4600 BRANDYWINE ASSOCIATES



APPLICATION TO THE DISTRICT OF COLUMBIA ZONING COMMISSION FOR CONSOLIDATED REVIEW AND APPROVAL OF A PLANNED UNIT DEVELOPMENT AND ZONING MAP AMENDMENT

4600 BRANDYWINE ASSOCIATES, LLC

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District of Columbia
CASE NO.03-27
EXHIBIT NO.7

DEVELOPMENT TEAM

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PREFACE

This statement is submitted by 4600 Brandywine Associates, LLC on behalf of the property owner[1], in support of an application for the consolidated review and one-step approval of a Planned Unit Development and a corresponding map amendment to the Zoning Map for the subject property located at 4600 – 4614 Wisconsin Avenue, N.W. in Square 1732, Lots 817 and 820 before the District of Columbia Zoning Commission in conformity with Chapter 24 of the District of Columbia Zoning Regulations. The Applicant is requesting the consolidated review and approval of a PUD and related Zoning Map amendment in order to develop a mixed-use, primarily residential project on the Subject Property.

The Subject Property consists of approximately 12,661 square feet of land area, has frontage along Wisconsin Avenue and Brandywine Street and is currently occupied by Babe's Billiards and an adjacent building that includes a dry cleaners and a small office. The Subject Property is located in the C-2-A Zone District. The Zoning Map amendment application requests the rezoning of the Subject Property from the C-2-A Zone District to the C-2-B Zone District. Because the Subject Property consists of less than 15,000 square feet of land area, it is necessary to obtain a waiver of the minimum area requirements for a PUD. The Zoning Regulations authorize the granting of such a waiver pursuant to 11 DCMR §2401.2.

The Applicant has had multiple discussions with various neighborhood groups and organizations regarding this project over the past five months, including; ANC 3E, ANC 3F, representatives of the Janney Elementary School PTA and Wilson Senior High School PTA, the Friends of Ft. Bayard Park, the Friends of the Tenley Library, the Tenleytown Historical Society,

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[1] 4600 Brandywine Associates, LLC is the contract purchaser of the property, which is owned by Brandywine Partners, and is acting as agent for the property owner for the purposes of this application.

and adjacent neighbors. The Applicant looks forward to continued dialogue with the community as this project moves forward.

Submitted in support of this application are completed application forms, a notice of intent to file a PUD (with property owner list and certification of mailing), architectural drawings, and a map depicting the Zoning Districts for the subject property and the surrounding area. As set forth below, this statement and the attached documents meet the filing requirements for a PUD application under Chapter 24 of the District of Columbia Zoning Regulations.

I. INTRODUCTION

A. Summary of Requested Action.

This document supports the application of 4600 Brandywine Associates, LLC ("**Applicant**"), to the Zoning Commission of the District of Columbia ("**Commission**") for the consolidated review and one-step approval of a Planned Unit Development ("**PUD**") and a corresponding amendment to the Zoning Map for the site. The project site includes Lots 817 and 820 in Square 1732 (the "**Subject Property**"). The Subject Property is located in the Tenleytown neighborhood of Ward 3. It consists of approximately 12,661 square feet of land and is located in the mixed-use, moderate density commercial/medium density residential land use category as shown on the District of Columbia Generalized Land Use Map. The Subject Property is located approximately one-block, 1,000 feet, from the entrance to the Tenleytown Metrorail Station.

The site is currently zoned C-2-A. The Applicant requests a Zoning Map amendment to the C-2-B District for the site to accommodate the proposed mixed-use, predominantly residential, development. The proposed height and density of the project are significantly less than what the PUD guidelines allow for in the C-2-B District. Rezoning the site to the C-2-B District is consistent with the overarching goals and policies of the Comprehensive Plan of the District of Columbia, as discussed in detail herein.

B. The Applicant

The Applicant is managed by IBG Partners, LLC, a Washington, DC based real estate investment and development company that in the past eight years has been involved with the acquisition and/or development of numerous major residential and commercial office projects in

the District of Columbia. Residential projects have included the development of the 202-unit luxury Westbrook Apartments at 22nd and N street, the development of the 75,000 sf mixed use residential/office/retail project at 2311 M Street, the acquisition and initial pre-redevelopment of Alban Towers at Wisconsin and Massachusetts Avenues, and a joint venture redevelopment of the United Mineworkers Building at 15th and I Streets, now known as the 101-unit Summit Grand Parc. In addition, IBG has been involved with major commercial office projects, such as the acquisition and ownership of 1401 K Street, 1750 K Street, 1600 K Street, 2115 Wisconsin Avenue, 2121 Wisconsin Avenue and the recent acquisition of 1101 Connecticut Avenue.

C. Project Goals and Objectives and Benefits of Using the PUD Process.

The Applicant's objective is to create a high quality mixed-use development on a presently underutilized property along one of the District's major arterial streets, Wisconsin Avenue, N.W. The new residential units will bring additional residents to the neighborhood, and to the District, that will patronize the local stores and restaurants and will provide significant economic benefits to the District of Columbia as well as the local neighborhood economy. The proposed retail space along Wisconsin Avenue is intended to be neighborhood serving retail that will provide a convenience to residents of the neighborhood that does not presently exist. The Applicant believes that the proposed project will serve as another piece to the hoped for transformation of the area immediately surrounding the Tenleytown Metrorail Station into a dynamic mixed-use area for residents of the adjacent neighborhood and the District as a whole.

The PUD process provides a means for creating "well-planned development." The objectives of the PUD process are to promote "sound project planning, efficient and economical land utilization, attractive urban design and the provision of desired public spaces and other amenities." The notice and hearing requirements of the PUD regulations ensure that adjacent

property owners and area residents will have the opportunity to express their views about the application. The use of the PUD process gives the community and District agencies an opportunity to work together with the Applicant to ensure a well-planned development. This process of engagement with the community has already begun with the Applicant making presentations to ANC 3E and ANC 3F. The Applicant has also held meetings and has engaged in discussions with various neighborhood organizations and individuals. The PUD process will provide the Zoning Commission with an opportunity to review the design of the project in connection with its consideration of the request to rezone the site to the C-2-B District.

D. Development Timetable.

The Applicant hopes to start construction no later than Spring/Summer 2004 and expects that the total construction period will last approximately 15-16 months.

II. THE PROJECT SITE

A. Site Location

The Subject Property consists of approximately 12,661 square feet of land area and is generally situated at the northwest corner of Wisconsin Avenue and Brandywine Street, N.W. The Subject Property includes 121 feet of frontage along Wisconsin Avenue and 113 feet of frontage on Brandywine Street. The Subject Property includes a 5 foot change in grade from the southern edge of the site to the northern edge of the site along Wisconsin Avenue.

As shown in the pictures of the area included in Exhibit F, the general area surrounding the Subject Property includes a variety of commercial buildings along Wisconsin Avenue. These include the 65 foot tall office and retail building (which includes Hudson Trail Outfitters on the ground level) located immediately across Brandywine Street from the Subject Property. Across Wisconsin Avenue to the southeast is a strip shopping center that includes a take-out pizza store,

a CVS Pharmacy and other retail establishments. Various television and radio antenna towers and Fort Reno Park are located across Wisconsin Avenue to the northeast of the Subject Property. Immediately adjacent to the Subject Property on the west side of Wisconsin Avenue is a commercial building that includes restaurants and retail on the ground level and office uses above. The Martens Volvo site and the Tenley Hill mixed-use project are located on Wisconsin Avenue to the north of the Subject Property. The former Sears/Hechinger building, that is being renovated as a mixed-use building, is just one block to the south at the intersection of River Road and Wisconsin Avenue.

The Friendship Animal Hospital is located immediately adjacent to the Subject Property to the west. Single-family homes are located further west of the Subject Property. Georgetown Day School is located approximately two blocks to the northwest of the Subject Property.

B. Project Description.

The proposed project has been designed to be an attractive addition to the Tenleytown/Wisconsin Avenue corridor that is an appropriate height and size for this site. The project will consist of 43 (which includes 3 "affordable" units) one and two bedroom condominium units that will be accessed from Brandywine Street. The Applicant decided that it was important to keep the height of this building consistent with the adjacent buildings. Thus, the height of the building will be approximately 65 feet and will have a roof line that is at approximately the same height as the roof line of the office and retail building located immediately south of the Subject Property on Wisconsin Avenue. (See the renderings of the proposed project and adjacent buildings included in Exhibit F.) The residential portion of the project will include approximately 54,770 square feet of gross floor area. The non-residential portion of the project will include approximately 4,500 square feet of retail space along the

Wisconsin Avenue frontage of the Subject Property. Due to the size of this retail component, the Applicant is seeking neighborhood oriented retailers, rather than destination oriented retail, for this space.

The project will include a total of 63,170 square feet of gross floor area, will have a total FAR of 4.99 and will occupy 92% of the Subject Property. Some of the residential units will have balconies, consisting of 8,920 square feet, and the upper units will have access to roof terraces that will include 6,440 square feet. While these areas do not satisfy the strict requirements of the Zoning Regulations for residential recreation space required in a matter-of-right building, they are areas of passive recreation that are available for residents of the project and their guests.

The project will also include two parking levels below grade, including 45 parking spaces, that will be accessed from Brandywine Street. One parking space will be conveyed with the sale of each condominium unit, and two spaces will be reserved for retail uses.

In terms of design, the project has a two-story base and has been broken into three distinct elements to sensitively contribute to the existing context of the neighborhood and provide a better transition to the pedestrian scale of the retail frontage. The plan geometry reflects the Washington, DC diagonal street pattern. Extensive hardscape and landscape elements, such as decorative paving, terracing, and planting, at the ground floor contribute to a vibrant streetscape for Wisconsin Avenue and Brandywine Street. The building's rich palette of materials, including brick, precast concrete, glass and metal, also elevate the level of finish in the neighborhood streetscape. To this end, the Applicant has selected Cunningham + Quill Architects on the basis

of their many award-winning and successful multi-family and PUD projects in the Washington, DC community, including the Tenley Hill mixed-use project discussed herein.

C. Development Parameters Under Existing and Proposed Zoning

The C-2-A District permits a maximum height of 50 feet, a maximum lot occupancy of 60%, and a maximum floor area ratio ("FAR") of 2.5, with a limit of 1.5 of non-residential FAR. The PUD guidelines for the C-2-A District allow a height of 65 feet and a maximum FAR of 3.0, with a limit of 2.0 of non-residential FAR.

The C-2-B District permits a maximum height of 65 feet, a maximum lot occupancy of 80% and a maximum FAR of 3.5, with a limit of 1.5 of non-residential FAR. The PUD guidelines for the C-2-B District allow a height of 90 feet and a maximum FAR of 6.0, with a limit of 2.0 of non-residential FAR. Despite these FAR and height guidelines for PUDs enumerated in the Zoning Regulations, the Applicant has determined to keep the height at approximately 65 feet and the FAR at 4.99, both well below the guidelines.

D. Flexibility under the PUD Guidelines

A great benefit of the PUD process is that the Applicant is provided a certain degree of flexibility from the requirements of the Zoning Regulations in return for meeting District and neighborhood planning goals. The Applicant is requesting relief from the lot occupancy, residential recreation space, rear yard, and roof structure requirements of the Zoning Regulations. The Applicant is also requesting the flexibility to change the number of residential units in the project, through interior reconfiguration only, by up to 10% in response to future market conditions.

In addition, the Applicant is requesting that the Zoning Commission waive the 15,000 square foot minimum area requirement for PUD applications. In accordance with 11 DCMR §2401.2 (a) and (b), the Applicant proposes that the granting of this waiver is appropriate as this project is of exceptional merit and is in the best interest of the city (as discussed herein), and the proposed project will have approximately 93% of the gross floor area of the development devoted to dwelling units and accessory uses to those dwelling units.

III. PREVIOUS ZONING COMMISSION DECISIONS IMPACTING THE GENERAL AREA NEAR THE SUBJECT PROPERTY

A. Zoning Commission Order No. 530

The land use maps enacted as part of the DC Comprehensive Plan Land Use Element Amendment Act of 1985 classified the Subject Property as mixed-use, moderate density commercial/medium density residential. On September 30, 1988, the Subject Property was rezoned from C-3-A to C-2-A by the Zoning Commission in Order No. 530 (Case No. 86-17, see Exhibit G) as part of the Commission's broader act to downzone commercially zoned properties on Wisconsin Avenue, N.W. between Chesapeake and Rodman Streets and near Tenley Circle. The rezoning was initiated in response to commercial office development that had been undertaken along Wisconsin Avenue (such as 4000 Wisconsin Avenue), and was intended to bring the commercial zoning into compliance with the Comprehensive Plan.

During discussions with various members of the surrounding neighborhood and presentations to the ANCs, the Applicant has been asked how the proposed application to rezone the Subject Property is consistent with the Zoning Commission's action in 1988. In response to this question, the Applicant notes that in comments on the proposed action, the Zoning Commission's Order, at page 8, states that ANC 3C indicated "support for residential development at the Tenley Metro Station". Also on page 8 of the Order, the Commission stated that:

> Tenleytown Metro Station Area: . . . the matter-of-right height limit of 65 feet is, in particular, consistent with medium density residential development; the height and topography of the land between Albemarle and Chesapeake Streets do not warrant the imposition of more restrictive height limits through the vehicle of a generally more restrictive zone classification.

In addition, the Zoning Commission noted, at page 10 of the Order, that:

> [e]ven if certain development guidelines under 11 DCMR Chapter 24 would arguably allow development of a height or bulk which would be "inconsistent with" the Comprehensive Plan, the Commission retains full and effective authority to protect against such results in the consideration of applications pursuant to that chapter. Further, the Commission retains authority to allow beneficial development pursuant to that chapter which would in fact further the goals and objectives of the Comprehensive Plan. (emphasis supplied).

The Applicant believes that the present application is entirely consistent with the Commission's discussion and ultimate decision in Order No. 530. As discussed herein, the proposed 65 foot tall project and Zoning Map amendment are entirely consistent with the Comprehensive Plan. In addition, the Zoning Commission expressly anticipated reviewing PUD and Zoning Map amendment applications (such as the present case) to determine consistency with the Comprehensive Plan. Further, as noted Section VI. B. 4 of this statement, the City Council (after the Zoning Commission adopted Order No. 530) took several actions to promote increased residential development in the area – including establishing the Tenleytown Metrorail Station Housing Opportunity Area and the Tenleytown Metrorail Station Special Treatment Area.

B. Zoning Commission Order No. 904

The Zoning Commission recently approved a PUD and Zoning Map amendment application that is very similar to the present case, is located in close proximity to the Subject Property, and has been viewed as a successful and appropriate project by the neighborhood. In Zoning Commission Order No. 904, attached as Exhibit H, the Zoning Commission approved the development of the Tenley Hill project located at 4725-4727 Wisconsin Avenue, N.W.

The Tenley Hill application sought a rezoning from the C-2-A to the C-2-B District for a property that was located: in the low density commercial land use category on the Generalized Land Use Map; in the Tenleytown Metrorail Station Housing Opportunity Area; and adjacent to the Tenleytown Metrorail Station Special Treatment Area. In the Tenley Hill case the Commission approved a project consisting of 48 residential units (83,700 s.f), with ground floor retail (18,100 s.f.), with a FAR of 4.5, and a building height of 65 feet. In Order No. 904, the Commission determined that the Tenley Hill PUD project was not inconsistent with the Comprehensive Plan and the purposes of the Zoning Act.

The Applicant believes that the present application presents an even stronger case than what was approved by the Commission in Order No. 904. The Subject Property is located in the mixed-use, moderate density commercial/medium residential land use category on the Generalized Land Use Map, is within the Tenleytown Metrorail Station Housing Opportunity Area, is adjacent to the Tenleytown Metrorail Station Special Treatment Area, and is located only 1,000 feet from the Tenleytown Metrorail Station. Further, this application has a stronger project benefits and community amenities package. The present project is smaller in total area and maintains the same 65 foot height. The Applicant believes that the Commission's approval of the present application would be entirely consistent with its recent approval of the Tenley Hill project.

IV. PLANNING ANALYSIS

A. Introduction.

Through the PUD process, the Applicant will achieve a central goal of the District of Columbia, providing new residential and retail opportunities in the Tenleytown neighborhood of Ward 3. The adjustments that are sought through the rezoning of the Subject Property and the

requested areas of relief from the Zoning Regulations are consistent with other buildings in the area and are entirely consistent with the Zoning Regulations' guidelines for PUDs in the requested C-2-B District.

B. Land Use Impact.

The existing use of the Subject Property, a one-two story building housing a billiards parlor, a dry cleaners, and a small office space, is not consistent with the District's land use goals and policies. The proposed 43 unit (including 3 "affordable" units) residential condominium, with ground floor neighborhood serving retail, project is entirely appropriate for the Subject Property from a land use perspective. The Subject Property is located on a major arterial street, Wisconsin Avenue, and is located only 1,000 feet from the Tenleytown Metrorail station. The proposed project is also entirely consistent with the District's goals of encouraging transit-oriented development.

C. Zoning Impact.

The proposed rezoning of the Subject Property to the C-2-B District is consistent with the goals and objectives of the Comprehensive Plan. In keeping with the Subject Property's inclusion in the mixed-use, moderate density commercial/medium density residential land use category of the Generalized Land Use Map, the proposed C-2-B Zoning is entirely consistent with existing development in the surrounding area and the overarching policies and objectives of the Comprehensive Plan.

D. Environmental Impact.

As more specifically detailed in Exhibit E, there is no adverse environmental impact that will result from this project being constructed. In addition, the increased use in water and sanitary services that will occur as a result of the project will have an inconsequential effect on the District's delivery systems. The site is currently served by all major utilities. The project's proposed stormwater management and erosion control plans will minimize impact on the adjacent property and existing stormwater systems. The requisite erosion control procedures stipulated by the District will be implemented during construction of the project.

E. Facilities Impact.

The proposed project will not have an adverse impact on the public facilities that it will rely on for service. As previously mentioned, the Subject Property is located 1,000 feet from the entrance to the Tenleytown Metrorail Station. In addition, numerous Metrobus lines utilize Wisconsin Avenue such that the project is adequately served by public transportation.

V. EVALUATION STANDARDS

Section 2403 of the Zoning Regulations provides the standards for evaluating a PUD application.

A. Public Benefits and Project Amenities

Section 2403.9 provides categories of public benefits and project amenities for review by the Zoning Commission. The objective of the PUD process is to encourage high quality development that provides public benefits and project amenities by allowing applicants greater flexibility in planning and design than may be possible under matter-of-right zoning. The instant consolidated application will achieve the goals of the PUD process by creating high quality

residential development and neighborhood serving retail on the Subject Property with significant public benefits to the neighborhood and the District as a whole.

1. Housing and Affordable Housing

Under Section 2403.9(f) of the Zoning Regulations, the PUD guidelines state that the production of housing is a public benefit that the PUD process is designed to encourage. In furtherance of this important goal, the proposed PUD project will add 43 new residential units to the Tenleytown neighborhood. Of this total, the project will provide three affordable housing units in order to help the District of Columbia reach its goal of creating a significant number of affordable housing units throughout the District of Columbia. The affordable housing included in this project is 7% of the total number of units and almost 10% of the gross square footage of the project.

2. Urban Design, Architecture and Landscaping

Section 2403.9(a) lists urban design and architecture as categories of public benefits and project amenities for a PUD. As shown in the detailed plans and elevations provided in Exhibit F, the proposed project will create a signature building on the Subject Property that is consistent with the height and mass of adjacent buildings, yet provides a richness of materials – including brick, glass, and metal – that are not found in matter-of-right projects in this area and will elevate the level of finish detail for future buildings in this area.

The street level retail along Wisconsin Avenue will bring additional vitality to the Tenleytown area and will help connect the retail north of the Subject Property to the retail uses in and around the Tenleytown Metrorail station. The extensive hard and softscape landscaping enhancements to the Wisconsin and Brandywine frontages will also enhance the vitality of the pedestrian experience in Tenleytown.

3. Site Planning

Pursuant to Section 2403.9(b) of the Zoning Regulations, "Site planning, and efficient and economical land utilization" are public benefits and project amenities to be evaluated by the Zoning Commission. This infill development has been carefully designed and sited on the Subject Property so as to maximize benefits of the project to the District as well as to the future residents of the project. The plan geometry of the building reflects the Washington, DC diagonal street pattern. The proposed height of the project is well within the PUD guidelines for the C-2-B District and is entirely commensurate with adjacent buildings along Wisconsin Avenue. In addition, the vehicular entrance to the parking garage has been located off of Brandywine Street, so as to avoid any potential adverse traffic impacts along Wisconsin Avenue.

4. Effective and Safe Vehicular and Pedestrian Access

The Zoning Regulations, pursuant to Section 2403.9(c), state that "Effective and safe vehicular and pedestrian access" can be considered public benefits and project amenities of a project. As discussed in detail in the Transportation Analysis, prepared by Wells & Associates attached as Exhibit I[2], the proposed project will have a minimal impact on the overall transportation infrastructure in the area near the Subject Property. This report notes that "Nearly all traffic movements, overall levels of service, v/c ratios, and delays would remain similar to background conditions with full development of the site." In addition, the Transportation Analysis concludes that the project provides adequate off-street parking.

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[2] The appendix to this report will be submitted to the District of Columbia Department of Transportation (DDOT) and is available upon request.

5. Revenue for the District

According to Section 2403.9(i), "Uses of special value to the neighborhood or the District of Columbia as a whole" are deemed to be public benefits and project amenities. The addition of 43 new households will result in the generation of significant additional tax revenues in the form of property, income, sales, use and employment taxes for the District.

6. First Source Employment Program

According to Section 2403.9(e), "Employment and training opportunities" are representative public benefits and project amenities. Therefore, the Applicant will voluntarily enter into an agreement to participate in the Department of Employment Services ("DOES") First Source Employment Program to promote and encourage the hiring of District of Columbia residents.

7. Local Business Opportunity Program

Pursuant to Section 2403.9(e), the use of local firms in the development and construction of the project is a representative public benefit and project amenity. Therefore, the Applicant will enter into a Memorandum of Understanding with the Local Business Opportunity Commission ("LBOC") to use the resources of the LBOC to utilize local business enterprises in the development of this project.

8. Uses of Special Value to the Neighborhood

As previously noted, the Applicant has been working with various individuals and community organizations in the area surrounding the Subject Property and has created a community amenities package that is both targeted and tangible. The community amenities will be funded no later than the issuance of a building permit for the project, and funded on an as

needed basis. These community amenities include financial contributions to the following organizations:

- Janney Elementary School - $75,000 + – For the replacement of the wooden play equipment on the lower playground and additional play equipment for the older students. This contribution will also include necessary stormwater management and soil erosion measures. The payment will be made to the Janney Elementary School PTA.

- Tenleytown Branch of the D.C. Public Library - $25,000 – For the purchase and or maintenance of information technology ("IT") resources. The payment will be made to the Friends of the Tenley Library.

- Wilson Senior High School - $20,000 – for necessary repairs to the school buildings, including repainting of the Cupola. The payment will be made to the Wilson Senior High School PTA.

- Friends of Ft. Bayard Park – $15,000 - A contribution will be made to the Friends of Ft. Bayard Park to help fund the renovation/rehabilitation of Ft. Bayard Park, as approved by the National Park Service.

9. Comprehensive Plan

According to Section 2403.9(j), public benefits and project amenities include "other ways in which the proposed planned unit development substantially advances the major themes and other policies and objectives of any of the elements of the Comprehensive Plan". As described in greater detail in Section VI, the PUD is consistent with and furthers many elements and goals of the Comprehensive Plan.

VI. COMPLIANCE WITH THE COMPREHENSIVE PLAN

The proposed PUD is consistent with and fosters the goals and policies stated in the elements of the District of Columbia Comprehensive Plan, ("Comprehensive Plan") D.C. Law 12-275, 10 DCMR (Planning and Development) § 100 et seq. (1998).

The purposes of the District of Columbia Comprehensive Plan Act are to:

(1) Define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development; (2) Guide executive and

> legislative decisions and matters affecting the District and its citizens; (3) Promote economic growth in jobs for District residents; (4) Guide private and public development in order to achieve District and community goals; (5) Maintain and enhance the natural and architectural assets of the District; and (6) Assist in conservation, stabilization and improvement of each neighborhood and community in the District.

(D.C. Code § 1-245(b) (1994 Supp.))

The proposed project significantly advances these purposes by furthering the social and economic development of the District through the construction of high quality residential units in the Tenleytown neighborhood, the creation of affordable housing units, increasing the tax base for the District, and helping to maximize the District's investment in the Metro system by creating a truly transit-oriented development project on the Subject Property.

A. Compliance with Major Themes.

Three major themes that are applicable to this project were adopted as part of the Comprehensive Plan. The Applicant's proposal is consistent with these themes as follows:

1. Stabilizing the District's Neighborhoods.

Currently, the Subject Property does not provide a great amount of benefit, nor does it help stabilize the Tenleytown neighborhood. One of the common concerns that has been voiced by Tenleytown residents is the lack of quality retail establishments in the area. The proposed project will provide approximately 4,500 square feet of neighborhood serving retail along Wisconsin Avenue. More importantly, it will provide 43 new households that will patronize commercial uses along Wisconsin Avenue. It is through the creation of a critical mass of residents that Tenleytown will able to bring quality retailers to the area. The creation of an appropriately scaled mixed-use, predominantly residential, project at the intersection of

Wisconsin Avenue and Brandywine Street will increase the vibrancy of the area and will help stabilize the neighborhood.

2. Respecting and Improving the Physical Character of the District.

The proposed project's height and mass have been carefully designed to respect the surrounding buildings in the immediate area and the neighborhood in general. The creation of a 65 foot tall building in such close proximity to the Tenleytown Metrorail station is a significant improvement to the physical character of the District. Moreover, this project is entirely consistent with the District's goals for encouraging transit-oriented development. The creation of a 43 unit condominium residential project on the Subject Property will help maximize the District's investment in the Metro system. The Applicant envisions that the residents of these units may have cars, and thus the project provides one parking space for each unit, but that the majority of the residents will use the Metro system to get to work each day. Focusing higher density projects on major arterial streets such as Wisconsin Avenue, near Metrorail Stations, is entirely consistent with respecting and improving the physical character of the District. This PUD project satisfies those goals of the Comprehensive Plan.

3. Preserving and Ensuring Community Input.

The Applicant has presented this project to ANC 3E and ANC 3F and has engaged in extensive discussions with members of the community and neighborhood organizations. The Applicant will continue to engage in dialogue with ANC 3E, ANC 3F and various neighborhood organizations regarding this application as the PUD process moves forward.

B. Compliance with Major Elements.

The Comprehensive Plan also contains 11 major elements. The proposed project furthers the objectives and policies of several of these elements as follows:

1. Housing Element

The Comprehensive Plan notes that:

> Housing in the District is viewed as a key part of a total urban living system that includes access to transportation and shopping centers, the availability of employment and training for suitable employment, neighborhood schools, libraries, recreational facilities, playgrounds, and other public amenities. (10 DCMR § 300.4.)

In addition, the Comprehensive Plan includes the following goals with regard to the production of new housing:

> "Encourage the private sector to provide **new housing** to meet the needs of present and future District residents at locations consistent with District land-use policies and objectives" (10 DCMR § 302.2(a));
>
> "Review and Recommend **suitable regulatory zoning**, tax and financing incentives under appropriate controls to meet housing production goals, particularly for low-income, **moderate income** and elderly households" (10 DCMR § 302.2(b));
>
> "**Encourage housing** on suitably located public or private properties that are vacant, surplus, **underutilized**, or unused, . . ." (10 DCMR § 302.2(e)); and
>
> "Encourage the private sector to meet housing needs through the development of **infill housing** . . ." (10 DCMR § 302.2(f)). (Emphasis added.)

As discussed throughout this statement, the proposed project will create 43 new housing units on a generally underutilized property in the Tenleytown neighborhood adjacent to the major commercial and transportation corridor of Wisconsin Avenue, as well as the Tenleytown Metrorail Station. The proposed project fully satisfies the above-mentioned goals of the Comprehensive Plan's Housing Element. In addition, the proposed Zoning Map amendment

from the C-2-A to the C-2-B District is entirely consistent with the Comprehensive Plan's objectives of providing zoning incentives to achieve the goal of producing new housing.

The Comprehensive Plan includes the following goals of the District with regard to the production of low and moderate-income housing:

> "Provide zoning incentives, as appropriate to developers prepared to build low- and moderate-income housing, **such as permitting additional densities in exchange for incorporating low-and moderate-income housing in development projects**; . . . and **give zoning preferences to mixed-use sites that include housing near appropriate Metrorail Stations**" (10 DCMR § 303.2(d)); (Emphasis added.)

As previously stated, the project will provide three affordable housing units. The inclusion of these units in the project for moderate income residents is entirely consistent with the above section of the Comprehensive Plan.

2. Urban Design Element

It regards to urban design, it is the goal of the District to:

> "preserve and enhance the outstanding physical qualities of the District neighborhoods." (10 DCMR § 702.1(b).)

In areas of stable character such as the Subject Property and the surrounding area, the Comprehensive Plan's objectives include the desire to:

> "maintain those areas of the District that have a positive physical image and to provide that new development and renovation within or adjacent to these areas is complementary in scale and character." (10 DCMR § 711.1.)

As a policy to achieve that objective, the Comprehensive Plan has established a policy to:

> "Encourage in-fill development to be complementary to the established character of the area. In-fill development in stable areas should not create sharp changes in physical pattern which might lead to deterioration." (10 DCMR § 711.2(a).)

The project preserves and enhances the distinguishable physical qualities of the District and the architectural design of the surrounding buildings. The project is designed to complement and be consistent with the architecture, height, scale, and massing of the surrounding buildings. The proposed street level retail will include appropriate landscaping and urban design features that will complement the existing retail uses in the Tenleytown neighborhood.

3. Generalized Land Use Map

As previously mentioned, the Generalized Land Use Map includes the Subject Property in the mixed-use, moderate density commercial/medium density residential land use category. The proposed 65 foot tall building with a FAR of 4.99 is entirely consistent with this land use category designation. Moreover, the proposed C-2-B Zone District is also entirely consistent with this land use category.

4. Land Use Element

The Subject Property is located within the Tenleytown Metrorail Station Housing Opportunity Area. The Comprehensive Plan states:

> "Housing Opportunity areas are areas where the District expects and encourages either new housing or rehabilitated housing.
> **Most Metrorail Stations outside the Central Employment Area, and some within, will support additional housing units.** The conversion of existing nonresidential buildings for housing and the return of vacant units to the housing market are two (2) devices which will result in additional housing units. (10 DCMR § 1118.6.) (Emphasis added.)

As noted throughout this statement, the proposed 43 unit condominium project located approximately 1,000 feet from the Tenleytown Metrorail Station fully satisfies these objectives of the Comprehensive Plan.

The Subject Property is also located directly across Brandywine Street from the boundaries of the Tenleytown Special Treatment Area. The Comprehensive Plan notes the following pertinent policies for this area:

> "(a) Stimulate a well-planned economic activity center that utilizes the public transit infrastructure and maximizes Metrorail access;
> (c) **Provide for the development of substantial new housing;**
> (e) Maintain heights and densities at appropriate levels, with architectural design that is sensitive to the area's topography relative to the District." (10 DCMR §1129.2.) (Emphasis added.)

The proposed project fully satisfies these policies as well. The introduction of 43 new households on the Subject Property with neighborhood serving retail in close proximity to the Tenleytown Metrorail Station will provide economic benefits to the District and the neighborhood. The height and appearance of this building have been carefully designed to relate to and enhance the other buildings in the immediate area.

5. Ward 3 Goals and Policies.

The Ward 3 Element of the Comprehensive Plan includes the following objectives in regards to economic development, housing, transportation, and urban design:

> "Development of multi-family housing on Wisconsin and Connecticut Avenues consistent with the land use designations in the Land Use Element." (10 DCMR § 1401.7 (f).)
>
> "Provide zoning flexibility for the production of new housing, especially for the elderly and for low- and moderate-income households, through the following mechanisms:
> (1) Permitting increased residential densities (consistent with design scale and infrastructure capacity) in exchange for incorporating low- and moderate-income or elderly housing in development projects;
> (4) Tying the provision of housing into commercial developments when rezoning or other zoning benefits are sought; mixed-use developments should be encouraged in commercial zone districts; and
> (5) Giving zoning preference to projects that include housing near each of the ward's Metrorail Stations." (10 DCMR § 1402.4 (c))
>
> "The District Government should do the following:

(1) Implement appropriate land use arrangements in Ward 3 that simplify and economize transportation services such as the following:
(B) Medium and high density residential uses (where designated in the Land Use Element) should be limited to the major arterials well-served by either Metrorail or Metrobus. (10 DCMR § 1404.3 (B).)

"Objectives and policies for areas of strong architectural character and areas of stable character include the following design guidelines:
(a) Height: Relate the overall height of new construction (including additions) to that of adjacent structures. As a general rule, construct new buildings to a height roughly equal to the average height of existing buildings. Avoid new construction which greatly varies in height (too high or too low) from older buildings in the vicinity;
(b) Scale: Relate the size and proportions of new construction to the scale of adjacent buildings. New construction should maintain the scale of existing buildings, regardless of size. Avoid new construction which in height, width or massing violates the scale of the area. (10 DCMR § 1406.9.)

Policies for land use/zoning include:

"Maintain and improve the physical condition of the community through the provision of functional, efficient, and attractive residential, commercial and open space environments." (10 DCMR § 1409.2 (c).)
"Maintain and expand the existing housing stock, where feasible and consistent with the Comprehensive Plan to ensure a greater variety of housing types, opportunities and choices" (10 DCMR § 1409.2 (k).)

As discussed throughout this statement, the proposed project is consistent with, and furthers these goals and objectives of the Ward 3 Element. The addition of 43 new condominium units (with 7% of those units designated as "affordable") and ground floor retail on Wisconsin Avenue approximately 1,000 feet from the Tenleytown Metrorail Station, is entirely consistent with the Ward 3 Element's goals for economic development, housing, and transportation. Similarly, the proposed 65 foot tall building and mass of the project is consistent with the adjacent structures and will be an attractive addition to the urban fabric of the Tenleytown neighborhood. Finally, the zoning relief and Zoning Map amendment requested through this process are also entirely consistent with the goals of the Ward 3 Plan.

VII. CONCLUSION

For the foregoing reasons, the Applicant submits that the consolidated PUD and Zoning Map amendment applications meet the standards of Chapter 24 of the Zoning Regulations; are consistent with the purposes and intent of the Zoning Regulations and Map; will enhance the health, welfare, safety and convenience of the citizens of the District of Columbia; satisfy the requirements for approval of a consolidated PUD and Zoning Map amendment; provide significant public benefits; and advance important goals and policies of the District of Columbia. Therefore, the consolidated PUD application and Zoning Map amendment should be approved and adopted by the Zoning Commission.

Accordingly, the Applicant respectfully requests the Zoning Commission to set the PUD and accompanying Zoning Map amendment applications down for a public hearing at the earliest possible date.

Respectfully submitted,

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