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D.C. OFFICE OF ZONING
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May 27, 2003

Jerrily Kress, Director
D.C. Office of Zoning
441 4th Street, N.W.
Suite 210
Washington, DC 20001

Re: Application for Zoning Map Amendment for Lots 52 and 53 in Square 5279 in connection with Zoning Commission Case No. 02-05 Capitol Gateway Estates (formerly known as New East Capitol)

ZONING COMMISSION
District of Columbia
Case 03-19
Exhibit 1

Dear Ms. Kress:

In connection with Zoning Commission Case No. 02-05, the District of Columbia Housing Authority and A&R/THC LLC (the "Applicant") request that Lot 52 in Square 5279 be rezoned from R-5-D to C-2-B and Lot 53 in Square 5279 be rezoned from R-5-A to C-2-B. The Multi-Family Building that the Applicant will rehabilitate is located on Lot 52 in Square 5279 and the Applicant desires to make additional improvements to the west of the Multi-Family Building on Lot 53. As indicated in a letter dated May 19, 2003 to you from the undersigned, the Multi-Family Building currently contains ground-floor space that has been and may continue to be used for office or retail use. The building is located near a Metrorail station. The Office of Planning supports providing retail uses on the building's ground floor level. OP believes that retail services are preferred in buildings on the right hand side of East Capitol Street to serve outbound commuters.

OP also suggested that the Applicant consider providing retail uses on the ground floor of residential buildings adjacent and to the west of the Multi-Family Building. The only such lot within this PUD is Lot 53, which is accordingly included in this application for C-2-B zoning. The Applicant has not conducted any market studies to determine the extent of demand for retail services in these locations but is willing to apply for mixed-use zoning so that retail establishments can be provided if they prove feasible. Given the high-rise nature of the Multi-Family Building, the C-2-B zone is the logical zoning choice. C-2-B allows a maximum density of 3.5 FAR for residential or mixed uses, of which up to 1.5 FAR may be devoted to nonresidential and commercial uses. The maximum permitted height is 65 feet. With a PUD the maximum permitted height is 90 feet, and maximum density is 6.0 FAR for residential or mixed uses, with a maximum of

ZONING COMMISSION
District of Columbia
CASE NO.03-19
EXHIBIT NO.1

2.0 FAR for commercial uses. The existing Multi-Family Building and proposed residential buildings to the west of it are within the zoning envelope described above.

Accordingly, the Applicant herewith submits the following in connection with its application for a Zoning Map Amendment to rezone the Multi-Family Building property (Square 5279, Lot 52) from R-5-D to C-2-B and to rezone the adjacent property to the west (Square 5279, Lot 53) from R-5-A to C-2-B:

1. Twenty (20) copies of an Application to Amend the Zoning Map;

2. Twenty (20) copies of a key map with the subject property outlined in red;[1]

3. Twenty (20) copies of a depiction of the current lot lines for the square of the subject property and adjacent squares; and

4. Check payable to the D.C. Treasurer in the amount of the $250.00 filing fee.

This letter constitutes the statement of the Applicant setting forth the reasons for the requested zoning map amendment. A certified plat of the survey of the subject property already has been submitted in connection with Zoning Commission Case No. 02-05 and the Applicant requests that the Zoning Commission review the previously submitted plat of survey.

The Applicant further requests an expedited setdown of this application for amendment of the zoning map. If possible, the Applicant would like for this application to be considered in a consolidated hearing with the second stage PUD application for Zoning Commission Case No. 02-05.

Please contact the undersigned if any additional materials are needed.

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[1] Note that the key map, from the 1996 Zoning Map, shows Lot 53 as being within the R-5-D District that also is mapped on the Multi-Family Building. However, as with most of the other properties in this Application, Lot 53 became unzoned due to federal ownership. Along with most other properties in the PUD, this lot was changed from unzoned to R-5-A in the First-Stage PUD order. Accordingly, the request is now for rezoning from R-5-A to C-2-A.

Sincerely,
ARNOLD & PORTER

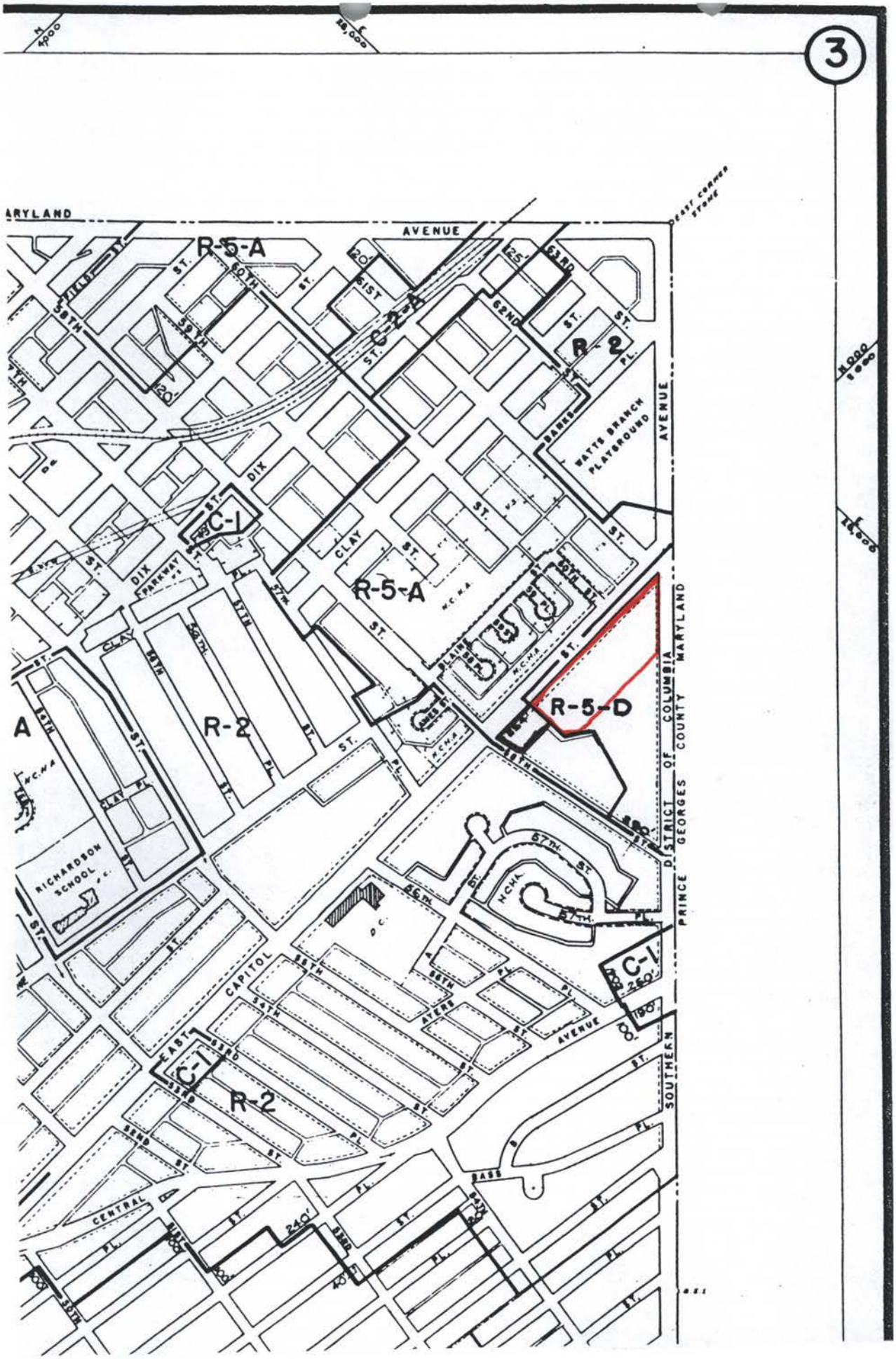
Cynthia A. Giordano, Esq.

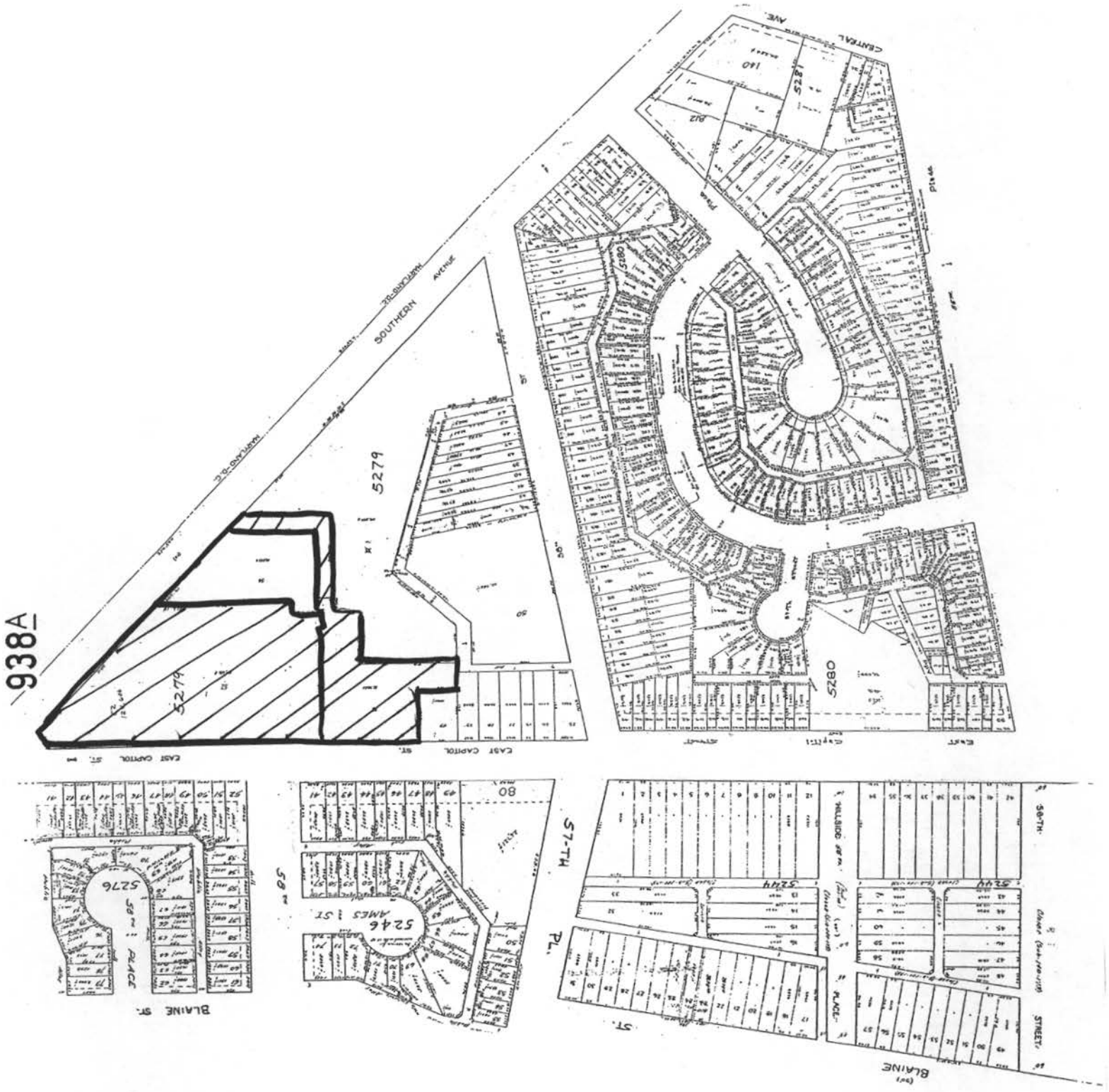
Nathan W. Gross, AICP

Jamie Z. Goodson, Esq.

Enclosures

cc: Lawrence Dwyer, Hope VI Coordinator,
D.C. Housing Authority
Cheryl Hamilton, A&R Development Corporation
Ellen McCarthy, Office of Planning
David J. McGettigan, Office of Planning
Howard Ways, Office of Planning


3
R-5-A
R-2
C-2-A
C-1
R-5-D
AVENUE
DIX
CLAY
ST.
PL.
WATTS BRANCH PLAYGROUND
RICHARDSON SCHOOL
CAPITOL
CENTRAL
SOUTHERN
PRINCE GEORGES COUNTY MARYLAND
DISTRICT OF COLUMBIA
N.C.M.A.
D.C.
240'
250'
N 4900
E 38,600
N 1000
E 1000


938A
SOUTHERN AVENUE
5279
5280
5281
5276
5246
AMES ST
BLAINE ST.
57-TH PL.
CENTRAL AVE
EAST CAPITOL ST.