker Street and Eastern Avenue include painted crosswalks and pedestrian signals that allow safe crossing maneuvers.

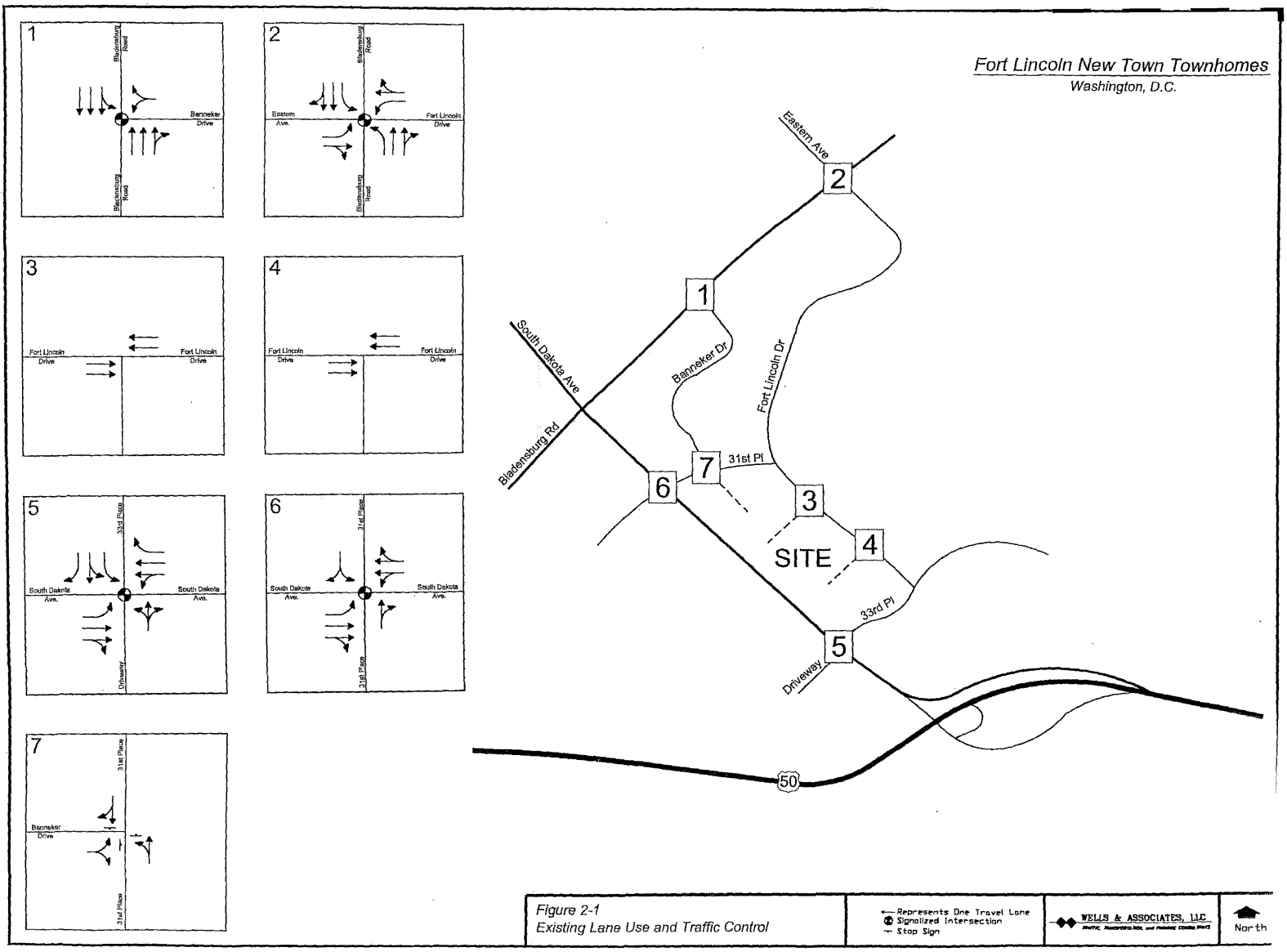


Figure 2-1
Existing Lane Use and Traffic Control

← Represents One Travel Lane
Ⓢ Signalized Intersection
→ Stop Sign

WELLS & ASSOCIATES, LLC

North

Traffic Volumes

Turning movement counts were conducted at the study intersections on Wednesday, May 26, 2004 and Wednesday, June 9, 2004 from 6:00 AM to 9:00 AM and from 4:00 PM to 7:00 PM.

Peak hour traffic volumes are summarized on Figure 2-2. Traffic count data are included in Appendix A.

Operational Analysis

Capacity/level of service (LOS) analyses were conducted at the study intersections based on the existing lane use and traffic control shown on Figure 2-1, existing vehicular traffic volumes shown on Figure 2-2, and existing traffic signal timings. Synchro was used to evaluate levels of service at each of the study intersections during the AM and PM peak hours. The levels of service reported herein were taken from the Highway Capacity Manual reports generated by Synchro. The results are presented in Appendix B and summarized in Table 2-1.

As shown in Table 2-1, the signalized intersections on South Dakota Avenue at 31st Place and 33rd Place currently operate at acceptable levels of service. Each approach of both intersections operates at a LOS C or better during the AM and PM peak hours.

The Bladensburg Road/Banneker Drive intersection currently operates acceptably during both the AM and PM peak hours under signalization. During the AM peak hour, each approach of the intersection currently operates at a LOS D or better. During the PM peak hour, each approach of the intersection currently operates at a LOS C or better.

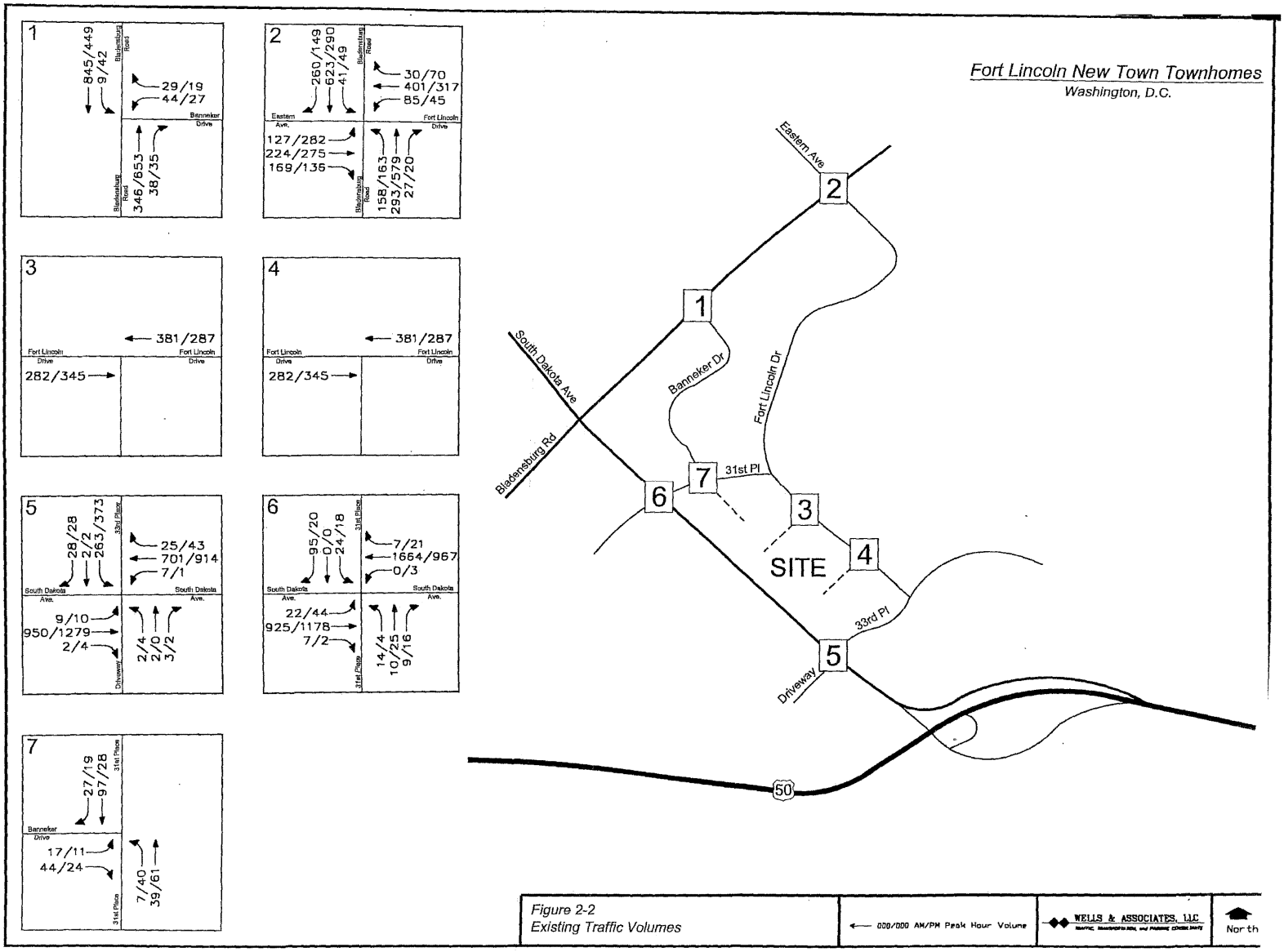
The Bladensburg Road/Eastern Avenue signalized intersection currently operates at an overall LOS C during the AM peak hour. Each approach of the intersection currently operates at a LOS D or better during the AM peak hour. During the PM peak hour, the intersection currently operates at an overall LOS E. The eastbound, Eastern Avenue approach operates at a LOS F, while the remaining approaches of the intersection operate at a LOS C or better.

The 31st Place/Banneker Drive intersection currently operates at an overall LOS A during both the AM and PM peak hours under all-way stop control.

Table 2-1
Existing Levels of Service

APPROACH	AM PEAK	PM PEAK
South Dakota Avenue/31st Place		
EB	A (7.7)	B (10.4)
WB	C (33.3)	B (10.6)
NB	C (24.1)	C (22.5)
SB	C (24.8)	C (22.4)
OVERALL	C (24.1)	B (10.9)
South Dakota Avenue/33rd Place		
EB	A (4.6)	C (24.3)
WB	C (25.2)	B (10.4)
NB	B (19.0)	B (19.0)
SB	C (23.2)	C (26.2)
OVERALL	B (18.4)	B (19.6)
Bladensburg Road/Eastern Avenue		
EB	D (41.0)	F (144.2)
WB	C (32.8)	C (30.7)
NB	C (24.4)	B (15.3)
SB	C (23.8)	C (20.9)
OVERALL	C (29.5)	E (56.9)
Bladensburg Road/Banneker Drive		
WB	D (36.1)	C (35.0)
NB	B (14.9)	B (16.2)
SB	A (4.0)	A (3.4)
OVERALL	A (9.0)	B (11.8)
31st Place/Banneker Drive		
EB	A [7.5]	A [7.7]
WB	A [7.7]	A [7.1]
SB	A [7.3]	A [7.1]
OVERALL	A [7.5]	A [7.5]

(22.2) = Control delay at signalized intersections (sec/veh)
[22.2] = Control delay at unsignalized intersections (sec/veh)


Fort Lincoln New Town Townhomes
Washington, D.C.
1
845/449
9/42
29/19
44/27
Bladensburg Road
Banneker Drive
346/653
38/35
2
260/149
623/290
41/49
30/70
401/317
85/45
Eastern Ave.
Fort Lincoln Drive
127/282
224/275
169/135
158/163
293/579
27/20
3
381/287
Fort Lincoln Drive
282/345
4
381/287
Fort Lincoln Drive
282/345
5
28/28
2/2
263/373
25/43
701/914
7/1
31st Place
South Dakota Ave.
9/10
950/1279
2/4
2/4
2/0
3/2
Driveway
6
95/20
0/0
24/18
7/21
1664/967
0/3
22/44
925/1178
7/2
14/4
10/25
9/16
7
27/19
97/28
17/11
44/24
7/40
39/61
Eastern Ave
South Dakota Ave
Bladensburg Rd
Banneker Dr
Fort Lincoln Dr
31st Pl
33rd Pl
SITE
Driveway
50
Figure 2-2
Existing Traffic Volumes
000/000 AM/PM Peak Hour Volume
WELLS & ASSOCIATES, LLC
North

Section 3
FUTURE BACKGROUND CONDITIONS

Land Use

The Fort Lincoln Urban Renewal Area is planned as a mixed-use community including a variety of residential uses, recreational areas, retail uses, and office uses. In addition to the Fort Lincoln New Town Townhomes, Washington Gateway is another planned project in the area. Washington Gateway is a 375,000 square foot shopping center proposed in the northwest quadrant of the New York Avenue/South Dakota Avenue interchange.

Roadway Network

DDOT has indicated that Fort Lincoln Drive is currently programmed for reconstruction; however, no changes to the cross section are proposed.

Traffic Volumes

In order to account for regional traffic growth outside the immediate site vicinity, an annual growth rate was determined. Previous traffic counts on South Dakota Avenue at its intersections with 31st Place and 33rd Place indicate that traffic volumes have actually decreased over the last three years. However, in order to provide a conservative analysis, a one percent growth rate, compounded annually, was applied to existing traffic volumes.

Additionally, traffic volumes from the planned Washington Crossing project were included in the traffic forecasts. According to the Washington Gateway Traffic Impact Study[2], the proposed retail development is expected to generate 393 AM peak hour trips, 1,157 PM peak hour trips, and 20,990 average daily trips at full build out. The site traffic assignment for Washington Gateway is included in Appendix C.

The peak hour background traffic forecasts are shown in Figure 3-1.

Operational Analysis

As shown in Table 3-1, under 2008 conditions without the proposed residential development, levels of service at the study intersections are projected to remain relatively unchanged from existing conditions. The signalized intersections on South Dakota Avenue at 31st Place and 33rd Place will continue to function at acceptable levels of service. During both the AM and PM peak hours, each approach of both intersections would operate at a LOS D or better.

Likewise, each approach of the Bladensburg Road/Banneker Drive intersection would operate at a LOS D or better during both the AM and PM peak hours.

The Baldensburg Road/Eastern Avenue intersection would continue to operate at an overall LOS E during the PM peak hour. Approach levels of service at this intersection would remain unchanged from existing conditions during both the AM and PM peak hours.

The 31st Place/Banneker Drive intersection would continue to operate at an overall LOS A during the AM and PM peak hours under background conditions.

HCS worksheets are included in Appendix D.

[2] Washington Gateway Traffic Impact Study, Wells & Associates, LLC, January 3, 2002.

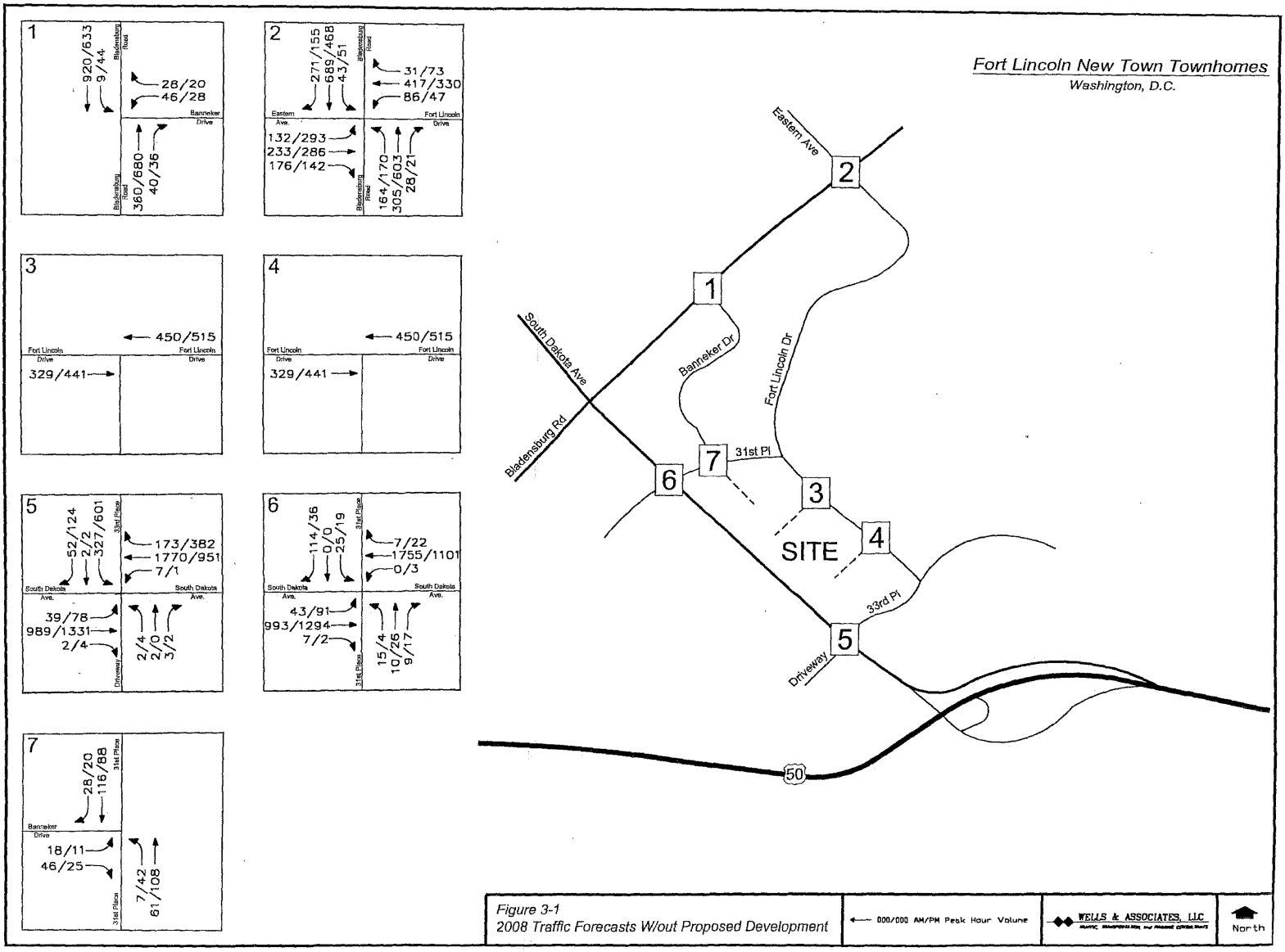


Figure 3-1
2008 Traffic Forecasts W/out Proposed Development

← 000/000 AM/PM Peak Hour Volume

WELLS & ASSOCIATES, LLC

North

Table 3-1
Background Levels of Service

APPROACH	AM PEAK	PM PEAK
South Dakota Avenue/31st Place		
EB	A (8.7)	B (12.9)
WB	D (44.3)	B (12.1)
NB	C (24.1)	C (22.6)
SB	C (25.0)	C (22.6)
OVERALL	C (30.7)	B (12.9)
South Dakota Avenue/33rd Place		
EB	A (5.1)	C (24.9)
WB	C (29.5)	B (10.2)
NB	B (19.0)	B (19.0)
SB	C (24.6)	D (37.1)
OVERALL	C (21.4)	C (21.8)
Bladensburg Road/Eastern Avenue		
EB	D (48.6)	F (175.0)
WB	C (34.9)	C (31.6)
NB	C (30.1)	B (15.8)
SB	C (25.2)	C (23.4)
OVERALL	C (33.1)	E (63.9)
Bladensburg Road/Banneker Drive		
WB	D (36.2)	D (35.0)
NB	B (14.9)	B (16.3)
SB	A (5.0)	A (7.2)
OVERALL	A (9.5)	B (12.7)
31st Place/Banneker Drive		
EB	A [7.7]	A [8.2]
WB	A [7.9]	A [7.7]
SB	A [7.4]	A [7.4]
OVERALL	A [7.7]	A [7.9]

(22.2) = Control delay at signalized intersections (sec/veh)
[22.2] = Control delay at unsignalized intersections (sec/veh)

Section 4
SITE ANALYSIS

Trip Generation Analysis

The number of trips anticipated to be generated by the proposed townhouse community was estimated based on the Institute of Transportation Engineers' (ITE) Trip Generation[3]. Land Use Code 230, Residential Condominium/Townhouse, was used with the number of units as the independent variable.

Fort Lincoln New Town Townhomes are projected to generate an estimated 93 AM peak hour trips, 110 PM peak hour trips, and 936 daily trips. Existing bus service in the Fort Lincoln Community, with bus stops proximate to the proposed development, provides access to the nearby Rhode Island Metro Station and the Brookland – CUA Metro Station. Therefore, a portion of the generated trips would be made via public transit. An estimated 12 percent of the trips generated by the proposed development would be non-auto trips. Therefore, the Fort Lincoln New Town Townhomes would generate an estimated 82 AM peak hour vehicle-trips and 97 PM peak hour vehicle-trips.

The trip generation is summarized in Table 4-1.

Table 4-1
Trip Generation Summary

	AM Peak			PM Peak		
	In	Out	Total	In	Out	Total
Total Trips	16	77	93	74	36	110
Transit Reduction	-2	-9	-11	-9	-4	-13
Net Vehicle Trips	14	68	82	65	32	97

Trip Distribution

The distribution of peak hour trips generated by the proposed development was based on existing traffic patterns in the study area and the premise that commuters will select routes that minimize travel time.

An estimated 31 percent of the site generated traffic would approach/depart the site to/from the northwest via South Dakota Avenue, while approximately 35 percent would approach/depart the site to/from the southeast via South Dakota Avenue.

Approximately 17 percent of site-generated traffic would approach/depart the site to/from the north via Eastern Avenue, while an estimated 17 percent would approach/depart the site to/from the north on Bladensburg Road.

Site Traffic Assignments

The site-generated traffic volumes were assigned to the public roadway network according to the directional distribution described above. The resulting site traffic assignments are shown on Figure 4-1.

Proposed Roadway Network

Right-of-way for a public street known as Patricia Harris Roberts Lane, which would connect 31st Place and Fort Lincoln Drive has been dedicated, though the roadway has never been constructed. Due to the significant grades present on-site, the construction of Patricia Harris Roberts Lane along the dedicated right-of-way is impractical. Therefore, the process for vacating the public street has been initiated.

[3] Trip Generation, 7th Edition, Volume 2, Institute of Transportation Engineers, Washington, DC, 2003.

In lieu of the alignment prescribed by the dedicated right-of-way, Patricia Harris Roberts Lane (Site Access A) would be constructed as a private street, which would provide access to the lower portion of the development (consisting of 100 townhouses). Patricia Harris Roberts Lane would intersect 31st Place opposite Banneker Drive and would terminate in a cul-de-sac.

Access to the remaining 109 townhouses is proposed via Theodore R. Hagans Drive, which would provide two access points on Fort Lincoln Drive (Site Access B and Site Access C). Direct access to each townhouse would be provided to/from the internal, private roadway network. None of the townhouses would directly access Fort Lincoln Drive, 31st Place, or South Dakota Avenue.

As proposed, the internal roadways shown on Figure 1-2 would have a cartway width of 25 feet in accordance with DC Fire Marshal standards. Additionally, the proposed roadways would adhere to DDOT standards in terms of radii and pavement section.

Parking Requirements

According to the District of Columbia Municipal Regulations (DCMR),[4] one parking space for each dwelling unit is required in the R-5-A zoning district. The proposed development would provide a total of 388 parking spaces; 179 spaces above the minimum required by the DCMR. As proposed, 118 of the Fort Lincoln New Town Townhouses would include two-car garages. The remaining 91 townhouses would include a one-car garage. Additionally, 61 surface spaces are proposed in clusters of three to 13 parking spaces throughout the proposed development.

[4] District of Columbia Municipal Regulations, Title 11-Zoning, Section 2101.1, 2001 Edition.

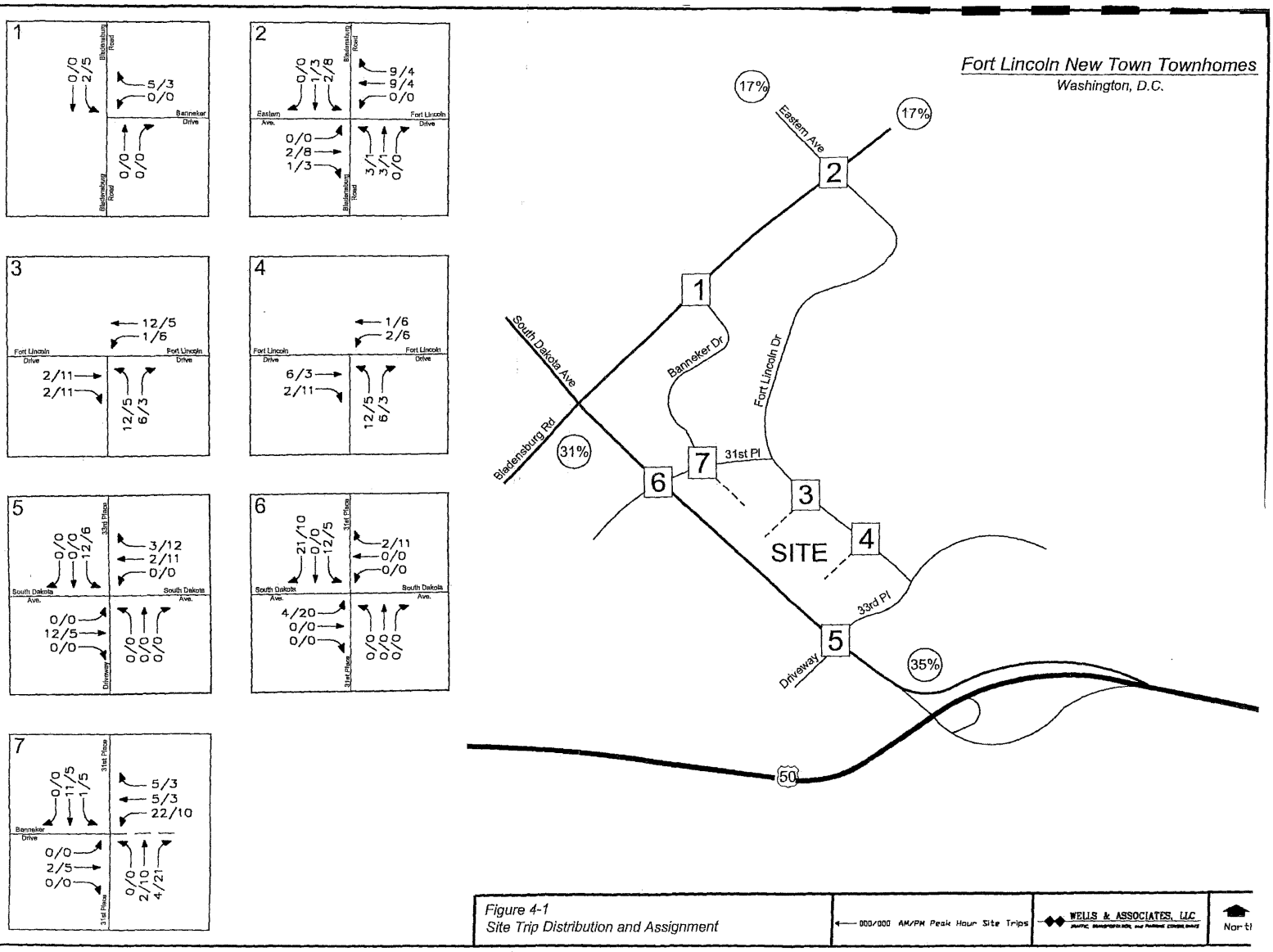


Figure 4-1
Site Trip Distribution and Assignment

000/000 AM/PM Peak Hour Site Trips

WELLS & ASSOCIATES, LLC

North

Section 5
TOTAL FUTURE CONDITIONS

Traffic Volumes

The future background traffic volumes shown on Figure 3-1 were combined with the site traffic assignments shown on Figure 4-1 to yield the total future traffic forecasts shown on Figure 5-1.

In order to determine the amount of traffic on the surrounding roadways that is attributable to the proposed development, a proportional impact assessment was conducted. During both the AM and PM peak hours, site generated traffic would contribute only a modest amount of traffic to the surrounding roadway network.

On South Dakota Avenue adjacent to the site, traffic generated by the proposed development would account for less than one percent of the total 2008 project traffic volumes during the AM and PM peak hours.

Based on the location of the proposed access points and the location of existing traffic signals, the majority of the traffic coming from or destined to the Bladensburg Road/Eastern Avenue intersection would utilize Fort Lincoln Drive rather than Banneker Drive. It is estimated that less than ten trips generated by the proposed site during the AM and PM peak hours would utilize Banneker Drive. On Banneker Drive between Bladensburg Road and 31st Place, site generated traffic would account for 5.9 percent of the total 2008 AM peak hour traffic and 6.6 percent of the total PM peak hour traffic.

On Fort Lincoln Drive, between Bladensburg Road and 31st Place, 2.6 percent of the 2008 projected AM peak hour traffic and 2.9 percent of the 2008 projected PM peak hour traffic would be attributable to the proposed site.

Operational Analysis

A future conditions capacity analysis, with the proposed development, was performed at the study intersections utilizing 2008 projected total future traffic volumes, existing lane configurations and traffic controls, and existing traffic signal timings. Table 5-1 summarizes the results of the analysis.

With the proposed residential development in place, the signalized intersections on South Dakota Avenue at 31st Place and 33rd Place would continue to operate at the same levels of service as conditions without the proposed development.

Approach levels of service at the Bladensburg Road/Banneker Drive intersection will continue to operate at the same levels of service as conditions without the proposed development.

During both the AM and PM peak hours, the 31st Place/Banneker Drive/Site Access A intersection will operate at an overall LOS A under a four-way stop configuration. Each approach of the intersection will function with minimal delay at a LOS A.

The proposed site accesses on Fort Lincoln Drive will operate at a LOS A during both the AM and PM peak hours, with stop sign control on the driveway approaches.

Fort Lincoln New Town Townhomes
Washington, D.C.

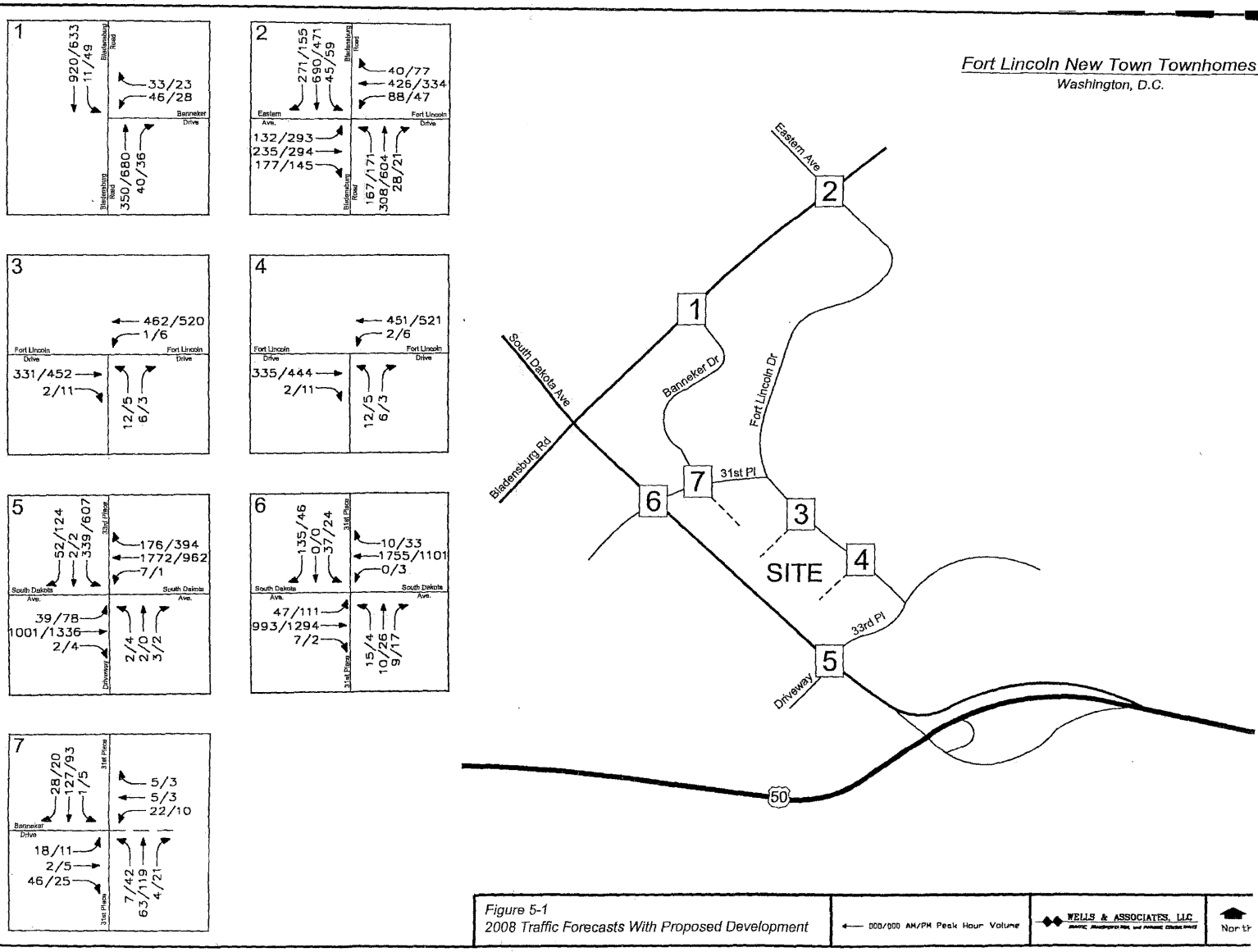


Figure 5-1
2008 Traffic Forecasts With Proposed Development

← 000/000 AM/PM Peak Hour Volume

WELLS & ASSOCIATES, LLC

North

Table 5-1
Total Future Levels of Service

APPROACH	AM PEAK	PM PEAK
South Dakota Avenue/31st Place		
EB	A (8.9)	B (14.6)
WB	D (44.3)	B (12.2)
NB	C (24.1)	C (22.6)
SB	C (25.8)	C (22.8)
OVERALL	C (30.8)	B (13.9)
South Dakota Avenue/33rd Place		
EB	A (5.3)	C (24.9)
WB	C (29.6)	B (10.3)
NB	B (19.0)	B (19.0)
SB	C (24.9)	D (37.8)
OVERALL	C (21.6)	C (21.9)
Bladensburg Road/Eastern Avenue		
EB	E (56.6)	F (185.4)
WB	D (36.3)	C (32.1)
NB	C (30.1)	B (15.9)
SB	C (25.2)	C (23.3)
OVERALL	D (35.0)	E (67.0)
Bladensburg Road/Banneker Drive		
WB	D (36.3)	D (35.1)
NB	B (14.9)	B (16.3)
SB	A (7.9)	A (7.3)
OVERALL	B (11.4)	B (12.7)
31st Place/Banneker Drive/Site Access A		
EB	A [7.8]	A [8.4]
WB	A [8.2]	A [7.9]
NB	A [7.8]	A [7.8]
SB	A [7.5]	A [7.6]
OVERALL	A [7.9]	A [8.1]
Fort Lincoln Drive/Site Access B		
WBL	A [0.0]	A [0.2]
NB	B [12.5]	B [13.2]
Fort Lincoln Drive/Site Access C		
WBL	A [0.1]	A [0.2]
NB	B [11.8]	B [13.5]

(22.2) = Control delay at signalized intersections (sec/veh)
[22.2] = Control delay at unsignalized intersections (sec/veh)

With development of the proposed project, the intersection of Bladensburg Road and Eastern Avenue would be impacted slightly during the AM peak hour under the existing traffic signal timings. However, minor adjustments could be made to the existing timings in order to mitigate the impact of the proposed development. Although not required to mitigate the impact of the proposed development, timing adjustments could also be made during the PM peak hour to improve existing deficiencies. The resulting levels of service, with the proposed timing adjustments are summarized in Table 5-2.

Table 5-2
Total Future Levels of Service
With Timing Adjustments

APPROACH	AM PEAK	PM PEAK
Bladensburg Road/Eastern Avenue		
EB	D (41.9)	D (45.2)
WB	C (32.5)	C (20.3)
NB	C (31.3)	C (20.9)
SB	C (27.4)	C (34.6)
OVERALL	C (32.2)	C (31.0)

(22.2) = Control delay at signalized intersections (sec/veh)

HCS worksheets are included in Appendix E.

Section 6

CONCLUSIONS AND RECOMMENDATIONS

The conclusions and recommendations of this study are as follows:

1. Currently, all study intersections operate at acceptable levels of service, with the exception of the Bladensburg Road/Eastern Avenue intersection. During the PM peak hour, this intersection operates at capacity.

2. Under background conditions, levels of service at the study intersections are expected to remain relatively unchanged from existing conditions.

3. The proposed residential development is anticipated to generate 82 AM peak hour vehicular-trips and 97 PM peak hour vehicular-trips.

4. The proposed development would account for less than one percent of the total 2008 AM and PM peak hour traffic on South Dakota Avenue.

5. The proposed development is expected to minimally increase traffic on Banneker Drive. In 2008 during both the AM and PM peak hour, less than 10 trips on Banneker Street would be attributable to the proposed development.

6. In 2008, less than three percent of the total AM and PM peak hour traffic volumes on Fort Lincoln Drive, between Bladensburg Road and 31st Place, would be attributable to the proposed development.

7. According to the District of Columbia Municipal Regulations[5], 209 on-site parking spaces would be required for the 209 townhouses.

8. A total of 388 on-site parking spaces are proposed. Three hundred twenty-seven spaces would be provided in one and two car garages. The remaining 61 spaces would be surface spaces located throughout the development

9. In order to mitigate the impact of the proposed development during the AM peak hour, minor timing adjustments should be made at the intersection of Bladensburg Road and Eastern Avenue. The timing adjustment would involve shifting less than five seconds of green time from the northbound/southbound Bladensburg Road phase to the eastbound/westbound Eastern Avenue phase.

10. In order to improve existing deficiencies, timing improvements could also be made at the Bladensburg Road/Eastern Avenue intersection during the PM peak hour. Analyses show that shifting 11 seconds of green time from the northbound/southbound Bladensburg Road phase to the eastbound/westbound Eastern Avenue phase would improve the operation of the intersection. This improvement is not required as a result of the proposed development.

11. Since traffic generated by the Fort Lincoln New Town Townhomes is expected to add minimal through traffic to Banneker Drive, traffic calming measures are not necessary in conjunction with this project.

12. Likewise, minimal through traffic resulting from the proposed development would be added to Fort Lincoln Drive between 31st Place and Bladensburg Road. Therefore, traffic calming measures are not necessary in conjunction with this project.

[5] District of Columbia Municipal Regulations, Title 11-Zoning, Section 2101.1, 2001 Edition.

C

Exhibit "C"

Variance Chart

LOT #	# OF STORIES	AREA IN SQ FT	LOT OCCUPANCY		FAR		LOT WIDTH IN FT	# OF GARAGE SPACES	TYP. FRONT YD IN FT.	TYP. SIDE YARD IN FT.	TYP. REAR YD IN FT.	UNIT TYPE
1	3	2383	0.39		1.06	*	20	1	11.5 *	9	20	Silverbrook 1
2	3	1631	0.58	*	1.55	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
3	3	1631	0.58	*	1.55	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
4	3	1638	0.57	*	1.54	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
5	3	1653	0.57	*	1.52	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
6	3	2459	0.38		1.02	*	20	1	11.5 *	9	20	Silverbrook 1
7	3	2457	0.38		1.03	*	20	1	11.5 *	9	20	Silverbrook 1
8	3	1661	0.57	*	1.52	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
9	3	1643	0.57	*	1.53	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
10	3	1633	0.58	*	1.54	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
11	3	1630	0.58	*	1.55	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
12	3	2364	0.40		1.07	*	20	1	11.5 *	9	20	Silverbrook 1
13	3	2363	0.40		1.07	*	20	1	11.5 *	9	20	Silverbrook 1
14	3	1630	0.58	*	1.55	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
15	3	1630	0.58	*	1.55	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
16	3	1630	0.58	*	1.55	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
17	3	2364	0.40		1.07	*	20	1	11.5 *	9	20	Silverbrook 1
18	3	2363	0.40		1.07	*	20	1	11.5 *	9	20	Silverbrook 1
19	3	1630	0.58	*	1.55	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
20	3	1630	0.58	*	1.55	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
21	3	1630	0.58	*	1.55	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
22	3	2364	0.40		1.07	*	20	1	11.5 *	9	20	Silverbrook 1
23	3	2363	0.40		1.07	*	20	1	11.5 *	9	20	Silverbrook 1
24	3	1630	0.58	*	1.55	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
25	3	1630	0.58	*	1.55	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
26	3	1630	0.58	*	1.55	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
27	3	2354	0.40		1.07	*	20	1	11.5 *	9	20	Silverbrook 1
28	3	2305	0.41	*	1.09	*	20	1	11.5 *	9	20	Silverbrook 1
29	3	1630	0.58	*	1.55	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
30	3	1630	0.58	*	1.55	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
31	3	1630	0.58	*	1.55	*	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
32	3	2363	0.40		1.07	*	20	1	11.5 *	9	20	Silverbrook 1
33	3	2363	0.40		1.07	*	20	1	11.5 *	9	20	Silverbrook 1

LOT #	# OF STORIES	AREA IN SQ FT	LOT OCCUPANCY	FAR	LOT WIDTH IN FT	# OF GARAGE SPACES	TYP. FRONT YD IN FT.	TYP. SIDE YARD IN FT.	TYP. REAR YD IN FT.	UNIT TYPE
34	3	1630	0.58 *	1.55 *	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
35	3	1630	0.58 *	1.55 *	20	1	11.5 *	INTERIOR UNIT	20	Silverbrook 1
36	3	1630	0.58 *	1.55 *	20	1	11.5 *	0	20	Silverbrook 1
37	3	2511	0.40	1.09 *	22	2	13 *	9	20	Fairlington 2
38	3	1782	0.57 *	1.54 *	22	2	13 *	INTERIOR UNIT	20	Fairlington 2
39	3	1782	0.57 *	1.54 *	22	2	13 *	INTERIOR UNIT	20	Fairlington 2
40	3	1782	0.57 *	1.54 *	22	2	13 *	INTERIOR UNIT	20	Fairlington 2
41	3	2511	0.40	1.09 *	22	2	13 *	9	20	Fairlington 2
42	3	2511	0.40	1.09 *	22	2	13 *	9	20	Fairlington 2
43	3	1782	0.57 *	1.54 *	22	2	13 *	INTERIOR UNIT	20	Fairlington 2
44	3	1782	0.57 *	1.54 *	22	2	13 *	INTERIOR UNIT	20	Fairlington 2
45	3	2484	0.41 *	1.10 *	22	2	13 *	9	20	Fairlington 2
46	3	2452	0.41 *	1.12 *	22	2	13 *	9	20	Fairlington 2
47	3	1782	0.57 *	1.54 *	22	2	13 *	INTERIOR UNIT	20	Fairlington 2
48	3	1782	0.57 *	1.54 *	22	2	13 *	INTERIOR UNIT	20	Fairlington 2
49	3	2511	0.40	1.09 *	22	2	13 *	9	20	Fairlington 2
50	3	2511	0.40	1.09 *	22	2	13 *	9	20	Fairlington 2
51	3	1782	0.57 *	1.54 *	22	2	13 *	INTERIOR UNIT	20	Fairlington 2
52	3	1782	0.57 *	1.54 *	22	2	13 *	INTERIOR UNIT	20	Fairlington 2
53	3	2510	0.40	1.09 *	22	2	13 *	9	20	Fairlington 2
54	3	2510	0.40	1.09 *	22	2	13 *	9	20	Fairlington 2
55	3	1782	0.57 *	1.54 *	22	2	13 *	INTERIOR UNIT	20	Fairlington 2
56	3	1782	0.57 *	1.54 *	22	2	13 *	INTERIOR UNIT	20	Fairlington 2
57	3	2511	0.40	1.09 *	22	2	13 *	9	20	Fairlington 2
58	3	2511	0.40	1.09 *	22	2	13 *	9	20	Fairlington 2
59	3	1782	0.57 *	1.54 *	22	2	13 *	INTERIOR UNIT	20	Fairlington 2
60	3	1782	0.57 *	1.54 *	22	2	13 *	INTERIOR UNIT	20	Fairlington 2
61	3	1782	0.57 *	1.54 *	22	2	13 *	INTERIOR UNIT	20	Fairlington 2
62	3	2510	0.40	1.09 *	22	2	13 *	9	20	Fairlington 2
63	3	2841	0.36	0.96 *	22	2	8 *	9	40	Fairlington 1
64	3	2112	0.48 *	1.30 *	22	2	8 *	INTERIOR UNIT	40	Fairlington 1
65	3	2112	0.48 *	1.30 *	22	2	8 *	INTERIOR UNIT	40	Fairlington 1
66	3	2112	0.48 *	1.30 *	22	2	8 *	INTERIOR UNIT	40	Fairlington 1

LOT #	# OF STORIES	AREA IN SQ FT	LOT OCCUPANCY		FAR		LOT WIDTH IN FT	# OF GARAGE SPACES	TYP. FRONT YD IN FT.	TYP. SIDE YARD IN FT.	TYP. REAR YD IN FT.	UNIT TYPE
67	3	2879	0.35		0.95	*	22	2	8 *	9	40	Fairlington 1
68	3	2945	0.34		0.93	*	22	2	8 *	9	40	Fairlington 1
69	3	2157	0.47	*	1.27	*	22	2	8 *	INTERIOR UNIT	40	Fairlington 1
70	3	2116	0.48	*	1.29	*	22	2	8 *	INTERIOR UNIT	40	Fairlington 1
71	3	3334	0.30		0.82		22	2	8 *	9	40	Fairlington 1
72	3	3269	0.31		0.84		22	2	8 *	9	40	Fairlington 1
73	3	2112	0.48	*	1.30	*	22	2	8 *	INTERIOR UNIT	40	Fairlington 1
74	3	2112	0.48	*	1.30	*	22	2	8 *	INTERIOR UNIT	40	Fairlington 1
75	3	3024	0.33		0.90		22	2	8 *	9	40	Fairlington 1
76	3	2421	0.42	*	1.13	*	22	2	5 *	9	20	Hathaway 1
77	3	1842	0.55	*	1.49	*	22	2	12 *	INTERIOR UNIT	20	Hathaway 1
78	3	1848	0.55	*	1.48	*	22	2	12 *	INTERIOR UNIT	20	Hathaway 1
79	3	1848	0.55	*	1.48	*	22	2	12 *	INTERIOR UNIT	20	Hathaway 1
80	3	2604	0.39		1.05	*	22	2	12 *	9	20	Hathaway 1
81	3	2604	0.39		1.05	*	22	2	12 *	9	20	Hathaway 1
82	3	1848	0.55	*	1.48	*	22	2	12 *	INTERIOR UNIT	20	Hathaway 1
83	3	1848	0.55	*	1.48	*	22	2	12 *	INTERIOR UNIT	20	Hathaway 1
84	3	2604	0.39		1.05	*	22	2	12 *	9	20	Hathaway 1
85	3	2604	0.39		1.05	*	22	2	12 *	9	20	Hathaway 1
86	3	1848	0.55	*	1.48	*	22	2	12 *	INTERIOR UNIT	20	Hathaway 1
87	3	1848	0.55	*	1.48	*	22	2	12 *	INTERIOR UNIT	20	Hathaway 1
88	3	1848	0.55	*	1.48	*	22	2	12 *	INTERIOR UNIT	20	Hathaway 1
89	3	2544	0.40		1.08	*	22	2	8 *	9	20	Hathaway 1
90	3	3481	0.27		0.72		20	1	20	9	40	Silverbrook 2
91	3	2302	0.41	*	1.09	*	20	1	20	INTERIOR UNIT	40	Silverbrook 2
92	3	2302	0.41	*	1.09	*	20	1	20	INTERIOR UNIT	40	Silverbrook 2
93	3	2302	0.41	*	1.09	*	20	1	20	INTERIOR UNIT	40	Silverbrook 2
94	3	3371	0.28		0.75		20	1	20	9	40	Silverbrook 2
95	3	2911	0.35		0.94	*	22	2	20	9	25	Fairlington 1
96	3	1988	0.51	*	1.38	*	22	2	15 *	INTERIOR UNIT	25	Fairlington 1
97	3	1830	0.55	*	1.50	*	22	2	8 *	INTERIOR UNIT	25	Fairlington 1
98	3	1781	0.57	*	1.54	*	22	2	8 *	INTERIOR UNIT	25	Fairlington 1
99	3	2511	0.40		1.09	*	22	2	8 *	9	25	Fairlington 1

LOT #	# OF STORIES	AREA IN SQ FT	LOT OCCUPANCY		FAR		LOT WIDTH IN FT	# OF GARAGE SPACES	TYP. FRONT YD IN FT.	TYP. SIDE YARD IN FT.	TYP. REAR YD IN FT.	UNIT TYPE
100	3	2515	0.40		1.09	*	22	2	8 *	9	25	Fairlington 1
101	3	1788	0.57	*	1.53	*	22	2	8 *	INTERIOR UNIT	25	Fairlington 1
102	3	1790	0.57	*	1.53	*	22	2	8 *	INTERIOR UNIT	25	Fairlington 1
103	3	1793	0.56	*	1.53	*	22	2	8 *	INTERIOR UNIT	25	Fairlington 1
104	3	2527	0.40		1.08	*	22	2	8 *	9	25	Fairlington 1
105	3	2535	0.40		1.08	*	22	2	8 *	9	25	Fairlington 1
106	3	1802	0.56	*	1.52	*	22	2	8 *	INTERIOR UNIT	25	Fairlington 1
107	3	1804	0.56	*	1.52	*	22	2	8 *	INTERIOR UNIT	25	Fairlington 1
108	3	1807	0.56	*	1.51	*	22	2	8 *	INTERIOR UNIT	25	Fairlington 1
109	3	3000	0.34		0.91	*	22	2	8 *	9	25	Fairlington 1
110	3	3762	0.27		0.73		22	2	20	9	40	Hathaway 1
111	3	2489	0.41	*	1.10	*	22	2	20	INTERIOR UNIT	40	Hathaway 1
112	3	2446	0.41	*	1.12	*	22	2	20	INTERIOR UNIT	40	Hathaway 1
113	3	2489	0.41	*	1.10	*	22	2	20	INTERIOR UNIT	40	Hathaway 1
114	3	3625	0.28		0.75		22	2	20	9	40	Hathaway 1
115	3	3412	0.30		0.80		22	2	20	9	40	Hathaway 1
116	3	2308	0.44	*	1.19	*	22	2	13 *	INTERIOR UNIT	40	Hathaway 1
117	3	2232	0.45	*	1.23	*	22	2	13 *	INTERIOR UNIT	40	Hathaway 1
118	3	2222	0.46	*	1.23	*	22	2	13 *	INTERIOR UNIT	40	Hathaway 1
119	3	2881	0.35		0.95	*	22	2	13 *	9	40	Hathaway 1
120	3	2881	0.35		0.95	*	22	2	13 *	9	40	Hathaway 1
121	3	2222	0.46	*	1.23	*	22	2	13 *	INTERIOR UNIT	40	Hathaway 1
122	3	2222	0.46	*	1.23	*	22	2	13 *	INTERIOR UNIT	40	Hathaway 1
123	3	2230	0.45	*	1.23	*	22	2	13 *	INTERIOR UNIT	40	Hathaway 1
124	3	3258	0.31		0.84		22	2	13 *	9	40	Hathaway 1
125	3	2611	0.39		1.05	*	22	2	20	9	14 *	Hathaway 2
126	3	1878	0.54	*	1.46	*	22	2	20	INTERIOR UNIT	14 *	Hathaway 2
127	3	1878	0.54	*	1.46	*	22	2	20	INTERIOR UNIT	14 *	Hathaway 2
128	3	2646	0.38		1.03	*	22	2	20	9	14 *	Hathaway 2
129	3	2646	0.38		1.03	*	22	2	20	9	14 *	Hathaway 2
130	3	1878	0.54	*	1.46	*	22	2	20	INTERIOR UNIT	14 *	Hathaway 2
131	3	1878	0.54	*	1.46	*	22	2	20	INTERIOR UNIT	14 *	Hathaway 2
132	3	2607	0.39		1.05	*	22	2	20	9	14 *	Hathaway 2

LOT #	# OF STORIES	AREA IN SQ FT	LOT OCCUPANCY		FAR		LOT WIDTH IN FT	# OF GARAGE SPACES	TYP. FRONT YD IN FT.	TYP. SIDE YARD IN FT.	TYP. REAR YD IN FT.	UNIT TYPE
133	3	3119	0.32		0.88		22	2	13 *	9	25	Hathaway 1
134	3	2222	0.46	*	1.23	*	22	2	13 *	INTERIOR UNIT	25	Hathaway 1
135	3	2222	0.46	*	1.23	*	22	2	13 *	INTERIOR UNIT	25	Hathaway 1
136	3	2222	0.46	*	1.23	*	22	2	13 *	INTERIOR UNIT	25	Hathaway 1
137	3	3130	0.32		0.87		22	2	13 *	9	25	Hathaway 1
138	3	2698	0.38		1.01	*	22	2	13 *	9	25	Hathaway 1
139	3	1913	0.53	*	1.43	*	22	2	13 *	INTERIOR UNIT	25	Hathaway 1
140	3	1911	0.53	*	1.43	*	22	2	13 *	INTERIOR UNIT	25	Hathaway 1
141	3	2688	0.38		1.02	*	22	2	13 *	9	25	Hathaway 1
142	3	2683	0.38		1.02	*	22	2	13 *	9	25	Hathaway 1
143	3	1901	0.53	*	1.44	*	22	2	13 *	INTERIOR UNIT	25	Hathaway 1
144	3	1899	0.53	*	1.44	*	22	2	13 *	INTERIOR UNIT	25	Hathaway 1
145	3	1897	0.53	*	1.44	*	22	2	13 *	INTERIOR UNIT	25	Hathaway 1
146	3	2667	0.38		1.03	*	22	2	13 *	9	25	Hathaway 1
147	3	2657	0.38		1.03	*	22	2	13 *	9	25	Hathaway 1
148	3	1884	0.54	*	1.45	*	22	2	13 *	INTERIOR UNIT	25	Hathaway 1
149	3	1881	0.54	*	1.45	*	22	2	13 *	INTERIOR UNIT	25	Hathaway 1
150	3	3106	0.33		0.88		22	2	13 *	9	25	Hathaway 1
151	3	3131	0.32		0.87		22	2	13 *	9	40	Hathaway 1
152	3	2222	0.46	*	1.23	*	22	2	13 *	INTERIOR UNIT	40	Hathaway 1
153	3	2222	0.46	*	1.23	*	22	2	13 *	INTERIOR UNIT	40	Hathaway 1
154	3	2222	0.46	*	1.23	*	22	2	13 *	INTERIOR UNIT	40	Hathaway 1
155	3	3147	0.32		0.87		22	2	13 *	9	40	Hathaway 1
156	3	2971	0.34		0.92	*	22	2	8 *	9	40	Fairlington 1
157	3	2112	0.48	*	1.30	*	22	2	8 *	INTERIOR UNIT	40	Fairlington 1
158	3	2112	0.48	*	1.30	*	22	2	8 *	INTERIOR UNIT	40	Fairlington 1
159	3	2976	0.34		0.92	*	22	1	8 *	9	40	Fairlington 1
160	3	2696	0.35		0.93	*	20	1	20	9	15 *	Silverbrook 3
161	3	1887	0.50	*	1.34	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
162	3	1887	0.50	*	1.34	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
163	3	1887	0.50	*	1.34	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
164	3	2736	0.34		0.92	*	20	1	20	9	15 *	Silverbrook 3
165	3	2562	0.37		0.98	*	20	1	20	9	15 *	Silverbrook 3

LOT #	# OF STORIES	AREA IN SQ FT	LOT OCCUPANCY		FAR		LOT WIDTH IN FT	# OF GARAGE SPACES	TYP. FRONT YD IN FT.	TYP. SIDE YARD IN FT.	TYP. REAR YD IN FT.	UNIT TYPE
166	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
167	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
168	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
169	3	2522	0.37		1.00	*	20	1	20	9	15 *	Silverbrook 3
170	3	2522	0.37		1.00	*	20	1	20	9	15 *	Silverbrook 3
171	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
172	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
173	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
174	3	2562	0.37		0.98	*	20	1	20	9	15 *	Silverbrook 3
175	3	2562	0.37		0.98	*	20	1	20	9	15 *	Silverbrook 3
176	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
177	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
178	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
179	3	2522	0.37		1.00	*	20	1	20	9	15 *	Silverbrook 3
180	3	2522	0.37		1.00	*	20	1	20	9	15 *	Silverbrook 3
181	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
182	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
183	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
184	3	2562	0.37		0.98	*	20	1	20	9	15 *	Silverbrook 3
185	3	2562	0.37		0.98	*	20	1	20	9	15 *	Silverbrook 3
186	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
187	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
188	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
189	3	2522	0.37		1.00	*	20	1	20	9	15 *	Silverbrook 3
190	3	2522	0.37		1.00	*	20	1	20	9	15 *	Silverbrook 3
191	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
192	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
193	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
194	3	2562	0.37		0.98	*	20	1	20	9	15 *	Silverbrook 3
195	3	2562	0.37		0.98	*	20	1	20	9	15 *	Silverbrook 3
196	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
197	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
198	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3

LOT #	# OF STORIES	AREA IN SQ FT	LOT OCCUPANCY		FAR		LOT WIDTH IN FT	# OF GARAGE SPACES	TYP. FRONT YD IN FT.	TYP. SIDE YARD IN FT.	TYP. REAR YD IN FT.	UNIT TYPE
199	3	2522	0.37		1.00	*	20	1	20	9	15 *	Silverbrook 3
200	3	2522	0.37		1.00	*	20	1	20	9	15 *	Silverbrook 3
201	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
202	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
203	3	1767	0.53	*	1.43	*	20	1	20	INTERIOR UNIT	15 *	Silverbrook 3
204	3	2562	0.37		0.98	*	20	1	20	9	15 *	Silverbrook 3
205	3	3287	0.29		0.77		20	1	20	9	40	Silverbrook 2
206	3	2267	0.41	*	1.11	*	20	1	20	INTERIOR UNIT	40	Silverbrook 2
207	3	2267	0.41	*	1.11	*	20	1	20	INTERIOR UNIT	40	Silverbrook 2
208	3	2267	0.41	*	1.11	*	20	1	20	INTERIOR UNIT	40	Silverbrook 2
209	3	3247	0.29		0.78		20	1	20	9	40	Silverbrook 2

* - Variance required

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