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May 11, 2007

By Hand Delivery

Christine Roddy
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Carol Mitten, Chairperson
District of Columbia Zoning Commission
Office of Zoning
441 4th Street, NW, Room 210
Washington, DC 20001

Re: Zoning Commission Case No. 06-41 (Square 653, Lot 111); Camden Development's Pre-Hearing Statement for Review and Approval of a Consolidated Application for a Planned Unit Development and Related Map Amendment

Dear Chairperson Mitten and Members of the Commission:

Enclosed please find an original and twenty copies of Camden Development Inc.'s pre-hearing statement for review and approval of a consolidated planned unit development and related map amendment for Square 653, Lot 111. We look forward to presenting this application at the hearing scheduled for May 31, 2007.

Best regards,

Christine Roddy

Enclosure

cc: Matt Jesick, Office of Planning
Natasha Goguts, District Department of Transportation
ANC 6D
Rhonda Hamilton, ANC 6D
Ginger Ackiss

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ZONING COMMISSION
District of Columbia
CASE NO. 06-41
EXHIBIT NO. 48
ZONING COMMISSION
District of Columbia
CASE NO.06-41
EXHIBIT NO.48

**Camden South Capitol
1345 South Capitol Street, SW
Washington, DC
May 11, 2007**

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DEVELOPMENT TEAM

APPLICANT:	Camden Development, Inc. 1420 Spring Hill Road Suite 400 McLean, VA 22102
ARCHITECTS, ENGINEERS AND CONSULTANTS:	WDG Architects, PLLC 1025 Connecticut Avenue, N.W. Suite 430 Washington, DC 20036 Project Architect
	Jacobs Edwards and Kelcey 11860 Sunrise Valley Drive Suite 200 Reston, VA 20191 Civil Engineer
LAND USE COUNSEL	Pillsbury Winthrop Shaw Pittman, LLP 2300 N Street, N.W. Washington, DC 20037

**CERTIFICATION OF COMPLIANCE WITH SECTION 3013
OF THE ZONING REGULATIONS**

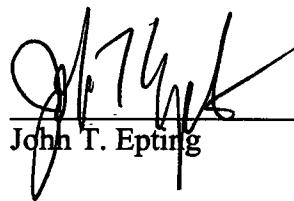
Camden Development, Inc. ("Camden"), hereby certifies that this pre-hearing submission, twenty copies of which were filed with the Zoning Commission on May 11, 2007, complies with the provisions of Section 3013 of the Zoning Regulations as set forth below, that the application is complete, and that no further changes to the project are expected to be submitted prior to the public hearing on this application.

Camden also certifies that no modifications have been made to the project and materials provided to the Zoning Commission since the presentation made to the Commission at the public hearing on February 22, 2007 and the submission of the post-hearing information on March 12 and 26, 2007.

<u>Sub-Section</u>		<u>Page</u>
3013.1(a)	Information Requested by the Commission Additional Information, Reports or Other Materials Which the Applicant Wishes to Introduce	Pre-Hearing Submission, Exhibit C
3013.1(b)	List of Witnesses	Pre-Hearing Submission, Exhibit E
3013.1(c)	Summary of Testimony of Applicant's Witnesses and Reports for the Record: Outline of Testimony of Applicant	Exhibit E
	Outline of Testimony of Project Architect	Exhibit E
3013.1(d)	Additional Information, Reports or Other Materials Which the Applicant Wishes to Introduce	Pre-Hearing Submission
3013.1(e)	Reduced Plans	Exhibit C
3013.1(f)	List of Publicly Available Maps, Plans and Other Documents	Exhibit F
3013.1(g)	Estimated Time Required for Presentation of Applicant's Case	30 minutes
3013.2	Two Sets of Full Size Plans	N/A
3013.3 and 3013.6(a)	List of Names and Addresses of All Property Owners within 200 Feet of the Subject Site and Names And Addresses of the Owners of the Property to be Rezoned	Exhibit G

3013.4	Proposed First Source Employment Agreement with Department of Employment Services and Proposed Memorandum of Understanding with the Office of Local Business Development	N/A
3013.6(b)	List of Leaseholders	N/A

Respectfully submitted,
PILLSBURY WINTHROP SHAW PITTMAN LLP


John T. Epting


Christine A. Roddy

LIST OF WITNESSES AND ESTIMATE OF TIME REQUIRED TO PRESENT CASE

Witnesses: Ginger Ackiss, Representative of Camden Development, Inc.

Sean Stadler, Architect, WDG Architecture (to be proffered as an expert witness in the field of architecture)

Estimated Time to Present Case: 30 minutes

List of Exhibits

- Exhibit A:** Plats of Property
- Exhibit B:** Zoning Commission Order No. 971
- Exhibit C:** Site Plans, Elevations, Sections, Landscape Plans, Floor Plans and Façade Details
- Exhibit D:** Green Design Features
- Exhibit E:** Outlines of Witness Testimony and Resume of Expert in Architecture
- Exhibit F:** List of Publicly Available Maps, Plans or Other Documents
- Exhibit G:** Name and Mailing Address of Owners of Property within 200 Feet of Property

I. INTRODUCTION

A. Summary of Requested Action

This pre-hearing statement supports the application of Camden Development, Inc. (“Applicant”) to the Zoning Commission of the District of Columbia 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 consists of Lot 111 in Square 653 (the “Subject Property”) and is located on the west side of South Capitol Street, SW.¹ Square 653 is bounded by South Capitol Street to the east, Half Street, SW to the west, N Street, SW to the north, and O Street, SW to the south. Plats of the Property are attached as Exhibit A and Zoning Commission Order rezoning site is attached as Exhibit B. The Property is located in the C-2-C Zone District and within the Capitol Gateway Overlay pursuant to Case No. 06-25.

The residential structure the Applicant is proposing will be located immediately across South Capitol Street from the Washington Nationals’ baseball stadium and will be adjacent to rowhouses to the west. The property is currently underutilized and largely vacant. The Applicant is proposing to construct an 11-story residential structure on the site with the possibility of ground floor retail. The building will include 3 levels of below-grade parking, rooftop recreation space, and 11,250 square feet of affordable housing. The project is depicted in further detail in the plans attached as Exhibit C.

B. The Applicant

Camden Property Trust is one of the largest multifamily companies in the nation. It owns, develops and manages high-quality apartment homes across the lower half of the United States. It also provides expertise in the acquisition, disposition and redevelopment of apartment communities; and in the consulting, building and construction services for commercial and multifamily developers and builders.

Camden was founded in 1982 by two individuals who believed that by creating a Company based on a set of core values they could create long-term value for their customers. Originally focused on high-rise condominiums, it purchased its first apartment community in 1987 in Houston, Texas. In 1993, the founding partners, Ric Campo and Keith Oden, took the Company public and proceeded to expand the organization through three strategic mergers and the development of more than \$1.3 billion in Camden flagship communities.

Since Camden's initial public offering in 1993, it has grown from 310 employees and 6,000 apartments in Texas to the nearly 2,000 employees and almost 70,000 apartments nationwide that it has today. The instant project is Camden's third in the District. It owns the Camden Roosevelt at 2101 16th Street, N.W. and the Camden Grand Parc at 910 15th Street, NW.

¹ The site was previously referred to as 1325 South Capitol Street, SW; however, the Department of Consumer and Regulatory Affairs has assigned the site the address of 1345 South Capitol Street, SW.

C. Project Goals and Objectives

Consistent with the goals of the District, as outlined in the Comprehensive Plan, and utilizing leading principles of urban design, the Applicant desires to transform a largely vacant, underutilized site into a vibrant residential building that will contribute substantially to the vitality of the immediate area. In doing so, the Applicant seeks to create a transit and pedestrian-oriented project on a humanistic scale that integrates the Subject Property with the surrounding community, including the baseball stadium and the neighboring rowhouses.

D. Development Timetable

The Applicant plans to start construction in Fall 2007 and expects that the total construction period will last approximately two years.

II. PROPOSED PUD PROJECT

A. Procedural History

The Applicant initially pursued this project as matter-of-right construction with the understanding that relief from the Board of Zoning Adjustment (“BZA”) may be necessary for certain design features (namely rooftop, courtyard, and residential recreation space requirements). Approximately one month before submitting its plans to the BZA for a special exception and variance relief, the Office of Planning submitted a proposal to extend the Capitol Gateway Overlay to the west of South Capitol Street to include this site. The Zoning Commission set the Office of Planning’s proposal down for a public hearing six days later on May 25, 2006. Similarly, this Property was not included on the Office of Planning’s initial inclusionary zoning map. It wasn’t until the Applicant had purchased the property and had developed its plans that the Office of Planning issued its report indicating that the C-2-C zoned areas of southwest would be included within the Overlay.

Thus, the Applicant initially filed an application pursuant to Zoning Commission Case No. 06-25 for design review approval as well as for special exception and variance approval pursuant to several Zoning Regulations and the pending inclusionary zoning regulations. On February 22, 2007, the Zoning Commission held a public hearing to evaluate the application. The Commission was scheduled to take final action on the application at its April 9, 2007, meeting. At that meeting, the Commission proposed that the Applicant file an application for a planned unit development (“PUD”) and related zoning map amendment to the C-3-C Zone District. The Commission waived the need for a set-down hearing and authorized the Office of Zoning to provide thirty days notice of the application upon its receipt. Accordingly, on April 13, 2007, the Office of Zoning received an application for consolidated review and approval of a planned unit development and a related map amendment. The Office of Zoning promptly scheduled a hearing for May 31, 2007, for the evaluation of this case.

B. Site Location

According to the public records, the Subject Property consists of approximately 41,019 square feet of land area and is located in Southwest D.C.² To the east of the site is the new baseball stadium for the Washington Nationals, to the west and immediately to the south are a series of rowhouses as well as the Syphax School, which has since been converted to condominiums. To the north of the site is an old barrel storage warehouse. The Subject Property was historically used for maintenance and repair of taxi cabs; today it is currently vacant and largely unimproved. It is also located within blocks of the Navy Yard and Waterfront - Southeastern University Metrorail Stations.

The Subject Property was rezoned in 2002 from Commercial-Light Manufacturing (C-M-1) to Commercial, C-2-C. At the same time, the Zoning Commission established the Capital Gateway Overlay; however, it specifically excluded the Subject Property from the Overlay. In 2006, the Office of Planning proposed extending the Overlay to include the Subject Property. The Zoning Commission took final action on February 22, 2007, in Case No. 06-25 to include the Property within the Overlay.

The Subject Property is located in the Residential Medium Density and Commercial Moderate Density Land Use categories of the newly adopted Comprehensive Plan. The Syphax School to the west is located in the local public facilities category, while the rowhouses are located in the Residential Moderate Land Use category. The east side of South Capitol Street is located in the local public facilities category as well as the Residential High Density and Commercial High Density categories.

C. Project Description

The Applicant is proposing an 11-story residential structure along South Capitol Street that steps down to 7 stories as the building stretches to the west. There is the possibility of approximately 2,900 square feet of retail space in the ground floor of the building. The building will be 110 feet tall along South Capitol Street and will gradually step down to 70 feet, 8 inches as it reaches back toward the rowhouses to the west. It will consist of approximately 276 apartment units. There will be 3 levels of below-grade parking, with approximately 260 parking spaces. The project is depicted in further detail in the plans attached as Exhibit C.

The building façade presents a modern asymmetric frontage above South Capitol Street, which honors, in its distribution of architectural elements, the historic Washington division of building base, middle, and top. The single level building base, which encloses residential amenity spaces and potential retail space at the southwest corner, maintains the designated setback line, and is sheathed in a combination of oversized masonry units, glass and metal, with cast stone accents. The setback line is held above by the full height entry bay, as well as projecting bays and balconies at floors three through ten. The top floor and the second floor are set back to provide clarity, rhythm, and hierarchy to overall façade composition. The building

² Based on a recent survey-to-mark, the site measures 41,092 square feet in size; however, for the sake of this application, we used the most conservative record number in calculating the lot occupancy and floor area ratio of the site. The Applicant intends to use the measured survey square footage for its building permit plans.

enclosures at these planes consist of a variety of sizes and colors of masonry units, in concert with glass, metal, and cast stone.

In addition to a distinctive design, the project will incorporate several elements of green design. Its location encourages public transportation as it is located only blocks away from the Navy Yard and the Waterfront-Southeastern University Metrorail stations. The Applicant is also including bicycle storage areas in its garage to encourage the use of bikes as a mode of transportation. In addition to these features, the building will include the following:

- Use of landscaping on rooftop and around the building to reduce heat island effect;
- Water efficient landscaping (drip irrigation and drought resistant landscaping);
- Use of recycled content and regional materials in construction of the building;
- Efficient stormwater filtration design, quality control reduces stormwater flow;
- Use of low-emitting materials such as paints and coatings; and
- Provision of daylight and views for each unit.

Attached as Exhibit D is a comprehensive list of the green elements that will be achieved in the project.

The Applicant has met with ANC 6D on several occasions and is offering the following as part of its benefits and amenities package:

- Camden will abide by the Development and Construction Management Plan as submitted into the record for Case No. 06-41. This Development and Construction Management Plan includes a pest control program to ensure that no increase in pest activity occurs during the period of construction activity on the Property.
- The project will reserve 11,250 square feet of gross floor area as affordable to households having an income not exceeding 80% of Area Median Income for the Washington, DC Metropolitan Statistical Area (adjusted for family size). To the extent that minor modifications are needed in the execution of this program to conform to District or Federal housing programs, the applicant will work with the Department of Housing and Community Development (“DHCD”) to make such changes comply with the same.
- Within 6 months of stabilization of the property as defined as being 94% occupied, Camden shall contact the Advisory Neighborhood Commission Single Member District Representative to make any surplus spaces in the garage available to the community at market-rate.
- Current residents of 2, 4, 6, and 8 O Street, SW shall be provided the opportunity to lease a parking space in the parking garage of the building at 50% of the market rate for a period of twenty years upon completion of the residential building.

- No less than 30 days before securing construction permits for this project, Camden shall provide the Advisory Neighborhood Commissioner Single Member District Representative an anticipated schedule of construction, including use of heavy machinery such as pile drivers.
- Camden shall coordinate with the adjacent property owners regarding the provision of a decorative fence similar to that lining the Applicant's property line from the Applicant's property and continuing north to N Street, at Camden's expense.
- Camden will give preference to existing residents living within the jurisdiction of Advisory Neighborhood Commission 6D when reviewing applications for tenancy. Camden will present its program to the ANC within 18 months of the Zoning Commission's issuance of an Order approving the proposed building.

At the hearing on February 22, 2007, the Advisory Neighborhood Commission testified in support of the application and submitted a letter in support to the same effect. The Applicant is scheduled to meet with the ANC on May 18, 2007, to present the application as a PUD; no other changes have been made to the application.

D. Development Parameters Under Existing and Proposed Zoning

The Subject Property is located in the CG/C-2-C Zone District. The C-2-C Zone District allows a 6.0 floor area ratio ("FAR"), with non-residential uses capped at 2.0. The inclusionary zoning regulations allow a 1.2 FAR bonus density, allowing for a total density of 7.2 with .6 FAR dedicated to affordable housing. This zone district allows a matter-of-right height of 90 feet; however, the Office of Planning has proposed that under the inclusionary zoning regulations, a matter-of-right height of 110 feet should be permitted. The C-2-C Zone District permits a maximum lot occupancy of 80% for residential uses.

The C-3-C District, as a matter-of-right, permits a maximum height of 90 feet, a maximum lot occupancy of 100% for residential uses, and a maximum FAR of 6.5, all of which may be residential FAR, non-residential FAR or a combination of both. The PUD guidelines for the C-3-C District allow a maximum lot occupancy of 100% for residential uses and a maximum FAR of 8.0, all of which may be residential FAR, non-residential FAR or a combination of both. The PUD guidelines also allow a building height of 130 feet.

E. Flexibility Under the PUD Guidelines

The Applicant is requesting flexibility from the strict application of the following requirements of the Zoning Regulations:

- Roof Structures: Pursuant to Section 411.11, the Applicant seeks flexibility from Sections 411.3 and 411.5 of the Zoning Regulations to permit four roof structures, one of which is not uniform in height; otherwise, the Applicant would have to provide an unnecessarily large and tall roof structure.

- Court Size: The Applicant seeks flexibility from Section 776 in that the northern court does not meet the size requirements under the Zoning Regulations. Because of building code requirements, the northern court is smaller than what is permitted under the Zoning Regulations without relief.
- Inclusionary Zoning: The Applicant seeks flexibility in implementing the pending inclusionary zoning regulations. The Applicant is proposing to provide 11,250 square feet of affordable housing, which equates to half of the bonus density it is able to capture at the site.
- Rear Yard: The Applicant seeks flexibility from the rear yard requirement for the C-3-C Zone District. The Applicant designed the building to provide a 15 foot rear yard in accordance with the existing zoning of the site, the C-2-C Zone District. Now that the Applicant is seeking to rezone the site to the C-3-C Zone District, it must seek relief from the rear yard requirements, which would otherwise require a rear yard of 23 feet, 7 inches given the 110 foot height of the building and the 42 inch tall parapet.
- Capital Gateway Setback: The Applicant seeks flexibility from the Capital Gateway restrictions of Chapter 16 that require the building to be set back 15 feet from the property line. The bulk of the building is setback; however, there are balconies that extend beyond the setback line.
- Capital Gateway Façade Requirement: The CG Overlay regulations require that 60% of the façade of the building meet the 15 foot setback line. The Applicant is proposing a building which has just over 59% of its façade meeting the setback line. The Applicant seeks flexibility with this requirement.

III. PLANNING ANALYSIS

A. Introduction

Through the PUD process, the Applicant will achieve numerous planning and development goals of the District of Columbia.

B. Land Use Impact

In September 2002, the DC Office of Planning produced a report “Trans-Formation: Recreating Transit-Oriented Neighborhood Centers in Washington, D.C.”. This report notes that

Transit-Oriented Development in the District of Columbia is a land use strategy to accommodate new growth, strengthen neighborhoods, expand choices and opportunities by capitalizing on bus and rail assets to stimulate and support vibrant, compact, diverse and accessible neighborhood centers within an easy walk of transit. Mayor’s Task Force of Transit Oriented Development (2002). Trans-Formation p. 2.

The proposed PUD project incorporates these design principles to create a Transit-Oriented Development (“TOD”). It is centrally located near two Metrorail locations – the Navy Yard and Waterfront-Southeastern University and is within the vicinity of several bus lines. The Applicant

is also providing bicycle storage area for residents to encourage the use of bicycles in place of cars.

C. Zoning Impact

The proposed Zoning Map Amendment application can be granted without adversely affecting nearby and adjacent Zone Districts. The proposed C-3-C Zone District is not inconsistent with the C-2-C land use designation for the Subject Property and the surrounding Generalized Land Use Map designations. The Applicant notes that the parcel of land that the baseball stadium is located on is in the CR Zone District and the residential and commercial high density categories. The stadium and the development that accompanies it will have compatible heights and densities with the proposed residential building. The residential use that the Applicant is proposing is entirely consistent with the District's planning goals for the future of this area of the City.

D. Environmental Impact

The approval of this PUD project will result in an improved environmental situation on the Subject Property, as any existing contaminated soils will be removed.

The project's proposed stormwater management and erosion control plans will minimize impact on the adjacent properties and existing stormwater systems through the introduction of a underground filtration system and filter all run-off on-site, before release into the public storm water system. While the project will not be requesting LEED certification, it will provide numerous environmental benefits, such as: the provision of significant landscaping at grade and on the various roof levels of the buildings.

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 within easy walking distance of more than one Metrorail station and Metrobus lines. Additionally, bicycle usage by residents of the project has been coherently integrated into the design of the project.

IV. EVALUATION STANDARDS

The standards that the Zoning Commission uses to evaluate a PUD application are outlined in §2403 of the Zoning Regulations. Pursuant to §2403.3, the Zoning Commission is required to determine that:

The impact of the project on the surrounding area and the operation of city services and facilities shall not be found to be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project.

As discussed in this statement, the proposed PUD project satisfies the evaluation standards of §2403 of the Zoning Regulations.

A. Public Benefits and Project Amenities

1. Housing and Affordable Housing

Pursuant to 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. This project will create approximately 276 new residential units in Southwest D.C. In addition, approximately 11,250 square feet of residential space will be dedicated to workforce affordable housing units.

2. Urban Design and Architecture

Section 2403.9(a) lists urban design and architecture as categories of public benefits and project amenities for a PUD. The proposed project exhibits all of the characteristics of exemplary urban design and architecture. The project has been thoughtfully designed to interact with the surrounding neighborhood and its mix of uses, including the rowhouses and the baseball stadium. The design of the ground floor engages pedestrians and activates the streetscape, adding to what will be a lively section of the city. The Applicant added additional articulation to the western façade to enhance the view of the building from the adjacent rowhouses. The height, massing, and articulation of the structure's facade will emphasize the monumental character of South Capitol Street, which is consistent with the objectives of the Capital Gateway Overlay District.

As detailed above and in Exhibit E, the application will also include a number of environmentally-friendly features. The Applicant is not seeking LEED certification, but it does seek to maximize the environmental consciousness of the building.

Moreover, the project is consistent with the Capital Gateway Overlay regulations in all material respects: it is consistent with the intent of the 15 foot setback from the property line along South Capitol Street, it is consistent with intent of the requirement that 60% of the façade be constructed to the setback line, and all vehicular access to the site is provided via O Street.

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. The proposed project has been designed to respect the monumental boulevard of South Capitol Street by concentrating its greatest height along South Capitol Street. As part of the design review process under the Capital Gateway Overlay regulations, the Commission is to determine if the project is in context with the surrounding neighborhood and street patterns. This site has the challenge of integrating with two very different land uses – the baseball stadium to the east and the rowhouses to the west. The Applicant is able to successfully balance the uses by stepping the height of the building down as it extends toward the rowhouses, massing the building on South Capitol Street and having the majority of the western property lined with landscaped courtyards.

In addition to designing the building to fit its context, the Applicant will coordinate with the District Department of Transportation in implementing design elements along the South

Capitol corridor such as pavers and street trees. This will ensure consistency along greater South Capitol Street.

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. The proposed project will provide vehicular access to parking from O Street, pursuant to the Capital Gateway Overlay regulations. Access to parking from O Street will avoid conflicts with pedestrians along South Capitol as the area continues to grow and become a popular pedestrian destination.

With regard to parking, the Applicant is providing approximately 260 parking spaces. In response to concerns raised by immediate neighbors along O Street, the Applicant is providing certain neighbors the ability to lease a parking space in the garage at a discounted rate.

5. Uses of Special Value

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 Applicant’s community amenities package is discussed in more detail on page 9.

The addition of approximately 276 new residential units will result in the generation of significant additional tax revenues for the District. Because the property will be built on a largely vacant site, all of these taxes represent new revenues for the District.

6. 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 V, the PUD is consistent with and furthers many elements and goals of the Comprehensive Plan.

7. Public Benefits of the Project

In evaluating 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.’ (See §2403.8). In addition, §§2403.12 and 2403.13 require the Applicant to show how the public benefits offered are superior in quality and quantity to typical development of the type proposed.

The proposed PUD project has been sensitively designed to mitigate any adverse effects on neighboring properties, particularly the rowhouses immediately to the west of the project. The proposed PUD project provides significant and tangible project amenities and public benefits that far outweigh the development incentives and flexibility from the strict application of the Zoning Regulations that are requested. Given the restrictions the Capital Gateway

Overlay and the Inclusionary Zoning Overlay place on the property, the only way that a residential project can be developed is through an amendment to the Zoning Map. This PUD project will include many, if not all, of the attributes of PUD projects that have been recently approved by the Zoning Commission, including:

- Exemplary architecture and site planning – A mix of residential unit types, no thru-wall vents, complete architectural treatment of all sides of the building as seen in Exhibit D of the Applicant's March 12 submission, and introduction of a lively and interactive streetscape, as seen in Exhibit C of the same submission.
- Affordable housing - This project will provide 11,250 square feet of affordable housing.
- Environmental remediation - This project will remove an environmentally contaminated soil site from the area and create a "clean" site that is suitable for residential use.
- Significant Community Amenities Package – The Applicant has made an agreement with the community to work with them through the construction of this project and to offer several benefits and amenities in relation to this project.

V. COMPLIANCE WITH THE COMPREHENSIVE PLAN

The proposed PUD is consistent with and fosters numerous goals and policies enumerated in 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 creation of approximately 276 new residential units (with approximately 11,250 square feet dedicated to affordable housing) within easy walking distance of Metrorail, bus lines, and a site that has been targeted for bustling retail use.

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

The creation of approximately 276 new residential units will help stabilize and enhance the existing neighborhood. The introduction of these new residents in this neighborhood will provide customers to patronize the retail uses that are being proposed around the baseball stadium. The District has targeted this part of Southwest for significant growth in the coming years and the residential building the Applicant is proposing will serve as a catalyst for that growth.

2. Respecting and Improving the Physical Character of the District

The proposed project, with its graduated height, has been designed to improve the site's integration with the surrounding neighborhood. As previously discussed, the Subject Property is a vacant site that was previously used as a car maintenance and repair site for taxi cabs. As a result of this prior use, contaminated soil exists on the Subject Property that will be required to be removed and disposed of in an environmentally sensitive manner. In light of the previous use, the site does not provide any benefit to the physical character of the immediate neighborhood or the District of Columbia.

The proposed site plan will vastly improve the pedestrian experience around the neighborhood by animating the streetscape through the ground floor windows and by coordinating with DDOT regarding the materials to be used along the street.

3. Preserving and Ensuring Community Input

The Applicant has engaged in a comprehensive dialogue with the community, including presentations to ANC 6D and the immediate neighbors. The Applicant will continue to work with representatives of these groups through construction of the site.

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 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)); and

“**Encourage housing** on suitably located public or private properties that are vacant, surplus, **underutilized**, or unused, . . .” (10 DCMR § 302.2(e)).

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” (10 DCMR § 303.2(d)); (Emphasis added.)

The creation of approximately 276 residential units on this currently vacant and underutilized property fully satisfies all of the above-noted provisions of the Housing Element of the Comprehensive Plan. As previously stated, the project will dedicate 11,250 square feet to workforce affordable housing, which is half of the bonus density that the Applicant is able to achieve under the pending inclusionary zoning regulations. The inclusion of these affordable units in the project is entirely consistent with the provisions of the Comprehensive Plan noted above.

2. Urban Design Element

The Subject Property is a vacant and underutilized site, while there are existing residential uses to the west of the Property. The Comprehensive Plan notes that it is the goal of the District to:

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

“Encourage well-designed developments in areas that are vacant, underused, or deteriorated. These developments should have strong physical identities;” (10 DCMR § 712.2(a))

“Utilize large-scale development or capital improvement projects as opportunities for establishing a positive image or redirection in deteriorated areas.” (“Encourage well-designed developments in areas that are vacant, underused, or deteriorated. These developments should have strong physical identities;” (10 DCMR § 712.2(g))

The proposed project exhibits all of the characteristics of exemplary urban design and architecture. The construction of a prominent residential building will complement the established residential neighborhood that is close to the Subject Property. In addition, this development on the Subject Property will create an important link between the neighborhood and the new construction that is being proposed around the baseball stadium.

3. Land Use Element

The Land Use Element enumerates the District's goal of assuring the:

"efficient use of land resources within legal, economic, fiscal, environmental, and other public policy constraints to meet neighborhood, community, and District –wide needs, and to help foster other District goals." (10 DCMR § 1101.1)

The Comprehensive Plan includes the following objectives with regard to residential neighborhoods:

- "(a) To conserve and enhance the essentially satisfactory qualities of the District's many stable residential neighborhoods including those qualities that make them unique;
- (b) To enhance other neighborhoods and achieve stability. (10 DCMR § 1102.1)

The Comprehensive Plan includes the following policies with regard to residential neighborhoods:

- "(a) Promote the conservation, enhancement, and revitalization of the residential neighborhoods of the District for housing and neighborhood-related uses;
- (b) Encourage the retention and expansion of residential uses in mixed-use neighborhoods to help maintain the residential character of these areas, **through modification of land use and related regulations when necessary;**" (10 DCMR § 1104.1) (Emphasis added.)

The introduction of residential on this site is consistent with these policies and objectives. The proposed project will enhance and stabilize this Southwest neighborhood by bringing new residents to the area and creating a possibility for ground floor retail.

4. Generalized Land Use Map

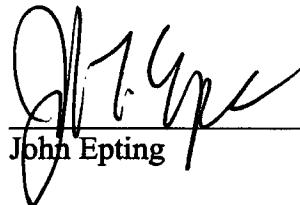
As previously mentioned, the Future Land Use Map includes the Subject Property in the Residential Medium Density and Commercial Moderate Density Land Use category. The proposal to construct a residential building consisting of 276 units with a rezoning is entirely consistent with this land use category. The Office of Planning noted in its report dated February 12, 2007, that the proposed development is not inconsistent with its designations under the Future Land Use Map or the Generalized Policy Map.

VI. CONCLUSION

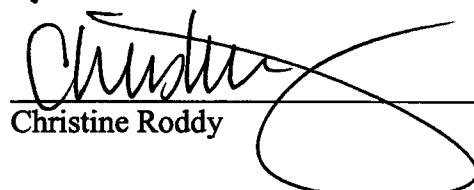
For the foregoing reasons, the Applicant submits that the consolidated PUD and Zoning Map amendment applications, in combination with the Applicant's previous submittals, meet the standards of Chapter 24 of the Zoning Regulations; are consistent with the purposes and intent of the Zoning Regulations 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.

PILLSBURY WINTHROP SHAW PITTMAN LLP



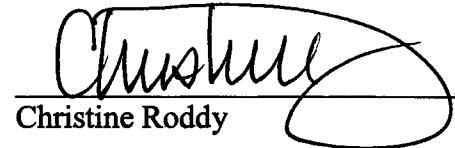
John Epting



Christine Roddy

Certificate of Service

I certify that on May 11, 2007, I delivered a copy of the foregoing document via hand delivery or first class mail to the addresses listed below.



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