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May 27, 2003

STEVEN E. SHER
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VIA HAND DELIVERY

D.C. Zoning Commission
Suite 210
441 4th Street, N.W.
Washington D.C. 20001

RECEIVED
D.C. OFFICE OF ZONING
2003 MAY 27 PM 3:52

Re: Zoning Commission Cases No. 03-12 and 03-13
Preliminary and Consolidated Planned Unit Development
And Map Amendment from R-5-B to CR
Capper/Carrollsburg HOPE VI Project
Pre-Hearing Statement of the Applicant

Dear Members of the Commission:

Enclosed, please find the Pre-Hearing Submission of the Applicant in the above-referenced cases. Also enclosed, please find:

1. Mailing labels for the owners of property within 200 feet of the subject property;

2. Mailing labels for all persons having a lease with the D.C. Housing Authority, the owner; and

3. A letter requesting that the Zoning Commission waive the hearing fee.

Multiple copies will be submitted within the next two days. Copies will also be delivered by hand to the Office of Planning, the Department of Transportation and Advisory Neighborhood Commissions 6D and 6B. Additional documentation in support of the waiver of the fee will also be submitted shortly.

ZONING COMMISSION
District of Columbia
Case 03-12
Exhibit 19

ZONING COMMISSION
District of Columbia
CASE NO.03-12
EXHIBIT NO.19

As certified in the statement, all of the required information has been submitted and the case is ready for public hearing.

Sincerely,

Steven E. Sher
Director of Zoning and Land Use Services

Enclosures

WAS1 #1185109 v1

BEFORE THE

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

CAPPER/CARROLLSBURG HOPE VI PROJECT

RECEIVED
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PREHEARING STATEMENT

OF THE APPLICANTS IN SUPPORT OF PRELIMINARY AND CONSOLIDATED APPROVAL OF A PLANNED UNIT DEVELOPMENT AND ZONING MAP AMENDMENT

Zoning Commission Cases No. 03-12 and 03-13

May 27, 2003

PREFACE

This Prehearing Statement and attached documents (the "Prehearing Submission") are submitted by Capper/Carrollsburg Venture, LLC, the District of Columbia, the District of Columbia Housing Authority ("DCHA") and Square 769, LLC (collectively, the "Applicants"), in support of applications to the Zoning Commission for the District of Columbia for preliminary and consolidated review and approval of a Planned Unit Development ("PUD") and related Zoning Map amendment. Capper/Carrollsburg Venture, LLC, includes Mid City Urban, LLC and Forest City Enterprises. Eakin/Youngentob will be the builder of the fee simple townhouses, purchasing the lots from the Venture.

The subject property (the "Site") is located in the area generally bounded by 2nd Street on the west, 7th Street on the east, Virginia Avenue on the north and M Street on the south, all in the Southeast portion of the District of Columbia. The Applicants are seeking PUD approval and rezoning of parts of the Site to the CR District in order to redevelop the existing public housing on the site with: (1) a total of approximately 1,700 housing units of single family and high-rise and low-rise multi-family units, including market rate units, public housing replacement units and home ownership units under the Housing Choice Voucher Program; (2) approximately 702,000 square feet of office space in three buildings fronting on M Street; and (3) approximately 51,000 square feet of retail space on the first floors of the office buildings and the high-rise residential buildings.

The Applicants originally filed a PUD Statement and supporting documents, including architectural plans and drawings, on March 21, 2003 (the "PUD Submission"). The PUD Submission set forth in detail the proposed development, project design, public benefits and project amenities, and consistency with the Comprehensive Plan and Ward 6 Plan. This Prehearing Submission supplements the PUD Submission and responds to those issues raised by the Zoning Commission and the Office of Planning (OP).

As set forth below, this Prehearing Submission, along with the original PUD Submission, meets the filing requirements for an application for a PUD and related Zoning Map amendment under Chapter 24 of the District of Columbia Zoning Regulations and under Chapter 30 of the District of Columbia Zoning Regulations.

The Applicants seek consolidated approval for portions of the site, in order to proceed promptly with development of the project and to meet the schedule requested by DCHA. The balance of the project will be submitted to the Commission in one or more second-stage applications. The application for approval of the remaining residential sites would likely be filed within one year and approval for the office building sites would be filed within eighteen months.

DEVELOPMENT TEAM

Applicant/Developer:	Capper/Carrollsburg Venture, LLC 8403 Colesville Road, Suite 400 Silver Spring, Maryland 20910
Owners:	District of Columbia Housing Authority 1133 North Capitol Street, N.E. Washington, D.C. 20002-7599 Square 769, LLC c/o William C. Smith & Co., Inc. 1220 L Street, N.W., Suite 300 Washington, D.C. 20005
Developer of 250 M St., S.E.:	William C. Smith & Co., Inc. 1220 L Street, N.W., Suite 300 Washington, D.C. 20005
Master Planner:	Torti Gallas & Partners, Inc. 1300 Spring Street, 4th Floor Silver Spring, Maryland 20910
Architect of Low-Rise Residential:	The Lessard Architectural Group 8603 Westwood Center Drive Vienna, Virginia 22182
Architect of Senior Buildings:	Torti Gallas & Partners, Inc. 1300 Spring Street, 4th Floor Silver Spring, Maryland 20910
Landscape Architect:	EDAW, Inc. 601 Prince Street Alexandria, Virginia 22314
Civil Engineers:	VIKA 8180 Greensboro Drive, suite 200 McLean, Virginia 22102
Traffic Consultant:	O.R. George & Associates 10210 Greenbelt Road, Suite 310 Lanham, Maryland 20706-2218

Land Use Counsel:	Holland & Knight LLP 2099 Pennsylvania Avenue, N.W Suite 100 Washington, D.C. 20006

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CERTIFICATION OF COMPLIANCE WITH SECTION 3013 OF THE ZONING REGULATIONS

The Applicant hereby certifies that this application, twenty copies of which were filed with the Zoning Commission on May 27, 2003, complies with the provisions of Section 3013 of the Zoning Regulations as set forth below, that the application is complete.

Subsection	Description	Page
3013.1(a)	Information Requested by Commission	Prehearing Statement
3013.1(b)	List of Witnesses	Exhibit G
3013.1(c)	Summary of Testimony of Applicant's Witnesses and Reports for Record:	
	Michael P. Kelly D.C. Housing Authority	Exhibit H
	Vicki Davis and Harry D. Sewell Mid City Urban LLC Deborah Ratner Salzberg and Thomas Henneberry Forest City Enterprises	Exhibit H
	Robert Youngentob Eakin/Youngentob	Exhibit H
	Bradley Fennell William C. Smith Company	Exhibit H
	Cheryl A. O'Neill Torti Gallas & Partners, Inc.	Exhibit H
	Jack F. McLaurin, AIA The Lessard Architectural Group	Exhibit H
	Mark Pelusi, Jr. EDAW, Inc.	Exhibit H
	Cullen Elias O.R. George & Associates	Exhibit H

	Steven E. Sher, Land Planner	Exhibit H
3013.1(d)	Additional Information	Submitted herewith or with PUD submission
3013.1(e)	Reduced Plans	Previously submitted
3013.1(f)	List of Maps, Plans or other Documents Readily Available Which Will Be Offered Into Evidence	Exhibit I
3013.1(g)	Estimated Time Required for Presentation of Applicant's Case	Exhibit G
3013.2	Two Sets of Full-Sized Plans	Submitted herewith
3013.6(a)	List of Names and Addresses of All Property Owners Within 200 Feet of The Subject Property	Exhibit J
3013.6(b)	List of Names and Addresses of Each Person having a Lease with the Owner for All or Part of Any Building Located on the Property Involved in the Application	Exhibit K

The undersigned HEREBY CERTIFIES that all of the requirements of Section 3013 of the Zoning Regulations have been complied with. In accordance with Section 3013.8, this application will not be modified less than twenty days prior to the public hearing.

Respectfully Submitted,

HOLLAND & KNIGHT LLP

By: _____

LIST OF EXHIBITS

Description	Exhibit
Plans for the Preliminary PUD	A
Plans for the Consolidated PUD	B
Examples of Townhouse projects by Eakin/Youngentob	C
Distribution of Units by Square	D
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List of Names and Addresses of All Persons Having a Lease with the Owners of the Subject Property	K

I.
INTRODUCTION

This Prehearing Statement and attached documents (the "Prehearing Submission") are submitted by Capper/Carrollsburg Venture, LLC, the District of Columbia, the District of Columbia Housing Authority ("DCHA") and Square 769, LLC (collectively, the "Applicants"), in support of applications to the Zoning Commission for the District of Columbia for preliminary and consolidated review and approval of a Planned Unit Development ("PUD") and related Zoning Map amendment. The subject property (the "Site") is located in the area generally bounded by 2nd Street on the west, 7th Street on the east, Virginia Avenue on the north and M Street on the south, all in the Southeast portion of the District of Columbia. The Applicants are seeking PUD approval for the entire Site and rezoning of parts of the Site to the CR District in order to redevelop the existing public housing on the site with: (1) a total of approximately 1,700 housing units of single family and high-rise and low-rise multi-family units, including market rate units, public housing replacement units and home ownership units under the Housing Choice Voucher Program; (2) approximately 702,000 square feet of office space in three buildings fronting on M Street; and (3) approximately 51,000 square feet of retail space on the first floors of the office buildings and the high-rise residential buildings.

The Applicants originally filed a PUD Statement and supporting documents, including architectural plans and drawings, on March 21, 2003 (the "PUD Submission"). The PUD Submission set forth in detail the proposed

development, project design, public benefits and project amenities, and consistency with the Comprehensive Plan and Ward 6 Plan. This Prehearing Submission supplements the PUD Submission and responds to those issues raised by the Zoning Commission, when it set the case for hearing, and OP, in its report recommending that a hearing be scheduled.

II.
ISSUES/QUESTIONS RAISED BY THE ZONING COMMISSION

A. The Rowhouse Units

1. Overall Density

Eakin/Youngentob Associates, the townhouse component builder for the Applicants, specializes in high-density, urban townhouse development in the District of Columbia and its close-in suburbs. To date, Eakin/Youngentob has completed or has under construction four townhouse projects in the District that were built under the same general concept as the townhouses proposed for the Capper/Carrollsburg redevelopment. These include:

- The Courts of Chevy Chase - 43rd Street and Military Road, N.W. – twenty-nine townhouses on one acre (twenty-nine units per acre), approved as part of a planned unit development under the R-5-D District (completed);
- Capitol Square - 7th and G Streets, S.W. – ninety-three townhouses on 3.1 acres (thirty units per acre), also approved as a planned unit development under the R-5-B District (completed);
- Harrison Square - 13th and V Streets, NW – ninety-eight townhouses on 2.4 acres (forty-one units per acre), built as a matter-of-right under the Arts/CR District (completed); and

- Bryan Square - 14th and Independence Ave, SE – thirty-eight townhouses and thirty condominium apartments on two acres (thirty-four units per acre), also approved as a planned unit development under the R-5-B District (under construction)

These townhouse developments all feature fee-simple townhouses with rear-loaded, integral garages served by an alley. In many cases, the homes are built up to the right-of-way line and, in some cases, have bays which project into public space. By providing garages in the rear, the homes present front doors and stoops to the street, creating a pedestrian-friendly streetscape. Private outdoor space is provided with rear decks and in some cases, rooftop terraces. Some homes face onto landscaped courtyards that provide publicly visible and accessible green space.

By integrating garages into the ground floor of each townhouse and concentrating green space where it is publicly accessible, Eakin/Youngentob has been able to blend seamlessly with the surrounding community while also providing desirable density. While these new developments may appear to be dense from a plan or aerial perspective, to passersby and residents, they live and feel like traditional rowhouse neighborhoods. In fact, the provision of green space in courtyards, visible to the street, can often make these new development appear to be less dense than their traditional counterparts. Photographs of examples of the Eakin/Youngentob product are attached as Exhibit C.

The housing market has strongly accepted this type of townhouse product. The typical buyer of an urban townhouse is often attracted to the limited maintenance aspect of these homes, especially the reduced yard work. As a result,

the demand for Eakin/Youngentob's urban townhouses is often stronger than that for other types of existing homes in the same neighborhood.

In the case of the Capper/Carrollsburg redevelopment, this density is particularly important to ensure the replacement of low-income housing, since proceeds from the sale of the building lots will be used for that purpose, and to maximize that replacement in a desirable townhouse product. The density for the consolidated PUD equates to approximately fifty-one units per acre.

2. Distribution of Market Rate and Affordable Units in the Project

There are three income levels served by the proposed development. There will be 707 replacement public housing units, including 300 units in the Senior Buildings 1 and 2. A complete breakdown of the distribution of units by square is attached as Exhibit D.

3. Effect of Private Streets and Alleys

Sheet T-1.0 of the plans for the Preliminary PUD (Exhibit A), shows the extent of public and private streets throughout the PUD and the location of public alleys to be closed. All other vehicular access ways throughout the low-rise portion of the project will be private driveways which are not counted in building area for the purpose of determining percentage of lot occupancy. The percentage of lot occupancy by square for the R-5-B squares, including all the consolidated PUD and the one other Square (882) which contains low-rise residential units, is as shown in the following table:

Square	Buildable Land Area with Private Alleys	Buildable Land Area with Public Alleys	Proposed Building Area	Lot Occupancy with Private Alleys	Lot Occupancy with Public Alleys
797	42,508	34,642	25,788	60.67%	74.44%
798	77,414	63,656	41,384	53.46%	65.01%
799	66,739	54,770	34,492	51.68%	62.98%
800	44,248	41,198	23,752	53.68%	57.65%
824	39,364	30,589	22,512	57.19%	73.60%
825	49,345	40,146	31,188	63.20%	77.69%
S825	60,984	55,753	39,627	64.98%	71.08%
880	44,917	41,819	32,582	72.54%	72.54%
W881	36,551	36,551	18,000	49.25%	49.25%
882	80,114	68,115	39,924	49.83%	58.61%
TOTAL	542,183	467,239	309,249	57.04%	66.19%

If the private driveways were dedicated as public alleys, the area of the site would be reduced by 74,944 square feet. The overall percentage of lot occupancy, excluding office buildings, with the reduced land area would be as follows:

Zone	Land Area	Building Area	Lot Occupancy
R-5-B	467,239	309,249	66.19%
CR	205,833	76,182	37.01%
C-3-C	70,733	51,735	73.14%
ALL RES.	741,371	437,166	58.77%

4. Parking Spaces

The parking plan (Sheet T-3.0 of Exhibit A) is diagrammatic in its representation of the location of parking spaces. There will be a total of 1,396 off-street parking spaces for approximately 1,700 residential units. The R-5-B District requires one parking space for every two units and the CR District requires one parking space for every three units. The number provided will be substantially in excess of the minimum required (a total of 685 spaces) and, as evaluated by O.R. George & Associates, will be sufficient to serve the needs of the project.

Depending upon the width of the townhouse, houses shown with two spaces either have the spaces side-by-side or in tandem. Any units with tandem spaces are

located on lots to be sold to an owner in fee simple; both spaces would therefore be available to and under the control of the same owner.

5. Exterior Materials

The materials to be used in the exterior of the townhouse units are shown on sheets 11.0 through 11.5 of the plans for the Consolidated PUD, attached as Exhibit B. The Applicants propose variety in the façade materials, such that there will be brick and siding in various combinations, yet to be determined, within groups of buildings.

B. Open Space

The Project contains a variety of park spaces that are distributed throughout the site. Of the 26.8 acres included in the project area, there are 5.5 acres of landscaped public space. Though the existing public housing has extensive open space as well, this space is not conducive to public safety. The existing open space is located behind buildings hidden from view. The space is not divided into private yards in which individuals can control the activities in them. Instead, it is unsupervised space that is seldom used and that is at times cover for illicit activities.

Unlike the open space of the existing public housing, the new parks are located out in front of the buildings where the residents and passers-by can monitor the activities going on. The parks are lined with the front doors and living room windows of the new homes so that there are eyes on them. In addition, the new parks offer specific uses for the residents. Following is a description of the principal spaces in the project. Depictions of these open spaces are attached as Exhibit E.

Parade Ground & Playfields (2.5 acres)

Located adjacent to the new Marine Barracks and Virginia Avenue, the playfield is designed to accommodate football, baseball, basketball and other field activities. Though this land, owned by the District of Columbia Housing Authority, will be transferred to the ownership of the United States Marines, the fields will remain open to the public. A written agreement will ensure that the fields will remain open for public use.

Canal Blocks Park: (2.5 acres)

Located between 2nd Street and 2nd Place, S.E., the site is currently used for the parking of school buses. The area is located within the PUD boundaries, however its design and construction will be implemented by the District of Columbia and affiliated private organizations. Though specific designs are still under consideration, the area will be completely re-landscaped with trees, lawn, and fountains. The park will be lined with apartment buildings, retail shops, and businesses. A Canal Park Development Association has been established and $2.5 million for construction has already been raised (see more detailed discussion in Item II G, below).

Community Center Park (0.29 acres)

The community center will provide structured programs for residents and local children. A landscaped park and hardscape play area will be provided for the use of the community center.

Residential Parks

Smaller residential parks are provided in the site plan, as follows:

1) At L and 3 1/2 Street, Square 800: 92 feet x 85 feet; and

2) Virginia Ave and 3rd & 4th Streets, Square 797: 156 feet x 55 feet

While these parks are open to the public, their intimate scale will foster a mingling of the local residents. They are landscaped with walks, benches, and ornamental plantings.

Private Open Space

In addition to the public open spaces, the Project contains several private open spaces throughout. Two of the apartment buildings lining the Canal Blocks Park will have landscaped courtyards in the rear on elevated terraces. The condominium building will also have a roof deck. The two Senior Buildings will each have private courtyards. Many of the townhouses are grouped around small landscaped courts. The townhouses are set back from the curb but generally are on the property line, in typical Washington rowhouse fashion. As a result, each town house has approximately a sixteen foot deep front yard.

C. Senior Building 1 and Sale of a Portion of the Site to the Marines

As noted in the application and in the report of the Office of Planning, the Applicants intend to proceed with construction of Senior Building 1, located on the east side of 5th Street between Virginia Avenue and K Street (Square 880, lot 25) as a matter-of-right under the R-5-B District. Lot 25 presently contains 87,250 square feet and the proposed building meets all the standards of the R-5-B District. The Applicants will sell a portion of the land to the U.S. Marine Corps, reducing the remaining area to 44,917 square feet. On its own lot, the building would exceed the FAR (2.85) and lot occupancy (73%) normally permitted in the R-5-B District (1.8

and 60%, respectively). As part of the PUD, the buildings would be combined with all the other property and would be within the overall limits of both FAR and lot occupancy.

D. Comprehensive Plan Land Use Map

The Generalized Land Use Map adopted as part of the Comprehensive Plan shows that most of the Project is included in the medium density residential land use category. The DPW site at New Jersey Avenue and I Street and the southern half of the blocks between L and M Streets and 2nd and 3rd Streets are included in the medium-high density commercial category. The site of the recreation center is included in the parks, recreation and open space category. The Generalized Land Use Policies Map includes the project area in a housing opportunity area.

The proposed Project is consistent on an overall basis with these land use designations. The overall FAR for all residential uses on all the property included is 2.21, which falls between the matter-of-right levels of the R-5-B and R-5-C Districts. The overall FAR for all retail and office uses on all the property included is 0.80, less than the matter-of-right density in the lowest density commercial zone. The office density is concentrated in two locations along M Street, at 2nd Place next to the Canal Blocks Park and across from the Navy Yard. Retail uses are also proposed on the ground floor of apartment buildings facing the Canal Blocks Park. As explained in more detail below, the commercial component of the Project is an essential supporting element of the proposed development, which helps to underwrite the entire residential program. The locations selected for the commercial development are the most logical places for commercial uses,

considering all planning criteria, and have the least impact on surrounding development.

The program for the Project is also consistent with the overall policy guidance of the written elements of the Comprehensive Plan. The Applicants' land planner will present a detailed analysis of consistency with the Comprehensive Plan in his report to be presented at the public hearing.

E. Hope VI Requirements

The HOPE VI Program, originally known as the Urban Revitalization Demonstration Program, was developed as a result of recommendations by the National Commission on Severely Distressed Public Housing, which was charged with proposing a National Action Plan to eradicate severely distressed public housing. The Commission recommended revitalization in three general areas:

- physical improvements,
- management improvements, and
- social and community services to address resident needs.

As a result, HOPE VI was created by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1993 (Pub.L. 102-389), approved on October 6, 1992. The HOPE VI program serves a vital role in the Department of Housing and Urban Development's efforts to transform public housing.

The specific elements of public housing transformation that have proven key to HOPE VI include:

- Changing the physical shape of public housing;

- Establishing positive incentives for resident self-sufficiency and comprehensive services that empower residents;
- Lessening concentrations of poverty by placing public housing in non-poverty neighborhoods and promoting mixed-income communities; and
- Forging partnerships with other agencies, local governments, nonprofit organizations, and private businesses to leverage support and resources

Any Public Housing Authority that has severely distressed public housing units in its inventory is eligible to apply.

HOPE VI Revitalization Grants fund:

- Capital costs of major rehabilitation, new construction and other physical improvements;
- Demolition of severely distressed public housing;
- Acquisition of sites for off-site construction; and
- Community and supportive service programs for residents, including those relocated as a result of revitalization efforts.

The HOPE VI program does not seek to impose Federal mandated design and construction standards akin to conventional public housing, but rather provides guidelines in these areas. The HOPE VI program supports and encourages applicants to follow the principles subscribed to by the Congress on New Urbanism (reknitting neighborhood streets, introducing defensible space and pedestrian friendly environments) but leaves building design and land use decisions to local convention.

The emphasis of HOPE VI is the de-concentration of distressed public housing properties and the populations they house. The introduction of a mix of incomes is integral to this. As a result, development boundaries may be on-site or extend off-site. The redevelopment of affordable housing using HOPE VI funds is limited by total development cost caps and the amount of additional funds leveraged. As such, there is no minimum number of affordable replacement units required by the HOPE VI program. While most HOPE VI redevelopment around the country results in a reduction of public housing units, the Capper Carrollsburg HOPE VI is unique in its one-for-one replacement of public housing units.

F. Community Center

The Community Center represents one of the public benefits offered by the Capper-Carrollsburg redevelopment. The projected 18,000 square foot facility is expected to serve the spectrum of recreational, educational and community needs of the new households. The Community Center is strategically located across the street from the Van Ness School and adjacent to the new Marine sports field in order to provide a synergy for the full integration of public amenities.

Although the programming of the facility remains in the planning stage, integral to the needs of the community and the economic viability of such a facility is the provision of child daycare services. It is also contemplated that the facility may house a gymnasium, exercise room, reading room, computer technology center; administrative office space for supportive services and a multipurpose auditorium. An adjacent fully accessible playground for infants and children is also envisioned with the requisite swings, slides and other playground equipment.

The budgeted cost of the community center is $3 million. The source of funds are proceeds from the sale and lease of DCHA land to the developer. The Community Center is scheduled for a construction start in January, 2005, and completion in December, 2005. The DCHA will own the improvement and likely lease it to a third party to manage and maintain, as it did in another HOPE VI project.

G. Canal Blocks Park

The Canal Blocks Park comprises Federal Reservations 17 B, C and D between 2nd Street and 2nd Place and I and M Streets. The three parcels are owned by the United States and are under the jurisdiction of the District of Columbia for recreation and related purposes. The property is currently utilized as bus parking for the D.C. Public Schools.

It is expected that the Canal Blocks Park will recognize the historic tradition of the canal by creating a beautiful, open green space featuring a series of rectilinear pools with fountains, lights, music, pathways and landscaping. The objective is to create a lively, animated, vibrant welcoming space that becomes the social gathering place and focal point for the residential and commercial development that is underway in this emerging growth corridor. Constructed and maintained under the auspices of the D.C. Department of Parks and Recreation, the Canal Blocks Park will support the neighborhood and serve as a vitally important link between Capitol Hill and the Southeast waterfront.

The Canal Park Development Association (CPDA) is a non-profit entity authorized by Act of Congress established to work in a joint public/private

partnership with the Government of the District of Columbia for the purpose of promoting, fundraising, designing, constructing, and maintaining the Canal Blocks Park. Current board members of CPDA include representatives of William C. Smith & Co. and Spaulding and Slye Colliers on behalf of four of the nine separate landowners contiguous to the Canal Blocks Park. Membership is open to representatives of the remaining contiguous landowners, as well as public entities actively participating in the revitalization of the District's near Southeast. The CPDA has received commitments to join the board from the JBG Companies, as developer of the U.S. Department of Transportation headquarters, and Capper/Carrollsburg Venture LLC. Valhal Corporation, developer of Square 741, is currently considering participation in the CPDA.

The CPDA has received $5,462,000 to date in contributions and commitments for the Canal Blocks Park. The CPDA has deposited $2,500,000 in funds received from Congress through the Fiscal Year 2003 Appropriations Act (P.L.108-7). The JBG Companies, in conjunction with its development of the U.S. Department of Transportation headquarters building, has pledged $2,500,000 for development of the Canal Blocks Park. William C. Smith & Co., Inc., in conjunction with the development of four parcels contiguous to the Canal Blocks Park, has pledged $325,000 to CPDA. Mid City Urban LLC and Forest City Enterprises, through their participation in Capper/Carrollsburg Venture, LLC, have pledged $137,000 to CPDA. Other opportunities for financial support include the Valhal Corp, developer of residential and hotel units on Square 741, as well as the eventual developers of the District-owned DPW site on Square 739. Lastly, the OP has committed an

unspecified amount of funds through a matching NEA grant that can be used to hold a public design competition.

The CPDA has requested a right of entry to allow for site documentation and infrastructure investigation. Included in this general characterization of the site will be: (1) site survey; (2) topography; (3) mapping of existing area utilities; (4) Phase One environmental review; and (5) geotechnical report. The CPDA has hired an architectural consultant to write and administer a public RFQ/RFP process for an open competition for the design of the park. The OP has received a draft of the RFQ, and CPDA is awaiting its response. The CPDA is seeking to qualify up to three firms to complete final conceptual drawings and construction estimates. By the end of this concept phase, CPDA will have three complete designs to evaluate for scope, content, and budget.

The CPDA's schedule for proceeding with the Canal Blocks Park is as follows:

- Enter into agreement on MOU process by June, 2003.
- Move buses by July, 2003.
- Complete preliminary assessments by July, 2003.
- Erect signage by August, 2003.
- Complete MOU by October, 2003.
- Complete conceptual design phase by November, 2003.
- Complete design documents by, April 2004.
- Complete construction by May, 2005.

H. LSDBE/First Source Implementation

In addition to meeting the Federal requirements under the Section 3 program, as described in the statement in support of the applications, the DCHA will require that the developers enter into agreements regarding the use of LSDBEs and the First Source Employment Program of the D.C. Department of Employment Services. At the public hearing, the Applicants will submit for the record a matrix

showing the expected number and types of jobs and the approximate time frames when those jobs will be available. This information will be similar to the kind of information which other applicants have submitted for PUDs.

I. Office Buildings as Component of Overall Project

Two dynamics drove the planning for the successful submission of the HOPE VI grant application for the Arthur Capper and Carrollsburg developments. One was the need to address the distressed conditions of three public housing properties: Arthur Capper Family housing, Arthur Capper Senior housing and Carrollsburg Family housing. The second was how best to do so and maintain the existing number of public housing units given limited Federal capital funds. The potential success of the Capper/Carrollsburg redevelopment is predicated on the location of the project and the underlying market value of the land (based upon location)

The Near Southeast is undergoing an unprecedented transformation. In sheer size, development planned and underway is two to three times larger than Harbor Place in Baltimore, Maryland and Battery Park in New York City, both notable mixed-use waterfront development projects. Between the Capper/ Carrollsburg HOPE VI, the Southeast Federal Center and the new U.S. Department of Transportation Building, approximately seventy-five acres will be redeveloped.

Because of its proximity to Capitol Hill to the north and the Southeast Federal Center and the U.S. DOT building to the south, the Capper/Carrollsburg location has the potential to attract market rate commercial and residential development. Office buildings have already begun to line M Street, the project's

southern boundary and the District's tight housing market is the impetus for increasing supply at all price levels. Indeed, with its "in-town" location, easy access to highways and service by public transportation (bus and subway) the Capper/Carrollsburg site offers the essential elements for those who choose to reside in an urban setting.

The real estate axiom "location, location, location" is the significant factor in determining market value and, ultimately, price. The concept integral to the ultimate goal of the HOPE VI project, one-for-one replacement of existing public housing units, called for converting the market value of the land into the dollars necessary for reconstruction of 707 units of public housing. This, in turn, dictated that the plan seek the "highest and best use" for the project site.

M Street, with its developing commercial uses, plays a key role to the success of the overall plan. A successful plan will provide a new pedestrian oriented Main Street and thriving commercial corridor along M Street. With the completion of the 80 M St and 300 M St office buildings and the current construction of 140 M St, the office component exists today. The new DDOT headquarters and current master plan for the Southeast Federal Center include an additional concentration of office space along the M Street corridor. The alignment of the 600 block office buildings directly across from the Navy Yard the exemplifies the appropriateness along this emerging commercial corridor. Taller buildings, as mentioned above, are placed along the Canal Blocks Park as well as along M Street, creating a compatible setting with existing office uses and a size and scale of building appropriate to the M Street right-of-way. This plan maintains a pedestrian friendly residential

neighborhood, consistent with the blocks of Capitol Hill today in the interior portion of the development.

As a burgeoning commercial corridor, M Street is the most logical location for office space on the Capper/Carrollsburg site and a logical and effective location for ground floor retail. Commercial square footage can generate a significantly higher dollar value for land than residential square footage. The multiplier effect of having a commercial component as part of the HOPE VI project allows DCHA to maximize the value of this land, generating a large portion of the funds required for public housing replacement.

The same principle applies to the residential components of the project and the requisite density. Sale of building lots for market rate housing will also contribute to the funds necessary for replacement of public housing units. In order to maximize the dollars that can be generated, the site has to be developed as efficiently as possible. Part of this is due to the commitment to spread the public housing through all residential components so as not to have any single area identifiable as "low income". Since there is no market value attributable to the land on which the public housing units are built, this effectively limits the land area available for capitalization.

In summation, the location of the Capper/Carrollsburg site has the potential to attract market rate commercial and residential development. The "highest and best use" of the site will generate the dollars necessary to replace the public housing being demolished. This dictates that the site be developed in a manner and at a

density that converts the land value into sufficient cash to subsidize the construction of the public housing.

The Hope VI grant from the Federal government for Capper/Carrollsburg is $35 million. This money is being used to leverage another $400 million in public and private investment. Of this amount, an estimated $33 million will be attributable to proceeds from the land value of public housing land. The location of the 600 block office buildings is the most economically feasible site for the office component, given its proximity to the Navy Yard and its frontage on M Street. The proceeds from the land value of this office space, estimated at approximately $16 million will be reinvested into the community for housing and economic development activities. The construction of the office space will be the economic engine for the community redevelopment.

J. The Van Ness School

Administrators of the District of Columbia Public Schools (DCPS) have been privy to the planned redevelopment of the Capper/Carrollsburg community since the submission of the HOPE VI application in June, 2001. Throughout the planning process, members of the development team have kept DCPS personnel abreast of the status of the redevelopment of the site.

The DCPS uses a "tier" system to prioritize capital improvements at its facilities. The first three tiers represent the highest priorities indicating improvements underway or ready to begin in the fiscal year, improvements in the design or educational specifications stage and facilities where educational

specifications are being defined as a prelude to building design. The Van Ness School has no projects in the first three tiers at the present time.

The development team will continue to apprise DCPS of progress on the redevelopment and ways to best integrate the school into the overall site plan.

K. Non-Owned Properties

The DCHA development team has identified for acquisition twenty privately-owned properties. None of these properties are included in the consolidated PUD. The Applicants will own or have control over the privately owned properties before those properties are submitted to the Commission for second-stage review and approval.

Twelve of the properties are not owner occupied. Five of these properties are limited to the acquisition of rear yard space. The privately held properties are on-site within the redevelopment footprint. A majority of the private properties are small two-story rowhouse structures built circa 1890 - 1920. Acquisition and demolition of these structures are considered essential to achieve the densities required in order to accommodate the on-site public housing program unit count.

The schedule for private property acquisition is based on the ability to negotiate the amicable purchase of the subject properties. The development team is having appraisals prepared, to be followed by negotiations with property owners. The process will follow the acquisition and relocation requirements of the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act pursuant to 49 CFR 24 Subpart A-E. Relocation assistance includes payment for moving and replacement housing expenses (i.e. difference between cost of replacement and

displacement dwelling). The District has the authority to acquire the property by condemnation, if amicable arrangements for purchase cannot be concluded.

The proposed sources of funding for acquisition are private development funds and HOPE VI funds. The projected cost of acquisition is estimated at $1.8 million.

III.
ISSUES/QUESTIONS RAISED BY THE OFFICE OF PLANNING (OP)

A. Overall Development Goals and Design Principles

1. Background

The revitalization of the Arthur Capper Senior and Family Housing and the Carrollsburg Housing creates a physically and socially vibrant neighborhood out of an existing distressed public housing site. The revitalization of the existing site will be carried out through the auspices of the Department of Housing and Urban Development's HOPE VI program as administered by the DCHA.

The Capper/Carrollsburg site is bounded by the Southeast Freeway and Virginia Avenue to the north, 7th Street to the east, M Street to the south, and the city school bus parking lots along 2nd Street to the west. L Street, K Street and I Street run east/west through the site and 2nd through 5th and 7th Streets run north/south. Other parcels within this project area, but outside of the project scope, include the Van Ness Elementary School, the office building at 300 M Street, the Carroll Senior Apartments and the Marine Corps housing site, which has athletic fields that will be shared with area residents.

The Near Southeast neighborhood is isolated from the Capitol Hill neighborhood by the elevated Southeast Freeway to the north. The Navy Yard and

its masonry wall along M Street have also isolated the neighborhood from the Anacostia River to the south. The Capper/Carrollsburg site is located within the heart of this area. Seen in the context of this geography, the placement of multiple public housing projects next to the industrial areas of the Navy Yard and adjacent federal sites in the 30's to 50's is not surprising. These projects include the Arthur Capper senior tower, the Arthur Capper family homes and the Carrollsburg apartments on-site, as well as the Carroll Senior apartments, Potomac Gardens apartments project, the Hopkins Court apartments project and the former project at the Ellen Wilson HOPE VI site, all off site. The critical mass of all of these adjacent DCHA communities has historically burdened the Southeast Capitol area with an inordinate concentration of the city's poor. The revitalization of these communities provides the critical mass necessary to help turn the fortunes of the broader Southeast Capitol area.

The area surrounding the site is currently undergoing dramatic changes. The Navy Yard is going through a major redevelopment and expansion of more than 10,000 new enlisted and civilian employees. The Southeast Federal Center (SEFC), immediately west of the Navy Yard, is expected to undergo a major redevelopment in the next 5 years, with significant amounts of office, residential and open space development along the Anacostia River. The SEFC transformation will allow for direct access to the river from both 3rd and 4th Streets. Immediately west of the site, the three block long existing school bus parking lots on 2nd Street will be turned into the Canal Blocks Park. The western side of the new park will be lined with high-rise office and residential building that will have ground floor retail. Immediately

to the north of the freeway between 6th and 7th Streets is the newly constructed Ellen Wilson HOPE VI project.

The existing strengths of the Near Southeast area include its adjacency to the historical Capitol Hill housing to the north with its strong neighborhoods and traditional urban fabric. The adjacency to Van Ness School and several other schools with playgrounds, and Garfield Park to the north of the site provide safe recreational space and quiet space for residents of all ages. As part of the greater Anacostia Waterfront master plan being developed by OP, Capper/Carrollsburg will be central to a redevelopment that will link Capitol Hill to the river and several newly planned parks and waterfront amenities. Immediate adjacencies to the Navy Yard and Marine barracks will provide opportunities for resident jobs and for mentoring opportunities provided by these military services.

The Capper/Carrollsburg site is also well served by the Green Line of the Metro Subway system, which has a stop at the Navy Yard at the intersection of New Jersey Avenue and M Street. This subway route is well used by residents in the surrounding neighborhoods for connections throughout the District of Columbia and its environs. Bus lines also connect this neighborhood to Capitol Hill and other connecting routes throughout the region along M Street, 8th Street and Virginia Avenue. All of these transit modes make the Capper/Carrollsburg site ideal as a Transit Oriented Development.

All of the inherent challenges, strengths and opportunities of the Near Southeast neighborhood inform the planning of the Capper/Carrollsburg HOPE VI redevelopment proposal. This proposal attempts to not only link the spirit and

fabric of the Capper properties to the Carrollsburg property, but it will connects them both to their wider community and city.

In mid May, 2001, DCHA hosted a three day charrette, or intense work session, at the Carrollsburg Community Center to incorporate the concerns of all stakeholders into a physical plan that serves as the Master Plan blueprint for the HOPE VI revitalization grant application. The architecture and urban design firm of Torti Gallas and Partners ~ CHK, Inc. facilitated the charrette. Residents of the Capper/Carrollsburg community, residents of the broader Capitol Hill neighborhood, representatives of OP, the District Department of Transportation and the development team of Mid-City/Forest City contributed to the process. The fruits of that process are documented here.

2. Housing types

The housing types employed in the site plan are necessarily tied to the goals of the plan: 414 units in a predominantly single and stacked townhouse configuration, 549 apartment units and 300 senior apartment units. The apartments are created in order to maintain a significant townhouse/rowhouse strategy for the larger family units (mainly three and four bedrooms).

The townhouses tie this neighborhood into the Capitol Hill fabric to the north and allow the new development to maintain a one for one unit match throughout the neighborhood. Stacked units designed to look like single townhouse/rowhouse types make up the balance of the two and three bedroom units. These units all have individual entries and are stacked in no more than two units per footprint. Rearranged ground floors of some of these units and additional three and four

bedroom units would provide the needed accessible plans for the physically disabled. Most of the wider individual townhouse footprints will allow the introduction of an integral rear access garage, in further response to market demand. All of the townhouse/rowhouse types will be designed in a similar style that will create cohesive well designed blocks.

Three apartment buildings six stories and eleven stories in height face the Canal Blocks Park at 2nd Place. These denser housing types accommodate the majority of the one and two bedroom units and, in ground floor units, provide for the required accessible units of all bedroom sizes. Each of the ground floor one and two story units will be accessible directly to the street with internal unit stairs where needed. The upper floor units will be accessed from centrally located lobbies. There will be two senior buildings at four stories each with ground floors that are dedicated to resident gathering spaces and a medical clinic. All of the senior units will be one and two bedroom units accessed off of an elevator lobby.

These housing types not only respond to plan configurations that meet market demand, their elevations respond to the Capitol Hill context in their scale, proportion and detail. The elevations produce streetscapes that fit in with the immediately recognizable residential character of the best Washington neighborhoods.

3. Site plan

The program for the Capper/Carrollsburg revitalization is very aggressive and represents a significant challenge for the plan. The urban design concept is of a townhouse community that is similar to Capitol Hill that extends south from

Capitol Hill to L Street. This approach maintains the concept of a neighborhood where families have there own front door, and home and it tries to avoid arranging large families in stacked units. This townhouse community is then lined by larger 110 feet buildings along the busier M Street and along the new public Canal Blocks Park amenity along 2nd Street. The taller buildings on M Street are primarily office buildings with ground floor retail. The heart of the retail development is located along the Canal Blocks Park on the ground floor of apartment buildings. The Park location takes advantage of the potential for retail redevelopment centered around the Metro subway stop at M Street and New Jersey Avenue.

The physical limitations of the site's capacity and the L'Enfant street setbacks make the program of 414 townhouse units difficult to achieve. The additional programming of 549 apartments, 732,000 square feet of office space and 51,000 square feet of retail and the resultant need for parking further contribute to a site that wants to be denser than a townhouse or stacked townhouse community. The specific needs of the Marine Barracks and parking facility also exert density pressures on the plan. The 1,323 units represented on the final plan come as close as possible to the unit target.

A new 18,000 square foot community center is planned for the center of the site along 5th Street between K and L Streets. The center creates a transition between the heart of the new residential community and the Marine athletic fields to the east. These fields will be fully accessible to the surrounding residential communities and together with the community center will provide activities for all ages all day and night. The community center is a five minute walk to any edge of

the Capper/Carrollsburg development. This dimension is the standard size of a well designed neighborhood and is the basis of all "New Urbanist" neighborhood configurations.

The Canal Blocks Park will be the centerpiece of the Capper/Carrollsburg community and will be the focus of all new mixed-use, mid- to high-rise development at the Southeast Federal Center and along New Jersey Avenue. The park will occupy the three vacant lots, which historically formed a portion of the old D.C. canal system. It will act as a focus to the surrounding residential, office, retail and hotel uses. The size of the space and its central location to all the new Southeast Capitol development is intended to allow for a wide variety of uses including passive recreation, exhibitions, concerts, festivals, kiosk retail, cafes, etc. These uses will vary depending on the uses of the ground levels of all the surrounding buildings. The addition of a sequence of waterways in the three-block park acknowledges the original historical canal and allows for quiet strolling and seating areas.

4. Street design

Traditional streets are an important component of healthy neighborhoods and livable communities. Traditional streets promote pedestrian activity and allow for safe interaction between the pedestrian and automobile. Putting more people outside slows traffic and enhances neighborhood security. As more people meet, make friends, and share information, neighborhood bonds are strengthened and people watch out for each other. Over time, parents feel more comfortable about allowing their children to be outdoors more often, and they permit children to walk

or bike to many of their favorite destinations. These attitudes foster activity and personal interaction that benefit the physical and emotional health of children, seniors and every resident who plays a part in creating a truly safe and dynamic neighborhood. In many of the historical neighborhoods of Washington, DC these kinds of great traditional, pedestrian friendly streets are already in existence.

The Local Government Commission Center of Livable Communities estimates from recent polling that over fifty percent of all Americans want to live in village-style neighborhoods, compared to twenty-two percent that want to live in conventional suburbs. Likewise, two out of every three people looking to buy or lease a home list strong neighborhoods as the number one priority.

People walk more when the streets connect destinations along logical routes. Planning for the pedestrian begins with the creation of an interconnected network of streets, midblock passages, alleys, pocket parks and trails that provide lots of options for reaching any particular place. Blocks should be small, so pedestrians can get across and around them quickly. At the Capper/Carrollsburg development the existing street grid network of the original L'Enfant plan will be carried from the Capitol Hill neighborhoods through the redeveloped site. Small parks, courtyards and civic buildings are interspersed throughout the plan to create linkages across the plan.

B. Inclusion of the Community Center

As requested by the OP and agreed to by the Applicants, the plans for the preliminary PUD have been revised to include the property to be occupied by the community center on the east side of 5th Street between K and L Streets, Square

W881 (also known as Reservation 19), that part of lot 800 within 132 feet of 5th Street. The community center would have a total gross floor area of approximately 18,000 square feet and a lot occupancy of approximately 49%. The building would not exceed one story and approximately twenty-five feet in height.

C. Reservations 17 A, B, C and D

The plans and computations filed with this submission continue to show Reservations 17 A, B, C and D included within the project. Reservation 17A is shown as part of the development on Square 739, which is the site formerly used by the D.C. Department of Public Works as a transfer station. As proposed, this site would be developed with an apartment house, with ground floor retail, to a maximum height of 130 feet. This property is zoned C-3-C and that development is permitted by the current zoning. Reservations 17 B, C and D are located between 2nd Street and 2nd Place, from I to M Streets, and would be devoted to the Canal Blocks Park, described in more detail in Item II G, above.

The Applicants believe that jurisdiction over these Reservations has been transferred to the District Government and that the properties can appropriately be included in the PUD for the purposes proposed. However, the Applicants will continue to work on this issue with OP and will update the Commission as to any changes which may result from those further discussions.

D. 2nd Place and 6th Street

The Applicants have met with representatives of the District Department of Transportation (DDOT) and have continued discussions with representatives of OP. The Applicants understand that it is the general preference of DDOT that both 2nd

Place and 6th Street ultimately become public streets under the control of DDOT. As shown on the plans (Sheet T-2.0 of Exhibit A), 6th Street will have a right-of-way of seventy feet, with sixteen foot sidewalks on each side, and a thirty-eight foot cartway accommodating two-way traffic with one travel lane in each direction with parking on each side. 2nd Place will have a right-of-way of forty-five feet, with a twenty-one foot sidewalk on the east side and a twenty-four foot cartway accommodating two-way traffic with one travel lane in each direction with parking on the east side.

The plans and computations submitted with this statement show 6th Street as a public street and 2nd Place as a private street. The Applicants will continue to discuss this issue with DDOT and OP and expect to resolve this issue prior to the public hearing. To the extent that the resolution requires any changes in the computations, the Applicants will submit revised computations reflecting the changes.

E. Public and Private Roadways

Subsequent to the Zoning Commission's decision to set these applications for hearing, the Applicants met again with representatives of DDOT and OP to review the circulation plan and the transportation issues raised in the OP report. The street and alley closings, as well as the proposed new streets and alleys were generally acceptable to DDOT. As noted above, the Applicants understand that DDOT's general preference is that the streets now shown as private streets should be public streets under DDOT's control and built to DDOT's specifications. The

Applicants will continue to discuss that issue with DDOT with the expectation that they will reach an agreement with DDOT prior to the hearing.

DDOT uses a condition paving index (CPI) to prioritize street repaving projects. Using the CPI, streets in worse condition receive priority for repaving. The Applicants and DDOT agreed to review the overall phasing of the Capper/Carrollsburg project vis-à-vis the CPI for streets in the project area. This will allow the Applicants to coordinate utility installation and street improvements with DDOT's schedule of planned improvements.

The Applicants also agreed to review the design guidelines in the consolidated PUD area to see if the development budget will allow for enhancements to the guidelines presented, particularly to see if sidewalk paving and treatment can be enhanced. This will largely be a result of the coordination effort previously mentioned and an assignment of responsibility, and costs, for utility construction and street improvements in the project area.

The preliminary PUD includes part of Square 739 and Reservation 17A, the block bounded by New Jersey Avenue and K and 2nd Street and I Street extended. This development parcel, the former DPW transfer station, requires consolidation and reconfiguration from the existing condition. The property is under the jurisdiction of the District of Columbia, so it will be the District's responsibility to determine how and when I Street will be connected through from 2nd Street to New Jersey Avenue. The OP has advised the Applicants that, due to the continuing uncertainty regarding the future use and development of this site, OP may wish to

remove the site from the PUD. The Applicants will continue to discuss this matter with OP and will update the Commission on the status.

F. Low Impact Development

Stormwater management for the Project will be implemented on each square individually within the entire PUD limits. For the sites that have proposed office or apartment buildings, the primary stormwater management treatment system will be a structural sand filter located within the garage or below the on-site entry drive. These systems will provide both water quality and quantity control. For the sites that include townhouses, a combination of treatment systems will be utilized. The proposed storm water management alternatives have been selected with low impact development techniques in mind and will include bioretention areas (where practical and feasible, depending on the soils), filtera structures (bioretention tree box filters), storm filters or other structural best management practices or other low impact development practices as determined to be feasible on each individual square.

G. Benefits and Amenities

The Zoning Regulations require the Zoning Commission to "judge, balance and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case." 11 DCMR 2403.8. In its original statement the Applicants identified benefits and amenities in five major categories: (1) housing and affordable housing; (2) urban design, architecture, landscaping and open space; (3) transportation features; (4) social services and

other uses of special value to the neighborhood; and (5) employment and training opportunities. These benefits and amenities are balanced against limited flexibility requested, to provide a height of 110 feet along the Canal Blocks Park and for the office buildings on M Street, to average the FAR and lot occupancy across the site, with some sites higher and some lower but with the aggregate well below the maximums permitted and to not meet the side yard requirements for one building.

The OP requested the Applicants to address certain additional issues, as follows:

1. Relationship of particular amenities to the flexibility requested.

The single largest benefit to the area, and the city as a whole, is the creation of a new mixed-income, mixed-use community replacing one of the city's most severely distressed public housing developments. The one-for-one replacement of public housing units will maintain affordable housing opportunities and the infusion of market-rate housing will bring middle income families to an otherwise economically depressed area. The increased height enables the Applicants to use market rate apartments and commercial office space to leverage the amount of public housing units to be provided.

Similarly, the aggregation and FAR and lot occupancy allows the Applicants to provide significant public open space while at the same time creating a dense urban residential fabric, mixing affordable and public housing units with market rate units throughout the project.

2. Recreation and open space

The public open spaces provided in the project are described in detail in Item II B.

3. Community Center

The Community Center is described in detail in Items II F and III B.

4. The relationship of commercial office space to the affordable housing.

The leveraging effect of office space is described in detail in Item II I.

5. The Canal Blocks

The Canal Blocks Park is described in detail in Item II G.

6. Open Space in Squares 797 and 800

The open space in Squares 797 and 800 is described in detail as part of Item II B. These spaces will remain open to the public without restrictions on access. There will be no gates or fences surrounding these spaces, and they will appear and exist as extensions of the public space.

7. Public Access to the playing fields on Reservation 19

In March, 1999, the DCHA executed with the US Marine Corps a Memorandum of Understanding outlining the terms of sale of land on Squares 880 and 881, formerly occupied by public housing properties. One of the provisions of the document speaks to the shared use with the community of the sports field developed on the site, to be "jointly coordinated by the Marine Corps and the appropriate local governmental organization."

It is contemplated by both parties that the community shall have access to the sports field for structured and unstructured recreational use, subject to security

considerations. While the coordination and programming of the field is still too early to occur, the framework for it resides in the Steering Committee established by the DCHA Executive Director, on which the Marines and Navy are represented. The Steering Committee advises the Executive Director on policy issues related to the Capper/Carrollsburg redevelopment. The Public Amenities and Infrastructure Subcommittee is charged with the responsibility to work on the community programming of the sports field.

H. Ground Floor Retail Space

The Applicants have proposed to include ground floor retail space in the Project as follows:

Office buildings:

250 M Street – 15,000 square feet
600 M Street – 15,000 square feet in the two buildings

Canal Blocks Park apartment houses

Square 739 (DPW site) – 6,000 square feet
Square 767 (between I and K Streets) – 6,000 square feet
Square 768 (between K and L Streets) – 6,000 square feet
Square 769 (south of L Street) – 3,000 square feet

These buildings are proposed to have a first floor ceiling height of eleven feet, six inches. Providing greater ceiling heights on the first floor will result in the loss of a floor above, because of the limitations on building height and the floor-to-floor heights required for the office or residential floors above. The Applicants believe that the ground floor ceiling height proposed will be sufficient to accommodate the kinds of service oriented retail likely to locate in these spaces.

I. Unit Income Mix

This item was also raised by the Zoning Commission and was addressed in Section II A, above.

J. Senior Building 1 – K Street Frontage

The ground floor of the Senior Building 1 is devoted to parking, entered from a private driveway on the east side of the building. This floor is below the level of the sidewalk on this side of the building. This floor therefore cannot be devoted to active uses within the building. The architects have revised the elevation of the K Street frontage (see Sheet A2.3 of Exhibit B) to show a more refined landscape treatment, to improve the visual quality along this street frontage.

K. Zoning Relief

The Applicants have created tentative lots for the property included in the part of the PUD for which consolidated review and approval is requested. As is the case for the PUD as a whole, these lots rely on the aggregation of FAR and lot occupancy. Some lots exceed the density permitted under R-5-B, others are below. In its entirety, the project complies with the overall limits of the proposed zoning.

Under §410.13, in an R-5-B District, a group of buildings may be considered a single building for the purposes of the area and bulk regulations. Using this provision, and following the language of the Regulations, there is only one lot which would not meet the yard and setback requirements. This is a lot in Square 824, which contains four buildings considered as one building on the east side of 4th Street, adjacent to the St. Paul's African Union Methodist Church, which is an existing structure not included in the PUD. The proposed residential building

contains three single family rowhouses and one three-unit apartment building. It adjoins the side lot line on the north side for a distance of thirty-four feet back from the street and has no side yard on that side.

This is similar to the existing condition, where there is a building which abuts that side lot line. The Church building is set back approximately fifteen feet from the lot line, so there will be sufficient light and air for both buildings.

L. First Source Agreements, Construction Period Training and Apprenticeships

As noted in Item II H, above, the DCHA will require the Applicants to enter into LSDBE and First Source agreements.

M. Parking

The plans submitted as Exhibit A show the location of parking spaces for the project. Those spaces shown as tandem spaces in the low-rise residential area are all in individually owned townhouses. The parking spaces in those units will be under the complete control of the occupants, so a tandem arrangement can be managed in that situation.

N. Traffic

The Applicant's traffic consultant, O.R. George & Associates, has reviewed the concerns of OP concerning background traffic from the development of the Southeast Federal Center. O.R. George has prepared an addendum to its original report, a copy of which is attached as Exhibit F. The technical memorandum concludes that the development proposed for the Southeast Federal Center will not cause the level of service at the intersections of M Street and New Jersey Avenue and M Street and 4th Street to fall below Level of Service D, which is an acceptable

condition in the District of Columbia. Under either the original scenario or the more intensive development which could occur under the current proposal, geometric changes to those intersections would be required.

O. Rezoning to CR

The Project site is currently zoned R-5-B, except for the southern portion of Square 769, the block bounded by L, M, 2nd and 3rd Streets, and Square 739 and Reservation 17A, the area bounded by I, K and 2nd Streets and New Jersey Avenue, which are currently zone C-3-C. There are four squares where rezoning is proposed to CR:

- Squares 767 and 768, the blocks bounded by 2nd Place and 3rd, I and L Streets;
- The northern half of Square 769, the block bounded by 2nd Place and 3rd, L and M Streets (the southern half is already C-3-C); and
- The southern half of Square 882, the north side of M Street between the Ban Ness School and 7th Street.

This zoning pattern is shown on Sheet S-2.1 of Exhibit B. These sites taken as a whole form a logical and consistent pattern of high density mixed use zoning along the western (M Street) and southern edges (Canal Blocks Park) of the property. These edges are the existing and future higher activity edges, the ones where both vehicular and pedestrian traffic would be higher and where mixed use would be appropriate and should be encouraged.

The CR District is proposed for these sites for the following specific reasons:

- The three residential apartment buildings along the east side of the Canal Block Parks all have ground floor retail, which would not be permitted under residential zoning.
- The two southern residential apartment buildings are proposed for a height of eleven stories and 110 feet. This height was encouraged by the Office of Planning to relate to the 130 foot heights permitted and proposed on the blocks on the west side of the Canal Blocks Park, and to help frame and give a defining edge to the Park. No residential zone and no commercial zone other than C-3-C or C-4 would allow that height. The northern of the three apartment buildings is proposed at height of sixty-five feet, which would exceed the height guidelines under Chapter 24. Since another zoning category would be required for the height and the commercial use, it made sense to zone the entire group of squares in the same CR category.
- The two office buildings at 6th and M Street are also proposed to be nine to ten stories and 110 feet in height. The two buildings will exceed 4.0 FAR on their own lots but will utilize excess commercial density from other property zoned CR and C-3-C in the PUD. To get the level of commercial density required to fit on the site will require more than seven to eight stories, which is all that could be achieved within a ninety foot height. Accordingly, CR zoning is required on this property to accommodate the proposed development. Note that the development across M Street to the south is the Navy Yard, which is essentially a Federal government office precinct. The zoning across 7th Street to the east is C-3-A with the Eighth Street Overlay, a commercial zone but with a lower height and density.

P. Utilities

The location of utility lines for the consolidated PUD is shown on Sheet C-2.1 of Exhibit B. Preliminary analysis of existing conditions and future needs suggests that there will be only limited construction necessary in public space to serve the project.

IV.
CONCLUSION

For the foregoing reasons, the Applicant submits that the PUD plan meets the standards of Chapter 24 of the Zoning Regulations; is consistent with the purposes and intent of the Zoning Regulations and Zoning Map; is consistent with the land use objectives of the District of Columbia; will enhance the health, welfare, safety and convenience of the citizens of the District of Columbia; satisfies the requirements for approval of a consolidated PUD; provides significant public benefits and project amenities; advances important goals and policies of the District of Columbia and, therefore, should be adopted by the Zoning Commission. Accordingly, the Applicant requests that the Zoning Commission approve the PUD application and the concurrent change in zoning from R-5-B to CR.

Respectfully submitted,

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