

# COMSTOCK

HOMEBUILDING™

June 23, 2006

Sharon Schellin  
Acting Secretary to Zoning Commission  
Second Floor, South  
One Judiciary Square  
Suite 210S  
441 4th Street, NW  
Washington, DC 20001

#06-34

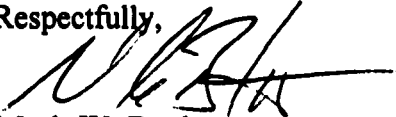
RE: PUD Application Filing for 1700 Block of East Capitol Street, S.E.

Dear Ms. Schellin:

Attached please find the application by Comstock East Capitol, L.L.C. (the "Applicant") to the Zoning Commission of the District of Columbia for consolidated review and approval of a Planned Unit Development ("PUD") and related Zoning Map Amendment for the above referenced property.

If you have any questions or concerns regarding the application please do not hesitate to telephone or email me at 703-883-1700, extension 110, or [mbeckett@comstockhomebuilding.com](mailto:mbeckett@comstockhomebuilding.com).

Respectfully,



Mark W. Beckett  
Land Acquisition  
And Development Manager

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COMMUNICATIONS

cc: Joel Lawson, Office of Planning  
Maxine Brown Roberts, Office of Planning

ZONING COMMISSION  
District of Columbia

CASE NO. 06-34  
EXHIBIT NO. 1

**APPLICATION BEFORE THE DISTRICT OF COLUMBIA  
ZONING COMMISSION**

**1705-1729 EAST CAPITOL STREET, S.E.  
SQUARE 1096 LOTS 51-55**

**CONSOLIDATED REVIEW AND APPROVAL OF A  
PLANNED UNIT DEVELOPMENT AND  
ZONING MAP AMENDMENT**

**BY  
COMSTOCK EAST CAPITOL, L.L.C.  
OWNER/APPLICANT**

**SUBMITTED BY  
COMSTOCK EAST CAPITOL, L.L.C.  
11465 SUNSET HILLS ROAD  
SUITE 510  
RESTON, VIRGINIA 20190**

**JUNE 23, 2006**

## **PREFACE**

This statement and the attached documents and exhibits support the application of Comstock East Capitol, L.L.C. to the Zoning Commission of the District of Columbia for the consolidated review and approval of a Planned Unit Development (“PUD”) and related amendment to the Zoning Map of the District of Columbia for a new residential development at 1705-1729 East Capitol Street S.E. in Ward 6. The property is located in Square 1096 and is bounded by East Capitol Street to the North, a twenty-foot wide public alley between the property and A Street to the South, 17<sup>th</sup> Street to the East and 18<sup>th</sup> Street to the West. The property is owned by Comstock East Capitol, L.L.C., the Applicant for this PUD.

The property consists of 42,629 square feet and includes all of Lots 51, 52, 53, 54 and 55 in Square 1096. The property is presently zoned R-4. The Applicant is seeking an amendment to the Zoning Map as part of this PUD to classify the property in the R-5-B district.

The Applicant proposes to construct a four-story residential development comprised of 136 units, including eleven (11) affordable housing units and a below-grade parking garage containing 117 parking spaces. The existing buildings on the property will be removed as part of the development.

As set forth below, this statement and the attached documents, renderings and plans meet the filing requirements for a PUD application under Chapter 24 of the District of Columbia Zoning Regulations.

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## **DEVELOPMENT TEAM**

**OWNER/APPLICANT:** Comstock East Capitol, L.L.C.  
11465 Sunset Hills Road  
Fifth Floor  
Reston, Virginia 20190

**ARCHITECT:** PGN Architects, PLLC  
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Washington, D.C. 20036

**CIVIL ENGINEER:** A. Morton Thomas & Associates  
10 G. Street, N.E.  
Suite 430  
Washington, DC 20002

**STRUCTURAL ENGINEER:** ReStl Designers, Inc.  
3223 Grace Street, N.W.  
Washington, D.C. 20007

**TRAFFIC CONSULTANT:** Gorove/Slade Associates, Inc.  
1140 Connecticut Ave., N.W.  
Suite 700  
Washington, D.C. 20036

**LAND USE COUNSEL:** Jordan & Keys, PLC  
1400 16<sup>th</sup> Street, N.W.  
Suite 520  
Washington, D.C. 20036

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## LIST OF EXHIBITS

<b>ITEM</b>	<b>EXHIBIT</b>
Architectural Drawings Building Plans Elevations Civil Drawings Landscape Plan Circulation Plan	A (submitted separately)
Application Forms PUD Application Zoning Map Amendment	B
Certificate of Notice Notice of Intent to File Certificate of Service List of Property Owners within 200 Feet of Project	C
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## I. INTRODUCTION

This statement and the attached documents support the application of Comstock East Capitol, L.L.C. (the "Applicant") to the Zoning Commission of District of Columbia for consolidated review and approval of a Planned Unit Development ("PUD") and related Zoning Map Amendment. The proposed PUD involves the construction of a new residential development in the Southeast quadrant of Washington, D.C.

The properties that are the subject of the application consist of Lots 51, 52, 53, 54 and 55 in Square 1096. The site is presently improved with a vacant, non-conforming residential apartment building containing 81 units.

Upon completion of the PUD, the site will consist of a new apartment building comprised of 136 units, including eleven affordable housing units and a below-grade parking garage containing 117 parking spaces. The existing buildings on the property will be removed as part of the development.

The applicant seeks consolidated review and approval for the proposed project and a related map amendment from the existing R-4 zoning to the R-5-B District for the site. The map amendment will allow the construction of the apartment use, which is first permitted in the R-5 District, and will allow the additional density needed for the economic viability of the project.

### **Project Summary**

The applicant proposes to replace the existing vacant, dilapidated, outmoded and inefficient housing units with a newly-constructed four-story apartment building with modern amenities and efficiencies. The new 136 unit building will dedicate eleven units for affordable housing and will provide 117 underground parking spaces whereas the current 81 unit building provides no parking.



## **The Applicant**

Comstock East Capitol, L.L.C. is a wholly-owned affiliate of Comstock Homebuilding Companies, Inc. (“Comstock”). Established in 1985, Comstock is a diversified real estate development firm with a focus on moderately priced for-sale residential products and has developed numerous single-family, multi-family and mixed-use residential projects in the Washington Metropolitan Area. Headquartered in Reston, Virginia, Comstock also has offices and projects in Atlanta, Georgia and Raleigh, North Carolina.

Comstock Homebuilding Companies, Inc. is a publicly-traded company, listed on the NASDAQ as CHCI. The principals of Comstock have many years of experience in the acquisition, entitlement, development and construction of residential properties including transit-oriented, mixed-use and urban projects. Comstock has displayed a long-standing commitment to the enhancement of communities in which it builds. Through its affiliate, the Comstock Foundation, Comstock supports numerous charitable organizations and efforts and most recently provided fully-furnished rent-free housing for six months to 30 families displaced by hurricane Katrina at its Penderbrook project in Fairfax, Virginia. More information on the company and its projects can be found at [www.ComstockHomebuilding.com](http://www.ComstockHomebuilding.com).

## II. PROJECT DESCRIPTION

### Site Location and Description

#### Site Description

The PUD site is located at 1705-1729 East Capitol Street in Square 1096 at Lots 51-55. Containing 42,629 square feet of land area, the site is currently located in the R-4 District. The project has approximately 320 feet of frontage on East Capitol Street to the North and is bordered on the South by a twenty-foot wide public alley. The property is bordered on the East by an existing apartment building owned by the Mt. Moriah Baptist Church and on the West by the Drummond Condominium. The site is generally flat with a gentle slope running West to East across the property.

The property is currently improved with a vacant, non-conforming 81 unit apartment building that was built approximately sixty years ago. The existing building is generally dilapidated, with units that are outmoded and inefficient and contain various amounts of asbestos-containing materials and lead paint. All hazardous materials will be abated and the existing building will be demolished as part of the project.

#### Description of Surrounding Area

The site is located in Ward 6B in the Hill East neighborhood near Capitol Hill. The area surrounding the PUD site is characterized by moderate density residential uses, with row houses and garden apartments as the predominant uses. Directly across East Capitol Street from the site is Eastern High School, and the site is also two blocks West of RFK Stadium, the Stadium Armory and the Stadium/Amory Metro Station. The nearest conforming R-4 uses are the row houses along A Street, which are approximately 120 feet from the Southern-most property line and are separated from the property by a twenty-foot wide public alley and rear yards averaging 80 feet deep.

## **Project Design**

The project has been designed to achieve a high quality residential use that is reflective of the best elements of the surrounding neighborhood. PGN Architects has successfully integrated the architectural character of a classic Capitol Hill row house with the significant elements of the Eastern High School building, which dominates the 1700 block of East Capitol Street and provides a physical and architectural “anchor” to the surrounding Hill East neighborhood.

The four-story building will be constructed to an overall height of 48.5 feet, as measured from the surrounding grade. The massing, materials and shape of the PGN design allow the new building to blend with the surrounding architectural styles and act as a transition from both the larger Eastern High School building and the adjacent apartment uses to the neighboring row house structures. Specifically, the building’s shape draws on the massing elements of Eastern High School, the architectural anchor of Hill East, creating a visual connection across East Capitol Street. The bay projections, ornate cornice molding and building materials thoughtfully weave the building design into the historic Capitol Hill fabric. The building will feature a rusticated stone base, brick facing on the first, second and third floors along East Capitol Street, 17<sup>th</sup> and 18<sup>th</sup> Streets and a lighter-colored cementitious material on the projecting bays and fourth floor that will add visual interest and reduce the perceived size and height of the building.

The building will contain approximately 114,672 square feet of gross floor area, which equates to 2.7 FAR, significantly less than the 3.0 FAR permitted under the PUD guidelines for the R-5-B District. The apartment building will include a fitness center, a meeting room with kitchen facilities, front and rear courtyards and passive recreational space on the rooftop terrace. In addition to the main lobby on East Capitol Street and side entrances on the 17<sup>th</sup> and 18<sup>th</sup> Street sides of the building, four units will have individual entrances along East Capitol Street that are accessed by individual stairs, providing for enhanced pedestrian activity along the streetscape and further reflecting the surrounding row house architecture.

The garage entrance is located off the rear public alley along the Eastern end of the building. The service and delivery area for the building is also located off the rear public alley. The garage entrance and service area were designed to maximize the safety, efficiency and convenience of movement in the alley.

A significant advantage of the site that is maximized by the project design is the large amount of open space along the East Capitol Street frontage. The projecting bays and recessed courtyards of the new building will not only provide architectural interest and variety to the structure, but will add significantly to the attractiveness of East Capitol Street by allowing extensive landscaping, pathways and green space. Large shade trees, ornamental trees and evergreen plantings will combine with the courtyards to provide outdoor living spaces and passive recreation for the residents and a substantially improved streetscape for surrounding community.

Rear courtyards will be finished with pavers, raised planter boxes and stone ground covering to provide private terraces for certain first-floor units. The rooftop terrace is centrally located facing East Capitol Street and will provide views of the Capitol building, RFK Stadium and Capitol Hill.

### **Matter of Right Development under Existing Zoning**

The site is located in the R-4 Zoning District. R-4 is a moderate density residential zone that allows one and two-family row dwellings (“flats”) and similar residential uses. The maximum height permitted in R-4 is 40 feet and buildings are limited to three stories. There is no prescribed maximum FAR or minimum side yard setbacks for residential development in the R-4 District.

## Matter of Right and PUD Development under Proposed Zoning

The R-5-B zoning sought by the Applicant is a moderate density zoning that permits all types of residential development including semi-detached, row dwellings and apartments. The maximum building height in R-5-B is 50 feet with no limitation on number of stories. Maximum FAR for all building types is 1.8.

Under a PUD, the standards for the R-5-B District provide a height increase up to 60 feet and a maximum density of 3.0 FAR. Pursuant to section 2405.3 of the Zoning Regulations, the Zoning Commission may authorize up to a five percent increase in the maximum height and/or FAR of the proposed building.

### Tabulation of Development Data

	<b>R-5-B PUD Standards</b>	<b>Project Specifications</b>
Lot Area	1 acre (43,560 sq ft)	.98 acre (42,629 sq ft)
Total FAR	3.0	2.70
Gross Floor Area	127,887	114,672
Height	60 ft.	48.5 ft.
Lot Occupancy	60%	66%
Side Yard Setback	12.12 ft. (3" per ft. of bldg ht; not < 8 ft)	21 and 29 ft.
Rear Yard Setback	16 ft. 4" per ft. of bldg ht; not < 15ft)	3 ft.
Lot Width	None	320.33 ft.
Penthouse Height	18.5 ft.	14 ft.
Parking Ratio	68 spaces .5 spaces per unit	117 spaces .85 spaces per unit
Loading:		
Platform	1 @ 200 sq. ft.	1 @ 200 sq. ft.
Delivery	1 @ 20 ft. deep	1 @ 45 ft. deep (combined
Berth	1 @ 55 ft. deep	loading and delivery berth)

## **Flexibility Under PUD Guidelines**

The PUD process was created to allow greater flexibility in planning and design than would otherwise be possible under conventional zoning procedures. Section 2405.8 specifically allows the Zoning Commission to grant flexibility and zoning relief without special exception approval from the Board of Zoning Adjustment. The applicant seeks flexibility from the minimum requirements for lot occupancy, rear yards, loading facilities and roof structures.

### Lot Occupancy and Rear Yard

As shown in the Tabulations and Development Data, the Applicant proposes a lot occupancy of 66 percent versus the 60 percent allowed in the R-5-B District. Similarly, the Applicant proposes a rear yard of 3 feet where 16 feet are required (based on a calculation of 4 inches for every foot of building height).

To enhance the building's elevation from East Capitol Street, courtyards were created to lighten the perceived mass of the building and emulate the footprint of the adjacent Eastern High School. In order to provide better spatial transitions between the buildings and reduce the real and perceived impact of the height differential to adjacent structures, the side yard setbacks were increased to 21 feet on the West side and 29 feet on the East side of the building. In addition to providing more than twice the required amount of side yard area, the building height was reduced to less than 50 feet to further conform to the existing streetscape patterns. Incorporating these design elements and maintaining desirable building efficiencies within the constraints of the property has resulted in a slightly higher lot occupancy than the R-5-B standard.

The Applicant is requesting flexibility to shift some of the building's density to the rear of the parcel, where the building abuts a 20 foot wide public alley. The rear courtyards of the proposed building are over 45 feet wide and over 40 feet deep, which reduce the perceived mass and increase the perceived rear yard set back of the building. Also, the

20' wide alley and the depth of the rear yards behind the row houses along A Street (which also back to the same public alley) provide an additional buffer, reduce the perceived height and mass of the proposed building at the rear yard, and help avoid undue adverse effect on light and air of neighbors.

### Loading Facilities

Zoning Regulations in the R-5-B District require an apartment building with more than 50 units to provide a truck loading berth with a depth of 55 feet and a delivery space of at least 20 feet. The Applicant proposes a combined loading and delivery berth of 45 feet. The Zoning Commission has previously found in other, larger PUD applications that, based on reports from traffic engineers, a 55-foot loading berth has proved unnecessary for a residential building of the size proposed in this application. *See* Z.C. Order No. 03-26 (14<sup>th</sup> & V PUD – August 5, 2004); *see also* Z.C. Order No. 04-13 (1200 R St PUD – May 13, 2005). The units in the proposed PUD are sized such that, based on statistics submitted for larger PUDs, such units will only generate a need for smaller trucks and delivery vehicles. Consequently, a combined loading and delivery berth that can accommodate two typical 20 foot delivery trucks in tandem or one 40 foot truck will be more than adequate to accommodate the needs of the building and will not adversely affect traffic circulation or loading in the immediate vicinity.

### Roof Structures

The applicant requests flexibility from the Zoning Regulations requiring a single roof structure. Due to the size of the building and the placement of the elevator and stairway access points to the roof, satisfying the requirement to have a single roof structure would result in a needlessly large and monotonous roof structure, which would weaken the desired design intent.

### **III. PUD REQUIREMENTS AND ZONING REGULATIONS**

#### **Applicability of PUD Process**

The PUD process is the appropriate mechanism for guiding development of this site. The project proposed in this PUD application will replace a vacant, dilapidated, outmoded and inefficient building containing no parking with a new residential development that features numerous amenities for the residents and surrounding community, an increased number of residential units and 117 parking spaces. The PUD process allows the flexibility to bring this project to fruition and grants the Office of Planning, the Zoning Commission and surrounding community the opportunity to participate in the planning and design of this significant project. Through the PUD process, the Applicant will be able to engage the various parties and implement the numerous goals of the District of Columbia by providing new housing opportunities and revitalizing the surrounding neighborhood.

#### **PUD Requirements under Chapter 24 of the Zoning Regulations**

##### **Area Requirements**

The minimum area requirement for a PUD in the R-4 District is one acre, or 43,560 square feet. The subject site for this PUD is .98 acres or 42,629 square feet. Thus the Applicant is seeking a 2 percent (2%) waiver of the minimum area requirement. Pursuant to section 2402.2, the Zoning Commission may waive up to fifty percent (50%) of the area requirement if it finds (i) that the development is of exceptional merit and in the best interest of the city; and (ii) if eighty percent of the gross floor area of the project is devoted exclusively for dwelling units and accessory uses thereto when the project is located outside the Central Employment Area. In the case of this PUD, the project is located outside the Central Employment Area and one hundred percent (100%) of the building will be devoted exclusively to dwelling units and accessory uses thereto. In addition, the project is of exceptional merit in that it fulfills several of the housing goals



of the Comprehensive Plan and Mayor's initiative to attract new residents to the city, promote new housing for various income levels and convert vacant and dilapidated buildings into new housing. Thus, the project meets the tests for a waiver of the minimum area requirement.

### Height Requirements

The proposed development meets the height requirements under sections 2405.1 and 2405.2 of the Zoning Regulations. The maximum building height within the proposed R-5-B District is 60 feet for a PUD. The proposed project will be constructed to a maximum height of 48.5 feet, and thus meets the requirement for the R-5-B District.

### FAR Requirements

The proposed development meets the FAR requirements under sections 2405.1 and 2405.2 of the Zoning Regulations. The maximum permitted density in the R-5-B District is 3.0 for a PUD. The proposed project will have a maximum density of 2.7 FAR, and thus meets the requirement for the R-5-B District.

### Project Impacts

The Project will create no unacceptable impacts on the surrounding community or on the operation of city services or facilities. To the contrary, this project will revitalize the surrounding community, provide new housing for a mix of incomes and provide many amenities that were unavailable at the existing use.

The project will have no unacceptable impact on traffic. The preliminary traffic studies conducted by Gorove/Slade Associates, Inc. suggest that the project will have no significant impact on the surrounding road network. A technical memorandum is attached as Exhibit G. A complete traffic analysis will be submitted by the Applicant as part of the pre-hearing statement.

Additionally, the development will provide 117 parking spaces where today there are none serving the existing 81-unit building. Those 117 spaces exceed the parking requirement for a PUD under the R-5-B District by 49 spaces or seventy-two percent (72%).

Furthermore, the project is located two blocks from the Stadium/Armory Metro station. The preliminary traffic study notes that the *Development-Related Ridership Survey 2005* published by the Washington Metropolitan Area Transit Authority (WMATA) has established that a high percentage of trips to and from residential developments near Metrorail stations use transit. Therefore, it is expected that some residents of the proposed project will take advantage of the nearby Stadium/Armory Metrorail station, further reducing any traffic impacts.

## **Public Benefits and Project Amenities**

### Overview

PUD guidelines require a proposed project to list and describe the specific public benefits and amenities associated with the project. 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. A project amenity is 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.” Zoning Regulations further state that the Zoning Commission must “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.” This project will achieve the goals of the PUD process by creating a residential development with thoughtful, high-quality design, a significant affordable housing component, much-needed parking

facilities, increased landscaping and open space improvements. These and other significant public benefits and amenities reflect and implement the goals of the PUD process, the surrounding community and District of Columbia in general.

### Housing and Affordable Housing

A significant public benefit associated with this PUD application is the provision of new housing opportunities consistent with the goals of the Zoning Regulations, the Comprehensive Plan and the Mayor's housing initiative. Additionally, the project will provide eleven affordable housing units, generally distributed throughout the building by size and location, to help ensure that high-quality housing opportunities exist for City residents earning less than the Area Median Income.

### Urban Design, Architecture, Landscaping and Open Space

PGN Architects has designed a thoughtful, location-appropriate project that combines superior building design and the best architectural elements of the surrounding Hill East community. The size, shape and materials of the proposed building respect and compliment the surrounding neighborhood and greatly enhance the streetscape along East Capitol Street. Elements of classic Capitol Hill row houses, adjacent apartment buildings and the architecturally-significant Eastern High School have been incorporated into a cohesive design that is highlighted by courtyards and improvements to the public open space along East Capitol Street.

The project will enhance the public space along East Capitol Street directly in front of the project and additionally will continue those improvements beyond the project boundary to the corner of 17<sup>th</sup> Street. The public open space elements of the design feature landscape, hardscape and pathway improvements that will greatly enhance the existing public space along this block of East Capitol Street by providing beautiful and functional recreation and leisure spaces. These improvements will serve both the project's residents

and the surrounding community and therefore act as a significant amenity provided by the PUD.

### Site Planning and Efficient Land Uses

The project is designed to provide residents and their guests with appealing outdoor spaces for their relaxation. These spaces include the landscaped public space, private courtyard patios, balconies and rooftop decks with views of the Capitol, RFK Stadium and Capitol Hill, and a community rooftop deck with the same viewscape for resident and guest gatherings.

### Efficient and Safe Vehicular and Pedestrian Access

The proposed PUD provides vehicular and pedestrian access options that are vastly superior to both the existing condition and the options available under matter-of-right development. The apartment building design under the PUD incorporates an underground parking garage at a ratio of .85 spaces per unit, well in excess of the .5 spaces per unit required for a PUD in the R-5-B District. This garage will greatly improve the parking options in the surrounding neighborhood as the existing 81-unit residential building provides no on-site parking spaces. All vehicular access to the building will be provided from the public alley at the rear of the building, further improving traffic flow around the building and along East Capitol Street.

Separate pedestrian entrances and exits on the East Capitol Street building frontage provide for safe, separated pedestrian movement away from the vehicular entrance and also encourage pedestrian activity along East Capitol Street. This increased pedestrian activity will add to the vibrancy of East Capitol Street and the surrounding neighborhood.

### **Uses of Special Value to the Neighborhood**

**This PUD project proposes several significant community amenities that provide resources and uses of special value to the surrounding community. These include enhancing the landscaping in the public space adjacent to the Mt. Mariah apartment building currently under renovation to provide housing for the elderly and a commitment by the Comstock Foundation to make a \$10,000 contribution to the Brig Owens “Super Leaders” mentoring and youth leadership program at Eastern High School.**

### **Environmental Benefits**

**The project will include numerous environmentally appropriate aspects, including Energy Star rated HVAC for heating and cooling the residential units, Energy Star rated kitchen appliances within the units, and an underground filtration system on the property that will filter stormwater before being released into the public storm system.**

## **IV. COMPLIANCE WITH THE COMPREHENSIVE PLAN**

### **Purposes of the Comprehensive Plan**

The proposed PUD project fulfills many elements and purposes of the Comprehensive Plan. The PUD also advances many of the major themes and elements of the Ward 6 Comprehensive Plan. The purposes of the Comprehensive Plan are to:

(1) Define the requirements 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 the conservation, stabilization and improvement of each neighborhood in the District.

The proposed PUD significantly advances these purposes by promoting social and economic development in the District through the provision of high-quality affordable housing that is generally distributed in size and location throughout the project. Community goals are achieved by the provision of greatly-increased parking and significant open space improvements. The thoughtful architectural design of the project also enhances the architectural assets of the District and acts as a stabilizing improvement for the neighborhood.

### **Generalized Land Use Map**

The Generalized Land Use Map for the District of Columbia designates Square 1096 for moderate density residential uses, characterized predominately by row houses and garden apartments. The proposed PUD is consistent with the Generalized Land Use Map by consisting of 136 units in an apartment building use at a density of 2.7 FAR.

## **Compliance with Major Themes of the Comprehensive Plan**

### **Stabilizing and Improving the District's Neighborhoods**

The redevelopment of the site from the existing, vacant, obsolete and dilapidated building to a newly-constructed high-quality residential development will serve to stabilize and revitalize the surrounding neighborhood. The appearance and condition of the existing building detracts greatly from the aesthetic and social value of the neighborhood and is a particularly uninviting and uninspiring stimulus adjacent to a public high school. Conversely, the PUD project's elegant building design and landscaped open space will be a physical and symbolic inspiration for further redevelopment and neighborhood beautification. The project is therefore consistent with the policies and goals of the Comprehensive Plan to stabilize and improve the District's neighborhoods.

### **Respecting and Improving the Physical Character of the District**

The Applicant's project has been thoughtfully designed to improve the site's integration with the surrounding neighborhood and improve the general character of the District of Columbia. The streetscape along East Capitol Street will be dramatically improved, increasing the pedestrian and vehicular experience along this major thoroughfare. The PUD process will ensure that the proposed development replaces the unattractive, dilapidated existing use with a vibrant residential development that is consistent with the goals of the Comprehensive Plan and the character of the surrounding neighborhood.

### **Strengthening the District's Role as an Economic Hub**

The Comprehensive Plan encourages housing development and construction as necessary for the success of the economic goals of the city. The employment, housing and affordable housing opportunities provided by the proposed PUD project will further this theme of the Comprehensive Plan and support the City's efforts to increase the supply of housing and affordable housing to bring new residents to the District of Columbia.

### Preserving and Ensuring Community Input

Prior to filing this application, the Applicant has engaged, met with, received input from and exchanged ideas with several organizations, neighboring residents, other members of the community, the Office of Planning and other City officials. Specifically, the Applicant has made presentations to the Planning and Zoning Committee of ANC 6B, Pastor Lucius M. Dalton of Mt. Moriah Baptist Church, Principal Sheila Williams of Eastern High School and Councilmember Sharon Ambrose. Many salient issues and ideas have been exchanged at these meetings and the reaction to the proposed project has been overwhelmingly positive. The Applicant is committed to continuing the dialogue with neighboring residents and community leaders to ensure the project continues to benefit from community input.

### **Compliance with Major Elements of the Comprehensive Plan**

The proposed project includes and advances several of the major elements of the Comprehensive Plan as follows:

#### **Economic Development Element**

##### Income and Property Tax Revenue

The redevelopment of the site into a newly-constructed residential development will result in the generation of significant additional tax revenue for the District of Columbia in the form of recordation, transfer, property, income, sales, use and employment taxes as well as providing an incentive for further redevelopment and growth in this neighborhood of Ward 6.



### Construction Related Benefits

The construction of the proposed new residential development will provide revenue from initial recordation fees, development processing fees and permitting fees. Employment of locally-based construction trades and related construction materials purchases will also benefit the City.

### First Source Employment Program

Section 2403.9(e) of the Zoning Regulations states that “employment and training opportunities” are representative public benefits and project amenities. Therefore, the Applicant shall enter into an agreement to participate in the Department of Employment Services First Source Employment Program to promote and encourage the hiring of District of Columbia residents as part of the development and construction of the proposed project.

### Local Business Opportunity Program

Section 2403.9(e) of the Zoning Regulations states that the use of local firms in the development and construction of the project is a representative public benefit and project amenity. Currently, the Applicant has engaged several District-based consultants and contractors as part of the planning and design of the project. Most notably, PGN Architects is located in the District and has several employees and principals that live in Ward 6 and the Capitol Hill area specifically. Also, PGN Architects is certified by the Department of Small and Local Business Development as a Local, Small and Disadvantaged Business Enterprise. Further, the Applicant will enter into a Memorandum of Understanding with the Office of Local Business Development to work with the Office to facilitate the use of local business firms in the development and construction of the project.

## Provision of a Mix of Housing

The housing types provided by the proposed project and the affordable housing opportunities will provide much-needed housing opportunities for District residents that may otherwise be unable to afford housing in the City. The project will help offset the price pressures associated with neighborhood gentrification and assist in retaining a middle income workforce within the District of Columbia. Moreover, the mixed-income nature of the project, with its even distribution of the affordable housing units among the market-rate units, will foster the Comprehensive Plan goals of encouraging new residential developments that stabilize and revitalize the surrounding community.

### **Housing Element**

The Housing Element of the Comprehensive Plan has among its goals and objectives the following:

“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.”

“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”

“Encourage housing on suitably located public or private properties that are vacant, surplus, underutilized or unused.”

The proposed PUD achieves these housing goals of the Comprehensive Plan through the redevelopment of the existing, vacant, dilapidated and outmoded residential building into newly-constructed residential housing that accommodates numerous public and private amenities, access to various modes of mass transit and provides a significant affordable housing component. The project is therefore consistent with and promotes the Housing

Element of the Comprehensive Plan by increasing housing and affordable housing opportunities and promoting and ensuring high-quality residential development

### **Transportation Element**

The Comprehensive Plan's Transportation element seeks to provide for the efficient movement of people and goods within the District and its metropolitan area. Policies in support of this goal encourage land uses and densities at strategic locations that take most advantage of proximity to Metrorail stations. Additionally the Transportation element encourages the provision of sufficient on and off-street parking as well as transportation management plans to ensure smooth traffic flow. The proposed PUD project accomplishes all of these goals through its proximity to the Stadium/Armory Metro station, the provision of 117 off-street parking spaces (at a ratio of .85 spaces per unit) and a transportation study that establishes that the proposed project will not generate any objectionable conditions with respect to parking or traffic.

### **Urban Design and Land Use Element**

The urban design and land use elements of the Comprehensive Plan seek to promote the protection of the natural environment and promote a built environment that complements the natural environment, emphasizes neighborhood identities and is functionally efficient. New projects should "Create a visually interesting environment" and "Create an environment in the public space that attracts people and stimulates redevelopment and commerce." Further, the Comprehensive Plan encourages new and rehabilitated residential development and seeks to "Encourage well-designed developments in areas that are vacant, underused or deteriorated."

The proposed PUD reflects and advances these goals through its thoughtful design that complements and enhances the physical character of the surrounding area. The façade along East Capitol Street is visually stimulating while emulating the best elements of neighboring row houses and adjacent structures. The project is designed to maximize the

enjoyment of outdoor spaces with front and rear courtyards, balconies and rooftop terraces that afford spectacular views of the Capitol, RFK Stadium and surrounding Capitol Hill. Landscape and hardscape improvements along East Capitol Street further enhance the streetscape and visual appeal of the entire block. Lastly, all of this development takes place on a site that is currently vacant, underused, deteriorated and detracting from the community around it. The proposed project will bring vitality and activity to the neighborhood and will stimulate further redevelopment of the surrounding community.

**Compliance with Ward 6 Elements of the Comprehensive Plan**

The Ward 6 Comprehensive Plan addresses many of the same elements and considerations for the Ward 6 area that are addressed in the overall Comprehensive Plan. Elements such as Economic Development, Housing, Transportation, Urban Design and Land Use are addressed to facilitate development that enhances the livability, sustainability and vitality of Ward 6.

The proposed PUD project meets and advances all of these elements. The project provides a newly-constructed residential development that respects and embraces the best architectural elements of the Ward 6 neighborhood and replaces a building that currently detracts from the visual environment in Ward 6. This residential development will provide new housing opportunities for additional residents across multiple income levels and provide them with many public and private amenities such as community meeting space, a fitness center, rooftop terrace and an inviting streetscape that enhances the building’s connection to the natural environment through courtyards, landscaping and pedestrian-friendly open space.

The project will be connected to Ward 6 not only through its architecture and physical identity, but by its many pedestrian ingress and egress points that serve to bring residents onto East Capitol Street to add vitality and activity to the streetscape. Easy access to Metrorail will encourage residents to commute, shop and recreate throughout the

Metropolitan area, allowing the residents of the project to enjoy the best elements of living in Ward 6 and the entire District of Columbia. Additionally, the project is located only three blocks from the northern portion of Reservation 13, which is proposed to be redeveloped into a major mixed-use community, creating significant employment, retail, entertainment and recreational opportunities which the future residents of this PUD will surely participate in.

## V. CONCLUSION

For the reasons stated above, Comstock East Capitol, L.L.C. submits that the consolidated PUD and Zoning Map Amendment proposed herein meets the standards of Chapter 24 of the Zoning Regulations and are consistent with the purposes, objectives and intent of the Zoning Regulations and Zoning Map. Further, the proposed project will provide significant public benefits, enhance the health, safety, welfare and convenience of the citizens of the District of Columbia, and satisfies the requirements for approval of a consolidated PUD and Zoning Map amendment. Therefore, Comstock East Capitol, L.L.C. respectfully requests that the Zoning Commission set the PUD and accompanying Zoning Map amendment down for a public hearing at the earliest possible date.

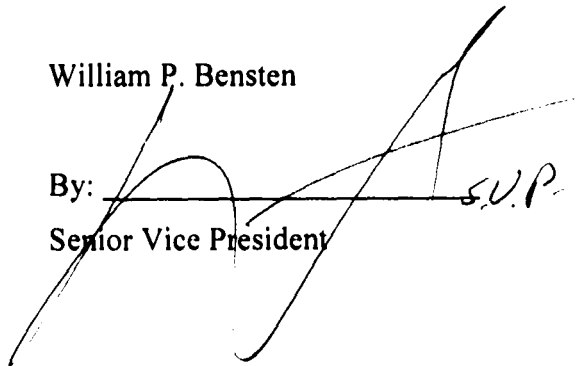
Respectfully submitted,

Comstock East Capitol, L.L.C.

By Comstock Homebuilding Companies, Inc., manager

William P. Bensten

By: \_\_\_\_\_  
Senior Vice President

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to be 'W.P. Bensten'. To the right of the signature, the initials 'S.V.P.' are written in a similar cursive style.

Date: June23, 2006

## **LIST OF EXHIBITS**

<b>ITEM</b>	<b>EXHIBIT</b>
Architectural Drawings Building Plans Elevations Civil Drawings Landscape Plan Circulation Plan	A (submitted separately)
Application Forms PUD Application Zoning Map Amendment	B
Certificate of Notice Notice of Intent to File Certificate of Service List of Property Owners within 200 Feet of Project	C
Zoning and Area Maps	D
Building Plat	E
Map Showing Area to be Rezoned	F
Traffic Analysis	G
Estimated Quantities of Potable Water, Sanitary Sewerage and Storm Water	H