THE CITADEL

STATEMENT

OF THE APPLICANT
TO THE
DISTRICT OF COLUMBIA ZONING
COMMISSION
FOR A
CONSOLIDATED PLANNED UNIT
DEVELOPMENT

OCTOBER 19, 2004

ZONING COMMISSION
District of Columbia
Case 04-30
Exhibit 4

PREFACE

This statement and the attached documents are submitted by Faison Enterprises, Inc. on behalf of Jemal's Citadel, LLC, the owner of the property (collectively, the "Applicants"), in support of their application to the Zoning Commission for the District of Columbia for the consolidated review and one-step approval of a Planned Unit Development ("PUD"). The Applicants are not requesting a Zoning Map Amendment in connection with this application. The subject property consists of Lot 36 in Square 2562 and is currently occupied by "the Citadel," which, according to the available Certificates of Occupancy, was previously used as a public hall, restaurant, arcade and roller skating rink. Square 2562 is bounded by Euclid Street to the north, 16th Street to the east, Kalorama Road to the south, and 17th Street to the west. The property is currently zoned RC/C-2-B, which permits a maximum FAR of 3.5 for an apartment house or other residential uses, and a maximum FAR of 1.5 is allowed for other permitted uses. The C-2-B District ordinarily permits a maximum height of sixty-five feet. However, the Reed-Cooke Overlay District reduces the matter of right height to forty feet.

The Applicants are seeking PUD approval in order to retain and convert the existing structure into a multi-use establishment with retail, office, grocery store and other permitted uses. The proposed project is designed by the architectural firm of Esocoff and Associates and is sensitive and complementary to its surrounding areas.

DEVELOPMENT TEAM

Applicant:	Faison Enterprises, Inc. 121 West Trade Street 2550 Interstate Tower Charlotte, NC 28202
Owner:	Jemal's Citadel, LLC 702 H Street, N.W. Suite 400 Washington, DC 20001
Architect:	Esocoff and Associates 1030 Fifteenth Street, N.W. Suite 430 Washington, DC 20005
Traffic Consultant:	Gorove/Slade Associates, Inc. 1140 Connecticut Road, N.W. Suite 700 Washington, DC 20036
Economic Consultant:	Bolan Smart Associates, Inc. 900 19th Street, N.W. Suite 600 Washington, DC 20006
Land Use Counsel:	Holland & Knight LLP 2099 Pennsylvania Road, N.W., Suite 100 Washington, D.C. 20006

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 October 19, 2004, 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	Application Statement
3013.1(b)	List of Witnesses	Exhibit B
3013.1(c)	Summary of Testimony of Applicant's Witnesses and Reports for Record:	
	Donald Deutsch, Faison Enterprises, Inc.	Exhibit C
	Phil Esocoff, Esocoff and Associates	Exhibit C
	Louis Slade, Gorove/Slade Associates, Inc.	Exhibit C
	Lewis Bolan, Bolan Smart Associates, Inc.	Exhibit C
	Steven E. Sher, Urban Planner, Holland & Knight LLP	Exhibit C
	Representative of Grocery Store	Exhibit C
3013.1(d)	Additional Information	None submitted herewith
3013.1(e)	Reduced Plans	Exhibit A
3013.1(f)	List of Maps, Plans or other Documents Readily Available Which Will Be Offered	Exhibit D

	Into Evidence	
3013.1(g)	Estimated Time Required for Presentation of Applicant's Case	Exhibit B
3013.2	Two Sets of Full Plans	Submitted herewith
3013.4	Memorandum of Understanding	Exhibit F
3013.4	First Source Employment Agreement	Exhibit E
3013.6(a)	List of Names and Addresses of All Property Owners Within 200 Feet of The Subject Property	Exhibit H

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: Kyrus L. Freeman

LIST OF EXHIBITS

Description		Exhibit
Architectural Plans and Drawings (submitted separately)		A
List of Witnesses and Estimated Time Required For Presentation of Applicant's Case		B
Outlines of Testimony for Witnesses		C
List of Maps, Plan or Other Documents Readily Available Which Will Be Offered Into Evidence		D
First Source Employment Agreement		E
Local, Small or Disadvantaged Business Opportunities Memorandum of Understanding		F
List of Names and Addresses of All Property Owners Within 200 Feet of the Subject Property		G
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Traffic Impact Study (submitted separately)		H
Zoning Map		I
Sanborn Map		J
Building Plat		K
Generalized Land Use Map		L
Certificate of Notice, Notice of Intent, and Property Owners List		M
Zoning Commission Order No. 523-A, dated February 11, 1991.		N

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I. INTRODUCTION

This statement and the attached documents support the application of Faison Enterprises, Inc. on behalf of Jemal's Citadel LLC, (collectively, the "Applicants"), to the Zoning Commission for the District of Columbia ("Commission") for consolidated review and approval of a Planned Unit Development ("PUD"). The Applicants do not contemplate a change of zoning in connection with this application. The proposed PUD involves the conversion of the existing "Citadel" building into a multi-use establishment with retail, office, grocery store and other permitted uses as permitted by the Commission. The PUD will also include below grade parking. The PUD site, Lot 36 in Square 2562, is located in a square in the northwest quadrant of the District, and is bounded by Euclid Street to the north, 16th Street to the east, Kalorama Road to the south, and 17th Street to the west (the "PUD Site"). The PUD Site is in the southwest portion of Square 2562. The PUD Site is zoned RC/C-2-B.

A. Background Information Regarding Developer

Faison Enterprises, Inc. ("Faison") is a privately-owned real estate holding company with properties exceeding $1.3 billion in value. Faison is headquartered in Charlotte, North Carolina and has more than a thirty-year history of acquiring, developing and managing properties in the Southeastern, Mid-Atlantic and Southwestern United States. Faison has recently developed and is developing a number of projects in the District, including:

- Construction of a 260 unit residential project at 400 Massachusetts Avenue, N.W.;

- Development of an apartment house consisting of approximately 212 units and 208 parking spaces at 910 M Street, N.W.; and
- Conversion and expansion of an existing warehouse and commercial building into an apartment house with 48 dwelling units, including 7 affordable units, and 41 parking spaces at 1701 Kalorama Road, N.W.

II. PROJECT DESCRIPTION

A. Site Location and Description

1. Site Description

The PUD Site consists of Lot 36 in Square 2562 and contains approximately 42,485 square feet of land area. The PUD Site is currently occupied by the "Citadel" which, according to the available Certificates of Occupancy, was previously used as a public hall, restaurant, arcade and roller skating rink. The PUD Site is located in Ward 1 in a square that is bounded by Euclid Street to the north, 16th Street to the east, Kalorama Road to the south, and 17th Street to the west. The Generalized Land Use Map of the Comprehensive Plan designates the PUD Site in an area intended for moderate density residential land uses.

2. Description of Surrounding Area

The PUD Site is located on the eastern edge of the Adams Morgan area, north of the Dupont Circle area, and within and on the eastern edge of the Reed-Cooke Overlay District. This area contains a wide variety of uses and includes some mixed use and commercial developments. There are a number of residential uses in the area, including the Dorchester, the Envoy, 1661 Crescent Place, Park Tower, and the Morgan School Annex. A mixture of commercial and residential uses are located to

the south and west of the PUD Site.

B. Project Design and Components

The Citadel, currently addressed as 1631 Kalorama Road, NW, is an existing structure that will be renovated to accommodate the Harris Teeter national grocery store chain, as well as additional commercial uses, including neighborhood retail. First built in the 1940s, the existing structure has a history that encompasses an armory, a roller skating rink, a sound studio, a neighborhood restaurant, a gasoline service station, storage, and a computer technology incubator.

(i) Existing Land and Building

The PUD Site is bounded by Kalorama Road to the south, 17th Street to west; the Dorchester Apartment building lies to the east and some of its surface parking lies to the north. The lot area contains approximately 42,490 square feet. The existing building's footprint is 40,675 square feet, resulting in a lot occupancy of 95.7%.

At present, there is one main level of existing commercial space. The bulk of this level is column free, covered by an enormous reinforced concrete dome measuring fifty-five feet in height from the point at which height is measured by zoning standards. Two levels exist below this that were, historically, used for vehicle parking, although some of it was also converted to general storage uses at points in the past. The existing building is well served by electrical, water, sewer, and telephone utilities.

The existing building is currently significantly underutilized and has been so for nearly ten years, following the closure of the roller skating rink and inability to

establish one or more long-term, successful enterprises. Jemal's Citadel LLC, the present owner, purchased the property from a trustee appointed by a local bankruptcy court.

Due to its underutilized status, the existing structure is slowly decaying. No tenant since the roller skating rink has successfully used the full building over a long term period. The lack of a long-term or permanent use has left the neighborhood with a peculiar structure in need of creative re-use. The existing structure exhibits an Art Deco style. It's scale is in line with area apartment buildings but is somewhat higher than the area's residential row dwellings. Discussions with the District have confirmed the Applicants' understanding that the existing building is historically significant although not presently a landmark.

(ii) Proposed Development

The proposed PUD project leaves the existing footprint and basic form of the building intact while introducing a series of new uses to the existing structure, individually and collectively restoring vitality and liveliness to the building and adding both to the abutting streets and immediate neighborhood.

The existing facade of the building will remain intact with one additional element and several other architectural embellishments. The proposed façade changes will reduce the perceived mass of the existing building while adding interest and vitality at the sidewalk level. The entire structure will be refinished in a more contemporary color than the existing battleship grey. The exposed surfaces of the building will be repaired as needed and completely repainted.

The existing Kalorama Road canopy will be enhanced by a marquee over the entrance to Harris Teeter. The windows below the canopy will be replaced with open storefront doors. Original window openings along the upper Kalorama Road elevation will be reopened and re-glazed. The canopy at the northeast end of the Kalorama façade will be repaired, and the old entrance modified for an office entry and lobby. Decorative treatments will enliven the eastern segment of the building's frontage along Kalorama Road.

The existing metal roll up door to the retail area, at the corner of Kalorama Road and 17th Street will be removed, the opening extended in both directions and replaced with a glazed storefront. The enlarged glass storefront will provide transparency to the new use at the corner.

The existing loading dock doors will be replaced with a single new door incorporating sound attenuating measures. The existing loading dock roof will be raised and aligned with the existing 17th Street parapet.

The existing northern and eastern walls will be raised to provide visual as well as sound absorbing screening for the mechanical units, positioned on the existing low roof area on the rear and side of the dome.

A new office elevator core will require raising a portion of the wall area adjacent to the Dorchester Apartment's existing loading dock and its driveway leading to Kalorama Road. The new core will contain the elevators, restrooms, office mechanical area, and elevator lobby.

The most significant change to the elevations is the addition of windows to the lowest portion of the existing domed roof. The existing dome would be cut back between the structural ribs to allow new windows to ring the perimeter of the dome. The windows will break down the mass of the large dome as well as bring light into the new office level and animation to the area. The windows will add interest to the perimeter of the dome. The roof will also be repaired as needed and completely repainted. The existing parapet line along the building's Kalorama Road and 17th Street façades will be retained. New signage will be added at the parapet at the corner of Kalorama Road and 17th Street. Other signage will be integrated into the new Marquee sign as well as the canopy at the new office lobby entrance.

The existing parking levels will be repaired, painted, organized, laid out, and equipped to accommodate parking for the grocery and other commercial uses. Approximately 130 parking spaces will be available for all uses, close to ninety of these being for the grocery store itself. New elevator lobbies will be added to provide access to the parking levels from both the grocery store and the office lobby.

A new structural floor slab will be added twenty-one feet above the grocery level, to accommodate new office space fully within the existing building's domed area. At the discretion of the eventual tenant or owner, an additional mezzanine could also be added within that area adding as much as 7,314 square feet. These areas will receive natural daylight from the new ring of windows along the lower extremity of the dome.

The main commercial level will become the sales area for Harris Teeter, a new entry into the District of Columbia grocery store market. The Harris Teeter space will include its open sales areas, the prep areas, loading docks, storage areas, and circulation. A mezzanine will be added within the supermarket level to accommodate the store offices of Harris Teeter.

Steps have been taken to address the impact of the traffic which would be generated on the neighborhood, both in terms of customer/employee trips in passenger vehicles and trips for delivery vehicles. Harris Teeter is committed to servicing its store using shorter (35 foot length) trucks in order to eliminate long trailers that would contribute to congestion on the area's streets. Harris Teeter is also investigating methods to ease the movement of groceries from the sales floor to parking levels for pick up. The entrance to the parking garage, on Kalorama Road, will become a more inviting entry, painted, and provided with signage indicating the status of the parking levels. The existing ramp systems move traffic quickly into the building and down to the main parking areas – preventing the stacking of cars on Kalorama Road.

The intent of this project is to take a remarkable large structure and give it back its place as a center of life in the community. Once the destination for families interested in an evening of roller skating, The Citadel will once again be a neighborhood asset, providing complete supermarket services to an underserved community.

C. Matter of Right Development Under Existing Zoning and Reed-Cooke Overlay District

The PUD Site is zoned RC/C-2-B. The C-2-B District is designed to serve commercial and residential functions similar to the C-2-A District—which is designed to provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District outside of the central core—but the C-2-B District is designed to include higher-density residential and mixed-uses. 11 DCMR §720.6. The Reed-Cooke Overlay District is designed, in part, to ensure that new nonresidential uses serve the local community by providing retail goods, personal services, and other activities that contribute to the satisfaction of unmet social, service, and employment needs in the Reed-Cooke and Adams-Morgan community. 11 DCMR §1400.2(b).

The C-2-B District permits a maximum FAR of 3.5, of which 1.5 is allowed for permitted uses other than an apartment house or other residential use. 11 DCMR § 771.2. The C-2-B District permits a maximum height of sixty-five feet, with no limit on the number of stories. 11 DCMR §770.1. However, section 1401.1 of the Zoning Regulations provides that the maximum height permitted in the Reed-Cooke Overlay District may not exceed forty feet. 11 DCMR §1402.1.

Office, grocery store, and many other retail and commercial uses are permitted in the C-2-B District as a matter of right; however, the overlay imposes some restrictions on the retail and commercial uses. 11 DCMR §§701.4, 701.6, 721.1, 1401.1. Parking for office uses in excess of 2,000 square feet is required at a rate of one space for each 1,800 square feet of gross floor area, and parking for retail

or service establishments in excess of 3,000 square feet is required at a rate of one space for each additional 750 square feet of gross floor area. 11 DCMR §2101.1.

D. Tabulation of Development Data

See tabulation sheet included in the Architectural Plans and Drawings attached hereto as Exhibit A.

E. Flexibility Under PUD Guidelines

The PUD process was created to allow greater flexibility in planning and design than may otherwise be possible under conventional zoning procedures. Thus, the Applicants seek flexibility from several provisions of the Zoning Regulations. As permitted under section 2405.8, the Commission may grant such flexibility without the need for special exception or other approval from the Board of Zoning Adjustment or compliance with the special exception standards that might otherwise apply.

The Applicants have made every effort to provide a level of detail that conveys the design and architectural significance of the Citadel that respects the intent and purposes of the Zoning Regulations and Comprehensive Plan. Nonetheless, some flexibility is necessary to address the Applicants' needs, the proposed range of possible uses, and other factors that cannot be precisely delineated at this time because some existing conditions are not yet fully known as preliminary demolition is not yet complete. The Applicants request flexibility in the following respects:

1. **Roof Structures** - Flexibility is requested from the roof structure requirements of the Zoning Regulations because there will be multiple roof

structures (§411.3), two of which cannot be setback from all exterior walls a distance equal to their height above the roof (§411.2 and 770.6), and one of which has walls of varying height (§411.5).

2. Floor Area Ratio – The Applicants also seek flexibility from the floor area ratio requirements of the Zoning Regulations. The C-2-B District permits a maximum floor area ratio of 3.5, of which 1.5 is allowed for permitted uses other than an apartment house or other residential use. 11 DCMR §771.2.

Section 2405.3 provides that the Commission may authorize an increase of not more than five percent in the maximum floor area ratio, provided that the increase is essential to the successful functioning of the project and consistent with the purpose and evaluation standards of the PUD regulations. Thus, the Commission has the authority to authorize a gross floor area of 2.1 for non-residential projects in the C-2-B District.

The Applicant proposes to provide a floor area ratio of 2.08. However, the PUD project will only have a productive floor area ratio of 1.90, as 0.18 of the gross floor area is associated with parking and loading. The proposed floor area ratio results from the Applicants' proposal to make maximum use of the existing site. The proposed FAR is not attributable to increasing the volume of the structure, but is based upon additional use of the interior volume of the existing building. In order to comply with the normal FAR requirements, the Applicants would have excessive volume that could not be effectively utilized to accommodate the proposed uses. Accordingly, the Applicants seek flexibility as allowed by section 2405.3.

3. **Loading Requirements** - The Applicants request flexibility from the loading requirements set forth in Section 2201.1 of the Zoning Regulations. Office buildings in C-2-B Districts with 20,000 to 50,000 square feet of gross floor area must normally provide one loading berth at thirty feet deep and one service/delivery space at twenty feet deep. Grocery stores in the C-2-B District with more than 20,000 to 100,000 square feet of gross floor area must normally provide one loading berth at thirty feet deep, one loading berth at fifty-five feet deep, and one service/delivery space at twenty feet deep. The Applicants propose to provide approximately 33,379 gross square feet of office use, and approximately 40,150 gross square feet of grocery use. Hence, without taking credits that are allowable into account were this new construction, the Applicants would be required to provide two loading berths at thirty feet deep, one loading berth at fifty-five feet deep, and two service/delivery spaces at twenty feet deep. However, the Applicants are proposing to provide two loading berths at thirty-eight feet, and request that the District subdivide and relocate the existing adjacent curb loading zone space along 17th Street further north along 17th Street and to Kalorama Road to serve the project. This internal design maximizes the existing loading area within the configuration of the existing structure, adds a trash compactor and accommodates for a ten foot elevation change across the façade.

4. **Parking Drive Aisle Width and Size of Parking Spaces** – Section 2115.1 of the Zoning Regulations provides that required parking spaces must be a minimum of nine feet in width and nineteen feet in length. Compact car parking

spaces must be a minimum of eight feet in width and sixteen feet in length, and must be placed in groups of at least five contiguous spaces with access from the same aisle. 11 DCMR §2115.3, 2115.4. Moreover, section 2117.5 of the Zoning Regulations provides that parking aisle widths must measure at least twenty feet for ninety degree angle parking, and at least seventeen feet for angle parking that is sixty degrees or less as measured from the center line of the aisle.

The Applicants propose to provide approximately 130 parking spaces, although only seventy-seven would be required for new construction (again without taking available credits into account). However, due to the existence of concrete structural support columns located at various points throughout the lower level of the existing building, and the configuration of necessary features for the operation of the facility, a number of the parking drive aisles measure less than twenty feet. Moreover, the Applicants are considering slightly decreasing the striped length of a number of parking spaces in order to increase the drive aisle widths. Also, some compact spaces are not placed in groups of at least five contiguous spaces, again due to pre-existing column spacing. Accordingly, the Applicants request minor flexibility in the design, layout and size of the parking area.

5. Rear Yard – Section774.1 of the Zoning Regulations provides that all structures in the C-2-B District must provide a rear yard with a minimum depth of fifteen feet. However, the existing Citadel structure, which the Applicants propose to keep intact, is non-conforming since it does not have a rear yard, and the

Applicants therefore seek flexibility from this requirement to allow additional development above portions of the required rear yard that are already occupied.

6. Height – The C-2-B District permits a maximum height of sixty-five feet. The Reed-Cooke Overlay District reduces the matter of right height to forty feet. However, the existing building already has a height of fifty-five feet. Moreover, the Applicants are considering extending the height of the upper office lobby up to the plane of whatever minimal elevator override would be needed at the eastern property line, thus establishing a smooth plane covering area including the stair tower, elevator core, bathrooms, lobby and any mechanical equipment contained within the structure. This extension will be lower than both the existing fifty-five foot roof and the sixty-five foot height limitation imposed in the C-2-B District, but it would also be above the forty foot limit included in the Reed-Cooke overlay requirements. Note that the plans, as filed, depict a lobby addition with a ceiling within this area that will not exceed the forty foot height restriction.

7. Reed-Cooke Overlay District Use Provisions (If necessary) –

Section 1401.1(c) of the Zoning Regulations prohibit the establishment of restaurants in the Reed-Cooke Overlay District. However, the Applicants are considering placing a restaurant use in the retail portion of the PUD project since such usage is one of the few uses realistic for that portion of the PUD project. Moreover, pursuant to section 1401.1(b), use of a building for the sale of off-premises alcoholic beverages is prohibited in the overlay. However, the Applicants are considering pursuing an application with the Alcohol Beverage Control Board

for a license to permit the sale of wine and beer in connection with the proposed grocery store use. The Applicants consider the proposed sales to be an accessory use to the permitted grocery store use, in part because they would not represent a significant percentage of either the floor area or total projected receipts. Moreover, a number of other grocery stores in the District sell alcoholic beverages, as permitted by D.C. Code, 2001 Ed. §25-331.

If the Zoning Administrator determines that the sale of wine and beer in connection with the proposed grocery store use is not accessory use, then the Applicants will need flexibility from both sections 1401.1(b) and 1401.1(c). However, if the Zoning Administrator determines that the sale of sale of wine and beer in connection with the proposed grocery store use is an accessory, the Applicants would only need flexibility from section 1401.1(c).

8. Relief from Limitations on Expansion of a Non-Conforming Structure or Building – Chapter 20 of the Zoning Regulations addresses requirements that apply to Nonconforming Uses and Structures. In particular, section 2001.3 provides that enlargements or additions may be made to a nonconforming structure if (a) it conforms to use and structure requirements and (b) that there be no increase or extension of "any existing, nonconforming aspect of the structure." 11 DCMR §2001.3. The existing Citadel building is nonconforming in several respects, including height and lack of any rear yard (whether established from either street frontage).

The plans filed propose to add height to both the loading dock at the northwest corner as well as to establish the upper office lobby at the eastern end of the project. As the existing building is built to the property line at both these locations, there is no diminution of the existing rear yard as there is none. However, both add additional building mass within the area where a required rear yard might otherwise exist. Accordingly, Applicant's seek relief from this requirement.

In addition, should the Commission determine that the eastern office lobby mass would be preferable as a single plane with no elevator shaft rising above it, this would also be a deviation from the height standards and require approval with reference to section 2001.3(b).

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

A. PUD Process is Appropriate Mechanism for the Project

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

community and the District agencies an opportunity to work with the Applicants to ensure a well-planned development.

B. PUD Requirements Under Chapter 24 of the Zoning Regulations

1. Area Requirements Under Section 2402.1(c)

The PUD Site area is approximately 42,485 square feet in land area, which exceeds the minimum area requirement of 15,000 square feet for a PUD in the RC/C-2-B District. 11 DCMR §2401.1(c).

2. Height and FAR requirements Under Sections 2405.1 and 2405.2

Section 2405.1 of the Zoning Regulations provides that the maximum permitted height for a PUD in the C-2-B District is ninety feet. However, section 1402.2 of the regulations provides that in the Reed-Cooke Overlay District, no PUD can exceed the matter of right height requirements of the underlying district. The C-2-B District permits a maximum height of sixty-five feet, and the project's proposed overall height of forty feet is well within these requirements. However, as discussed previously, the Applicants could need flexibility from the Reed-Cooke Overlay District requirement limiting the maximum height of buildings in the overlay to forty feet.

The C-2-B District permits a maximum floor area ratio of 3.5, of which 1.5 is allowed for permitted uses other than an apartment house or other residential use. 11 DCMR § 771.2. Further, section 2405.3 of the Zoning Regulations provides that the floor area ratio of PUD's in the C-2-B District cannot exceed a total of 6.0, of which no more than 2.0 can be for commercial uses. Moreover, section 2405.3

provides that the Commission may authorize an increase of not more than five percent in the maximum floor area ratio, provided that the increase is essential to the successful functioning of the project and consistent with the purpose and evaluation standards of the PUD regulations. Thus, the Commission has the authority to authorize a gross floor area of 2.1 for non-residential projects in the C-2-B District.

The PUD Site will be developed to a total aggregate density of 2.08 FAR, or 88,346 square feet of gross floor area. However, excluding parking and loading areas yields a productive FAR of 1.90, or 80,874 square feet of gross floor area that will actually be utilized by the project. The Applicants request that the Commission utilize its authority to authorize an FAR of up to 2.1 since the Applicants' additional FAR of 0.08 is necessary to provide the parking and the enclosed loading areas needed to serve the proposed project while retaining the existing structure.

3. Impacts of the Project Under Section 2403.3

The impacts of the PUD project will not be unacceptable on the surrounding area or upon the operation of city services and facilities. In fact, the project will have a significantly positive impact. The development of a mixed-use establishment at the site will complement the surrounding neighborhood. Furthermore, as the Traffic Impact Analysis attached hereto as Exhibit H demonstrates, the PUD project will not have an unacceptable impact on traffic. The PUD project will promote development at an appropriate location and will add to the economy of the

District as well as provide expanded employment opportunities for District residents.

4. Not Inconsistent with the Comprehensive Plan Under Section 2403.4

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

C. Public Benefits and Amenities

1. Overview

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

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

The Citadel is an existing structure that will be renovated to accommodate Harris Teeter, approximately 33,379 gross square feet of office use, and additional square footage for retail and commercial uses. This former roller skating rink, once the center of community recreation, has long been vacant, thus diminishing the vitality of the neighborhood. The new primary tenant, Harris Teeter, will once again make the Citadel a focus of community activity. It will help strengthen the fabric of the neighborhood by restoring life and vitality to a derelict building, and help create and attract jobs and consumer dollars.

The renovation of this large, distinctive structure will add new storefront at the street level, bringing activity, light and interest to the streetscape. Decorative murals, tree plantings and signage will enliven the long Kalorama façade. New signage will provide visual interest at the parapet line. The addition of new windows around the base of the dome will enhance the dome and provide an attractive rooftop view to surrounding neighbors. Maintaining the Art Deco styling will preserve that long-ago era of infectious enthusiasm in the built environment.

3. Uses of Special Value to the Neighborhood (Section 2403.9(i))

The Applicants' proposal to provide approximately 40,150 square feet of productive area for the proposed grocery store use is of special value to the neighborhood because it will provide much-needed service to residents in the area and the District.

4. Employment and Training Opportunities (Section 2403.9(e))

The Applicants are committed to expanding employment opportunities for residents and local businesses. The Applicants anticipate that the proposed grocery store use alone will create 182 jobs – 6 salaried managers, 50 full time employees, and 126 part time employees. These will all be net new jobs to the District of Columbia. The bulk of these positions are for persons with modest skill levels, which is the grouping most in need of jobs. The additional retail and office uses are also expected to employ over 100 jobs on site, which the Applicants also expect to result in net new jobs in the District of Columbia.

5. First Source Employment Agreement and Local, Small, and Disadvantaged Business Enterprises (Section2403.9(j))

In addition to the employment and training opportunities discussed above, the Applicants will also be entering a First Source Employment Agreement with the Department of Employment Services similar to the form attached hereto as Exhibit E. The Applicants will also be entering a Local, Small, and Disadvantaged Business Enterprises (LSDBE) Memorandum of Understanding with the District's Office of Local Business Development similar to the form attached hereto as Exhibit F.

6. Retention and Adaptive Re-Use of the Citadel (Section 2403.9(b), (d))

The Applicants' proposal to retain and adapt the existing Citadel is an additional benefit of the PUD project. Although the existing building is not presently a landmark, the Citadel is a historically significant building. As

discussed above, the existing structure has over a sixty year history of providing important uses to the community, including the roller skating rink, the neighborhood restaurant, and the computer technology incubator. However, due to its underutilized status, the existing structure is slowly decaying. The lack of a long-term or permanent use has left the neighborhood with a peculiar structure in need of creative re-use. The Applicants intend to give the Citadel back its place as a center of life in the community and as a neighborhood asset.

IV. COMPLIANCE WITH THE COMPREHENSIVE PLAN

The proposed PUD advances the purposes of the Comprehensive Plan, is consistent with the Generalized Land Use Map, and furthers and complies with the major themes and elements for the District and Ward 1 in the Comprehensive Plan.

A. Purposes of the Comprehensive Plan

The purposes of the Comprehensive Plan are six-fold:

> (1) Define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development; (2) Guide executive and legislative decisions on matters affecting the District and its citizens; (3) Promote economic growth and 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).

The PUD project significantly advances these purposes by promoting the physical and economical development of the District through the provision of needed retail, office and grocery store uses in the area; the adaptive renovation and reuse of

an underutilized building; and the provision of uses that will add to the sense of neighborhood, while also providing employment opportunities.

B. Generalized Land Use Map

The Generalized Land Use Map designates the PUD Site in the moderate density residential land use category. This classification existed and was taken into consideration by the Commission in rezoning Square 2562 to RC/C-2-B and implementing the Reed-Cooke Overlay District. The Commission therefore found that such action was not inconsistent with the Comprehensive Plan and appropriately implemented and advanced the objectives and policies established in the Comprehensive Plan. See Zoning Commission Order No. 523-A, dated February 11, 1991, attached hereto as Exhibit O. The Applicants are not seeking a change of zoning in connection with this application. Moreover, as discussed further below, the Ward 1 economic development element of the Comprehensive Plan encourages the retention, expansion and attraction of new businesses in the ward, and the Ward 1 land use element encourages the development of adequate neighborhood shopping and support services in all section of Ward 1.

The PUD Site is located in an area containing a wide variety of uses and includes some mixed use and commercial developments. There are a number of residential uses in the area, including the Dorchester, the Envoy, 1661 Crescent Place, Park Tower, the Morgan School Annex, and 48 dwelling unit project at 1701 Kalorama Road, N.W. recently approved by the Board of Zoning Adjustment. A mixture of commercial and residential uses are located to the south and west of the PUD Site.

C. Compliance with Major Themes of the Comprehensive Plan

The PUD project is consistent with many of the Comprehensive Plan's major themes as follows:

1. Stabilizing and Improving the District's Neighborhoods

The proposed PUD will include uses of importance to the immediate neighbors of the PUD Site, including retail and grocery uses. The proposed uses will add to the stability and vibrancy of the neighborhood.

2. Increasing the Quantity and Quality of Employment Opportunities in the District

The Applicants are committed to expanding employment opportunities for residents and local businesses, and will be entering both a First Source Employment Agreement with the Department of Employment Services and a Local, Small, and Disadvantaged Business Enterprises (LSDBE) Memorandum of Understanding with the District's Office of Local Business Development. Moreover, the Applicants anticipate that the proposed grocery store use alone will create 182 jobs, most of which will be held by District residents.

3. Respecting and Improving the Physical Character of the District

The Applicants' proposal respects and improves the physical character of the District through the development of a well-planned and carefully designed project that replaces an underutilized building with uses needed by both local neighbors and the District as a whole.

4. Reaffirm and Strengthen the District's Role as the Economic Hub of the National Capital Region

The Comprehensive Plan encourages maximum use of the District's location for both private and public growth to promote economic development. Increasing the District's tax receipts is instrumental to the success of the economic goals of the city. This mixed-use project furthers this theme by incorporating various uses that will promote the economic health and well-being of the region.

D. Compliance with Major Elements of the Comprehensive Plan

The proposed PUD furthers the objectives and policies of many of the Comprehensive Plan's major elements as follows:

1. Economic Development Element

According to the Economic Development element of the Comprehensive Plan, the District places a high priority on the generation of new and productive uses of currently underused commercially and industrially zoned lands. 10 DCMR § 200.10. The proposed PUD will dramatically improve upon the existing Citadel building, creating attractive and functional mixed uses, including retail, office and a grocery store, in its place. The proposed uses will attract employers, employees and tax revenue to the area.

2. Urban Design Element

The Urban Design element states that it is the District's goal to promote the protection, enhancement and enjoyment of the natural environs and to promote a built environment that serves as a complement to the natural environment, provides visual orientation, enhances the District's aesthetic qualities, emphasizes

neighborhood identities, and is functionally efficient. 10 DCMR § 701.1. The Urban Design element also has an objective of encouraging new construction or renovation/rehabilitation of older buildings in areas with vacant or underused land or structures in order to create a strong, positive physical identity. 10 DCMR § 712.1. As discussed at length above, the proposed PUD has been designed to enhance the physical character of the area and complement the materials, height, scale and massing of the surrounding neighborhood.

3. Land Use Element

The Land Use element encourages development of adequate neighborhood shopping and support services. 10 DCMR §1102.1(a). Policies designed to support this goal include upgrading deficient neighborhood and multi-neighborhood shopping areas, consolidating some of the strip-zone areas, and assisting in the establishment of new commercial areas to ensure that all neighborhoods have ready access to a suitable range of retail goods and services. 10 DCMR §1104.1(l).

The proposed PUD furthers this goal through its development of retail, office and grocery store uses on an underutilized site. The Applicants propose to dedicate a large percentage of the project's overall gross floor area to retail and grocery store uses. Moreover, the proposed development will help to enhance and revitalize this segment of Ward 1, thereby stimulating new development and job opportunities.

E. Compliance with Ward 1 Elements of the Comprehensive Plan

1. Ward 1 Economic Development Element

The proposed PUD project is consistent with the Ward 1 economic development goal to retain, expand, and attract new businesses and industries that

are compatible with the adjoining residential neighborhoods, create jobs for the ward's residents, and facilitate and develop business ownership and employment advantages for the under-represented in the District's economy. 10 DCMR §1200.5. The ward's objectives for economic development include the nurturing and creation of suitable economic activities and employment centers, and the expansion of the occupational skills and job opportunities for Ward 1 residents, particularly the unemployed, underemployed, and economically disadvantaged. 10 DCMR §1201.1(a), (d).

The PUD project will meet these goals and objectives by bringing a new business to the Ward that will be compatible with the adjoining neighborhoods and provide a much needed grocery store and retail uses to area residents. Moreover, the project will create a significant number of employment opportunities that the Applicants expect to be filled by local residents.

2. Ward 1 Urban Design Element

As indicated in the Ward 1 plan, Ward 1 is an older part of the District with strong architectural character, and includes structures and design elements dating to the late 19th and early 20th centuries. 10 DCMR §1220.1. Accordingly, the Ward 1 plan calls for policies to strengthen and enhance the physical image and symbolic qualities of Ward 1 that establish its character as an urban center. The Applicants' proposed PUD enhances the ward's physical image by renovating a decaying building and introducing a series of new uses to the existing structure, individually and collectively restoring vitality and liveliness to the building and adding both to the abutting streets and immediate neighborhood.

3. Ward 1 Land Use Element

A major concern in Ward 1 is providing needed services for residents where they are lacking. 10 DCMR §1228.3. Thus, an objective for land use in Ward 1 is to encourage development of adequate neighborhood shopping and support services in all sections of Ward 1. 10 DCMR §1229.1(a). This objective is supported by the ward's policy to promote appropriate commercial development in Ward 1, including centers for retail and office uses, to expand employment opportunities for ward residents. 10 DCMR §1230.1(d). Moreover, the Ward 1 plan calls for encouraging small scale and rehabilitation projects in existing buildings, supporting planned redevelopment projects, and discouraging the demolition of buildings that can be used as an alternative to cleared land. 10 DCMR §§1231.1(c)(2), (h)(3), (h)(5). The proposed PUD meets the Ward 1 land use element because the Applicants will be rehabilitating an existing, underutilized, historically significant structure to provided needed uses, while also creating a significant number of employment opportunities that will be open to ward residents.

V. CONCLUSION

For the reasons stated above, the Applicants submit that the PUD meets the standards of Chapter 24 of the Zoning Regulations and is consistent with the purposes and intent of the Zoning Regulations, Zoning Map and Comprehensive Plan. Accordingly, the Applicants request that the Commission approve the PUD application.

Respectfully submitted,

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