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ZC 05-03

February 7, 2005

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VIA HAND DELIVERY

RECEIVED
D.C. OFFICE OF ZONING
2005 FEB -8 AM 11:20

District of Columbia Zoning Commission
441 4th Street, N.W.
Suite 210S
Washington, D.C. 20001

Re: Office of Property Management of the District of Columbia
Anacostia Gateway Government Center
Application to the DC Zoning Commission for Consolidated Review and Approval of a Planned Unit Development and Corresponding Map Amendment

Dear Members of the Commission:

On behalf of the Office of Property Management, we submit the following materials:

1. Original and twenty copies of the signed application for Planned Unit Development pursuant to 11 DCMR §2400.

2. Original and twenty copies of the signed application for a Zoning Map Amendment pursuant to 11 DCMR §102.

3. Twenty copies of a Prehearing Statement in support of the consolidated application with exhibits, including transportation impact study, architectural drawings and plans.

4. A check in the amount of $750.00 for payment of the filing fee ($250 for map amendment, $500 for planned unit development).

ZONING COMMISSION
CASE No. 05-03
EXHIBIT No.

ZONING COMMISSION
District of Columbia
CASE NO.05-03
EXHIBIT NO.1

We look forward to the Commission's consideration of these materials and setdown of the case for public hearing. Should you have any questions or need additional information, please do not hesitate to call me.

Sincerely,

Norman M. Glasgow, Jr.

Thomas J. Carroll

Enclosures

cc: Advisory Neighborhood Commission 8A
Maxine Brown-Roberts, DC Office of Planning
Joseph Wolfe, OPM
Peter May, OPM

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Anacostia Gateway Government Center

STATEMENT

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

February 4, 2005

PREFACE

This statement and attached documents are submitted by the Office of Property Management of the District of Columbia in support of its application for consolidated approval of a planned unit development in conformity with Chapter 24 of the District of Columbia Zoning Regulations and related Zoning Map Amendment before the Zoning Commission for the District of Columbia. The subject property is located between Martin Luther King, Jr. Avenue, SE, Good Hope Road, SE, 13th Street, SE, and the railroad right-of-way slated for use by the future Light Rail. The subject property consists of Parcel 224/31, Lot 17 in Square 5600 and Lots 54, 857 (part of), 858, 859, and 860 in Square 5601 and the various portions of the alleys and streets proposed to be closed which currently run through, between and along Squares 5601 and 5600. One portion of the property is zoned C-M-1, another is zoned C-3-A and the remainder is zoned R-3. The Applicant is seeking PUD approval and rezoning of the site to the C-3-A District in order to construct a new premier office building for the future headquarters of the District of Columbia Department of Transportation. The project site is located between two major streets leading to and from the 11th Street Bridge and the Officer Kevin J. Welsh Bridge in Southeast. The project site is designated by the Comprehensive Plan as moderate density commercial.

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

DEVELOPMENT TEAM

Applicant and Owner:	The District of Columbia Office of Property Management 441 4th Street, NW Suite 1100S Washington, D.C. 20001
Program Manager:	CB Richard Ellis, Inc. 555 11th Street NW Suite 300 Washington, DC 20004
Architects:	Heery International, Inc. Franklin Court 1099 14th Street, NW Suite 101 Washington, D.C. 20005
Traffic Consultant:	Wells & Associates, LLC 1420 Spring Hill Road, Suite 600 McLean, VA 22102
Land Use Counsel:	Holland & Knight LLP 2099 Pennsylvania Avenue, N.W. Suite 100 Washington, D.C. 20006

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LIST OF EXHIBITS

Description	Exhibit
Architectural Plans and Drawings, including: Architectural Description Detailed Landscaping and Grading Plan Circulation Plan Tabulation of Development Data Estimated Quantities of Potable Water, Sanitary Sewage, and Storm Water Run-off	A
Completed Zoning Commission Application Forms: PUD Application (Form 5) Map Amendment (Form 1)	B
Zoning Map and Real Estate Maps	C
Building Plat	D
Transportation Impact Study	E
Notice of Intent to File, Certificate of Service, and List of Property Owners within 200 Feet of Project	F

I.
INTRODUCTION

This statement and the attached documents support the application of the Office of Property Management of the District of Columbia ("OPM" or the "Applicant") to the Zoning Commission for the District of Columbia (the "Commission") for the consolidated review and one-step approval of a Planned Unit Development ("PUD") and related Zoning Map Amendment. The proposed PUD contemplates the construction of a new premier office building for the headquarters of the District of Columbia Department of Transportation to be located on property between Martin Luther King, Jr. Avenue, SE, Good Hope Road, SE, 13th Street, SE, and the railroad right-of-way proposed for use by the future Light Rail. The project site consists of Parcel 224/31, Lot 17 in Square 5600, Lots 54, 857 (part of), 858, 859, and 860 in Square 5601, and the various portions of the alleys and streets proposed to be closed which currently run through, between and along Squares 5601 and 5600 (the "Site"). Applications for the proposed closings were filed with the District government as of August 9, 2004. The Site is currently improved with a gas station on Lot 54; the remaining areas of the Site are vacant. Different portions of the Site are zoned either C-M-1, C-3-A, or R-3. The Applicant seeks an amendment to the Zoning Map to rezone the entire Site to the C-3-A District. The requested zoning change is fully consistent with the District of Columbia Comprehensive Plan ("Comprehensive Plan"), including the land use element which proposes the area as a New or Upgraded Multi-Neighborhood Commercial Center.

A. Summary of the Project

The proposed PUD contemplates the construction of an office building with two building components having a combined gross floor area of approximately 335,270 square feet (a main

building hereafter referred to as the "Martin Luther King, Jr. Wing" or the "MLK Wing" and a smaller extension referred to as the "Good Hope Wing"), a cellar of approximately 14,835 square feet, and two levels of underground parking (the "Anacostia Gateway Government Center", "AGGC", or, the "Project"). The Project will have an approximate FAR of 2.93 and a maximum height of eighty (80) feet for the MLK Wing, with the height of the eastern portion of the building stepped down to approximately 44 feet; the Good Hope Wing located at the southeast corner of the Site facing the intersection of Good Hope Road, SE, and 13th Street, SE, will also have a height of approximately 44 feet. The required parking under the Zoning Regulations is 581 parking spaces. Pursuant to Section 2405.6 of the Zoning Regulations, the Applicant is requesting a 25% reduction of this requirement and is proposing to provide 436 parking spaces. The main access to the parking garage and the loading dock area will be from interior service driveways. A secondary access point to the garage will be at the northeast corner of the Site off of 13th Street.

B. The Applicant

OPM submits this PUD application for the development of the Project. OPM has been given overall responsibility for the Project by the District Government to oversee the development of the Anacostia Gateway Government Center.

II.
PROJECT DESCRIPTION

The Anacostia Gateway Government Center is destined to be the new headquarters for the District of Columbia Department of Transportation (DDOT). The Project consists of the MLK Wing containing approximately 309,785 square feet including its basement and cellar, and the Good Hope Wing containing approximately 40,320 square feet. The MLK Wing and the

Good Hope Wing are connected by an enclosed 2-story pedestrian bridge between the second and third levels of the building. Underground parking will provide 436 parking spaces, sufficient to supply all of DDOT's current and future requirements with no risk to the creation of "overflow" parking in the nearby residential neighborhoods.

The main entrance to the building will be located in the MLK Wing off Martin Luther King, Jr. Avenue, SE. A second public entrance will be located in the Good Hope Wing at the corner of Good Hope Road, SE and 13th Street, SE.

A. Site Location and Description

1. The Site

The Site is prominently located at the gateway to Anacostia, surrounded by the main thoroughfares leading into and out of the area by way of the 11th Street Bridge and the Officer Kevin J. Welsh Bridge. The on-ramps and off-ramps to the bridges are located on the east and west sides of the Site.

The Site consists of Parcel 224/31, Lot 17 in Square 5600 and Lots 54, 857 (part of), 858, 859, and 860 in Square 5601, and the various portions of the alleys and streets proposed to be closed which currently run through, between and along Squares 5601 and 5600. The District Government filed the appropriate street and alley closing applications on August 9, 2004. The Site is bordered to the west by Martin Luther King, Jr. Avenue, SE, to the south by Good Hope Road, SE, to the east by 13th Street, SE, and to the north the railroad right-of-way slated for use by the future Light Rail. Martin Luther King, Jr., Avenue, Good Hope Road, and 13th Street function as major transportation corridors for traffic into and out of Anacostia, and because the Site sits between these major streets, and at the foot of the Anacostia River Bridges, the Project will in effect function as the Gateway to Anacostia.

The Site is located approximately 1/2 mile from the entrance to the Anacostia Metrorail station, approximately 600 feet from a proposed stop along the future Light Rail, and less than one block from three different Metrobus stops. The Generalized Land Use Map of the Comprehensive Plan designates the Site as moderate density commercial, and the Policies Map designates it as a New or Upgraded Multi-Neighborhood Commercial Center.

The total land area of the Site is approximately 114,302 square feet (subject to survey).

2. Land Use and Zoning of Surrounding Area

The Site is currently within three different zoning districts: approximately 26,266 sq. feet of the Site is in the C-M-1 District, approximately 45,596 sq. feet is within the C-3-A District, and approximately 42,440 sq. feet is within the R-3 District.

To the north and west of the Site, there is I-295, the on ramp from northbound I-295 to the 11th Street Bridge, and the railroad right-of-way that is slated for use by the future Light Rail. The properties in this area are zoned C-M-1 with the majority of them being vacant. Directly to the south and then further south along Martin Luther King Jr. Avenue, SE, there is a commercial corridor zoned C-3-A. Moving east along Good Hope Road, SE, there is also a commercial corridor of properties zoned C-2-A. East of the Site, across 13th Street, SE, and across the on-ramp to the 11th Street Bridge, there is a residential area zoned R-3.

The property immediately abutting the Site to the southwest at the intersection of Martin Luther King, Jr. Avenue, and Good Hope Road, consists of Lots 13-17, 803, 852 and 857 (part of) in Square 5601. These properties are zoned C-3-A and currently proposed for future commercial office and retail development by the Anacostia Economic Development Corporation ("AEDC"), a District of Columbia non-profit community development corporation.

B. Project Design

Please see Exhibit A.

C. Matter of Right Development Under Existing Zoning

Approximately 40% (45,596 sq. ft.) of the Site is zoned C-3-A. The C-3 Districts are designed to accommodate major business and employment centers supplementary to the C-4 District (11 DCMR § 740.1) with medium density development in the C-3-A. 11 DCMR § 740.4. The C-3-A District permits a maximum height of sixty-five feet, with no limit on the number of stories, and a maximum FAR of 2.5. 11 DCMR §§ 770.1, 771.2. An office building in the C-3-A District is permitted as a matter of right, and parking is required at a rate of one space for each additional 600 square feet of gross floor area and cellar floor area in excess of 2,000 square feet. 11 DCMR § 2101.1. Commercial development of approximately 113,990 sq. ft. is permitted as a matter of right on this portion of the Site. A PUD in the C-3-A District may have a maximum height of ninety feet (subject to the 1910 Height Act), with no limit on the number of stories, and a maximum FAR of 3.0, for commercial use. 11 DCMR §§ 2405.1, 2405.2.

Approximately 23% (26,266 sq. ft.) of the Site is zoned C-M-1. C-M Districts are intended to provide for heavy commercial and light industrial activities employing large numbers of people. 11 DCMR § 800.1. The C-M-1 District permits a maximum height of forty feet and three (3) stories. 11 DCMR § 840.2. The maximum permitted FAR in the C-M-1 District is 3.0. 11 DCMR § 841.1. Commercial development of approximately 78,798 sq. ft. is permitted as a matter of right on this portion of the Site. A PUD in the C-M-1 District may have a maximum height of sixty feet and a maximum FAR of 3.0. 11 DCMR §§ 2405.1, 2405.2.

Approximately 37% (42,440 sq. ft.) of the Site is zoned R-3. The R-3 District is designed essentially for row dwellings, but includes those areas within which row dwellings are mingled with one-family detached and semi-detached dwellings. 11 DCMR § 320.1. The R-3 District permits a maximum height of forty feet, with a limit of three stories. 11 DCMR § 400.1. The Zoning Regulations do not prescribe a maximum FAR in the R-3 District; however, the maximum lot occupancy for all structures, except row dwellings, churches or public schools, is forty percent. 11 DCMR §§ 402.4, 403.2. A PUD in the R-3 District may have a maximum height of forty feet and a maximum FAR of 0.6, if devoted entirely to residential use. 11 DCMR §§ 2405.1, 2405.2.

D. Matter of Right Development Under Proposed Zoning

Under the proposed PUD, the zoning of the entire Site would become C-3-A. The C-3-A District permits a maximum height of sixty-five feet, with no limit on the number of stories, and a maximum FAR of 2.5. 11 DCMR §§ 770.1, 770.2. Under the PUD guidelines for the C-3-A District, the maximum height is ninety feet and the maximum FAR is 3.0. 11 DCMR §§ 2405.1, 2405.2. Parking is required for an office building in the C-3-A District at a rate of one parking space for each 600 square feet of gross floor and cellar area in excess of 2,000 square feet. 11 DCMR § 2101.1.

E. Tabulation of Development Data

	C-3-A Matter of Right	C-3-A PUD Guidelines	Project
Minimum Area	None	15,000 s.f.	114,302 s.f.
Gross Floor Area	285,755 s.f. (maximum)	342,960 s.f. (maximum)	335,270 (approx.)
TOTAL FAR	2.5	3.0	2.93 (approx.)
Height	65 ft	90 ft	80 ft. (MLK Wing), 44' (East side MLK Wing), and 44' (Good Hope Wing)
Lot Occupancy	100%	100%	62% (approx.)
Rear Yard	16'8"		49'/10'
Side Yard	None	None	None
Parking	581 spaces	581 spaces	436 spaces (25% reduction requested)

The estimated quantity of potable water, sanitary sewage and storm water run-off is included as part of Exhibit A hereto.

F. Flexibility Under the PUD Guidelines

The PUD process was created to allow greater flexibility in planning and design than may be possible under conventional zoning procedures. The Applicant is seeking a reduction in the amount of required parking pursuant to Section 2405.6 of the Zoning Regulations. Under the proposed C-3-A zoning, 581 parking spaces are required. The Applicant requests that this requirement be reduced by approximately 25%. As shown by the Transportation Impact Study, DDOT needs only 384 parking spaces. Therefore, the 436 parking spaces are more than sufficient. The Project is located in close proximity to three (3) Metrobus stops, is approximately 1/2 mile from the Anacostia Metrorail Station and is only 600 feet from a proposed stop of the future Light Rail. This proximity results in a significant proportion of site

trips being made by mass transit or other non-passenger car modes. Furthermore, DDOT intends to encourage its staff to make use of the many available public transportation options.

The Applicant may request potential relief from the side yard requirements for the Good Hope Wing along Good Hope Road and for flexibility with regard to the roof structure requirements for setbacks and unequal height.

The Applicant is requesting an elimination of the housing linkage requirement pursuant to Section 2404.4(d) of the Zoning Regulations. As required by Section 2404.4(d)(1), the Site is located in a New or Upgraded Multi-Neighborhood Commercial Center according to the Generalized Land Use Map of the Comprehensive Plan. Pursuant to Section 2404.4(d)(2), the Commission may find, after public hearing, that the Applicant's request for an eliminated housing requirement is justified by the Project's provision of other public benefits in the best interests of the City.

The public benefits provided by the Project are of exceptional merit and are in the best interest of the City. According to the Comprehensive Plan, the Anacostia area is in critical need of economic development. 10 DCMR § 1904.1. Less than 2% of the land area in Ward 8 is devoted to commercial uses. 10 DCMR § 1904.3. The Applicant has chosen this area of the District to locate the Department of Transportation's state of the art headquarters. In addition, to the economic benefit of bringing potential consumers to the area, the Applicant is providing 3,500 square feet of retail space as a part of the Project.

Likewise, the AEDC development project at the corner of Martin Luther King, Jr. Avenue and Good Hope Road will include retail space on the ground floor of its proposed building. As explained below in Section III(C)(3), the Applicant played an integral role in AEDC's acquisition of this property. The Applicant assisted the AEDC in obtaining the property

on favorable terms and in return, the AEDC committed to providing this additional retail space. Through the AGGC Project, the Applicant is assisting in the rejuvenation of an area of the City that has been economically repressed and without sufficient consumer choices for many years. Encouraging this form of economic development is certainly within the best interests of the City.

It is worthy to note that since 1999, the District government helped finance nearly 11,000 units of affordable housing. In fiscal year 2004, 2,183 units were financed and to date in fiscal year 2005, nearly 3,493 units are in the pipeline.

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 Site. By doing so, the Applicant consolidates the review of the Project within the purview of the Zoning Commission while at the same time providing opportunities for input from various agencies and the community. For approximately the past 18 months, the Applicant has engaged the community and the Office of Planning in productive discussions regarding the Project, and numerous changes in the height, density and design have resulted from these meetings. Through the PUD process, the Office of Planning, District of Columbia Department of Transportation, and the community will have further opportunities for participation to fulfill the District's planning objectives for this area. Thus, the use of the PUD process gives the community and District agencies an opportunity to work with the Applicant to ensure a well-planned development. Furthermore, the PUD will lock in the Applicant's commitments and ensure that the approved development with public benefits and project amenities will be completed for the area.

B. PUD Requirements Under Chapter 24 of the Zoning Regulations

1. Area Requirements Under Section 2402.1(c)

The land area of the Site is approximately 114,302 square feet, which exceeds the minimum area requirement of 15,000 square feet for a PUD in the C-3-A District. 11 DCMR § 2401.1(c).

2. Height and FAR Requirements Under Sections 2405.1 and 2405.2

The Project has been evaluated under the PUD guidelines for the C-3-A District. As noted above, a PUD in the C-3-A District permits development of approximately 342,906 square feet of gross floor area devoted to commercial use on the Site, or 3.0 FAR. The Project will have an FAR of 2.93 (approximately 335,270 gross floor area) and will be constructed to a maximum height of eighty (80) feet in the MLK Wing. The height of the MLK Wing along the eastern side of the building will step down to approximately forty four (44) feet and the Good Hope Wing at the southeast corner of the Site facing the intersection of Good Hope Road and 13th Street, will also be approximately 44 feet tall. The maximum permitted height for a PUD in the C-3-A District is ninety (90) feet.

3. Impacts of the Project Under Section 2403.3

The impacts of the 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 positive impact on the immediate area. The Project constitutes appropriate commercial development in an area designated by the Comprehensive Plan as having a critical need for economic development. The design complements the medium density commercial area to the south and east of the Site and the step down in height of the building to approximately 44 feet, is the appropriate scale for the residential neighborhood to the east.

Furthermore, the Project is not expected to have a significant impact on traffic. As indicated in the Transportation Impact Study prepared by Wells & Associates, LLC (the "Transportation Study"), the Project will not significantly change the projected service levels at build-out in the year 2008. The impact of new traffic generated on weekends will be minimal.

Moreover, the Project will not have an adverse impact on light and air. The Project incorporates an atrium in the center of the MLK Wing and includes reduced height for the eastern portion of the Project closest to the residential community. The Project is separated from the residential community by 13th Street, and the on-ramp to the 11th Street Bridge. Finally, the District's existing water and sewer services are adequate to serve this facility.

4. Not Inconsistent with Comprehensive Plan Under Section 2403.4

As discussed at length below in Section IV, the Project is not inconsistent with the Comprehensive Plan.

C. Public Benefits and Project Amenities

The PUD guidelines require the Zoning Commission to evaluate specific public benefits and project amenities of 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 development of the site under the matter of right provisions of this title." 11 DCMR § 2403.6. "A project amenity is one type of public benefit, specifically a functional or aesthetic feature of the proposed development, that adds to the attractiveness, convenience or comfort of the project for occupants and immediate neighbors." 11 DCMR § 2403.7. Furthermore, in deciding 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.

In the present case, the Applicant is requesting approval of approximately 335,270 sq. ft. of development or 2.93 FAR. Development equal to approximately 78,798 sq. feet is permitted as a matter of right under the portion of the Site currently zoned C-M-1, and development equal to approximately 113,990 is permitted as a matter of right under the portion of the property currently zoned C-3-A; equaling approximately 192,788 sq. ft. of permissible commercial development area, not including the 42,440 sq. ft. of the Site currently zoned R-3. Under the proposed rezoning of the entire Site to C-3-A, approximately 285,755 sq. ft. of commercial development would be permitted as a matter of right, and under the C-3-A PUD Guidelines development equal to 342,906 sq. ft. is permissible.

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. In the present case, the location of new commercial development in the Anacostia area as well as the proposed on-site amenities provide significant benefits to the neighborhood and the District as a whole satisfying the requirements of Chapter 24.

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

The Applicant has presented an exceptional and appropriate architectural design for the Project. The Anacostia Gateway Government Center will provide a strong civic image from both within the community and from across the river; it will be a symbolic gateway to the rejuvenated Anacostia community, and will serve as a transition to the historic district of Old Anacostia. The AGGC will be a contemporary piece of civic architecture that compliments the historic context of the surrounding area and respects Anacostia's architecture.

The crescent-shaped main entrance façade on Martin Luther King, Jr. Avenue welcomes both the staff and the public. A two-story entry lobby gives access to public outreach facilities, and leads up to a five-story central atrium that begins at the second level. The MLK Wing is organized around this atrium; the sky-lit space provides natural light to interior offices while providing the building with a central common space that will foster a strong sense of shared purpose. The north side of the atrium is glazed and faces the Anacostia River and the city beyond, providing views on all of the upper levels across a transparent open office and walkway system. The large glazed elevation will offer a sense of openness and transparency from the exterior as well; the light and life within the building will be apparent from the riverfront. The atrium enclosure at the top provides a strong silhouette when viewed from a distance. This roof cap curves following the shape of the atrium; the glass top has a rhythmic series of supporting ribs with glass infill panels that bring light into the interior.

The base of the MLK Wing on Martin Luther King, Jr. Avenue uses a curved stone arcade of large openings with light shelf canopies that reflect the retail and pedestrian character of the street. A five-story stone portal into the public lobby and the upper atrium space beyond is set asymmetrically in the curved façade. The stone color will complement that of the AEDC masonry on the adjacent AEDC building.

Across the alley, the three story Good Hope Wing completes the building program. The Good Hope Wing will complement the height and massing of the AEDC building, completing the street façade along Good Hope Road. The major entry to the smaller Good Hope Wing is located in the southeast corner of the Site, in a square glazed tower that recalls somewhat the AEDC entrance element at the opposite corner.

The Project will include significant enhancements to the existing streetscape with plans for improvements along Martin Luther King Avenue, 13th Street, and Good Hope Road. The streetscape concept transitions from civic to urban to residential as one moves around the site. The Martin Luther King, Jr. Avenue streetscape is a civic space, a semi-circular paved plaza. The Good Hope Road streetscape is urban, matching the look of main street Anacostia. The 13th Street streetscape is more landscaped and park-like to complement its residential neighbors across the street. The north side of the building adjacent to the proposed Light Rail line, is largely built up to the property line. Landscaping awaits the development of landscaping concepts by the Light Rail Demonstration Project, but is expected to have a park-like ambience.

The sidewalks are generally brick, as throughout Anacostia. Granite accent paving is used at building entrances. The plaza on Martin Luther King, Jr. Avenue is paved with radial patterned granite and landscaped with European Hornbeam trees set 18 feet apart within seating-height stone planters. The planters follow the curved profile of the plaza and provide a vertical transition between the sloping street and the flat walkway alongside the building.

2. Transportation Features (Section 2403.9(c))

The Project offers several transportation management measures and will not significantly impact the traffic situation for the area. The Project is located near three (3) Metrobus stops and is approximately 1/2 mile from the Anacostia Metrorail Station and only 600 feet from a proposed stop of the future Light Rail. This proximity results in a significant proportion of site trips being made by mass transit or other non-passenger car modes. Furthermore, DDOT intends to encourage its staff to make use of the many available public transportation options.

The Transportation Study, submitted as Exhibit E, concluded that the Project would not significantly change the projected future intersection levels of service and would not significantly impact traffic in the area.

In response to community comments, the circulation plan of the Project has been modified so that the main access to the garage and loading area will be from the east-west service road through the interior of the Project.

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

Visitor parking, customer service areas and the public outreach portion of DDOT's role in the community are just some of the Project's connectivity to the general public. The public outreach sections are to be accessible for the distribution of child safety seats, school transit passes, maps and other public interface activities. By locating the AGGC here in Ward 8, the District brings these services closer to the Anacostia community.

The Project adds special value to the neighborhood by providing 3,500 square feet of retail space on the ground floor of the AGGC. Additional retail space will be provided on the ground floor of the AEDC building due in large part to the efforts of the Applicant.

In November, 2004, the Applicant transferred to the District of Columbia Department of Housing and Community Development ("DHCD"), the property located adjacent to the Site at the corner of Martin Luther King, Jr. Avenue and Good Hope Road (the "Adjacent Property"). DHCD requested the transfer for the purpose of selling the Adjacent Property to a limited liability company, owned and managed by the Anacostia Economic Development Corporation. DHCD has contracted to sell the Adjacent Property to AEDC. Per the terms of the contract, AEDC has committed to develop an approximately 63,000 square foot commercial building that will have first level, street-front retail uses that will create significant public benefit to the

Anacostia community. DHCD has deemed the public benefit from the retail development to be so significant to the Anacostia community, that DHCD has allowed AEDC to receive a public benefit valuation write-down to the contract price for the Adjacent Property.

The Adjacent Property is approximately 29,476 square feet and consists of the prime corner lot fronting on Martin Luther King, Jr., Avenue and Good Hope Road. The Applicant cooperated in creating this public benefit retail commitment by making the Adjacent Property available to DHCD rather than incorporating it into the proposed PUD Site. The Applicant continues to work in cooperation with DHCD and AEDC to coordinate the development of both the Adjacent Property and the Site. The Applicant considers both developments to be complimentary and companion projects.

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

Locating a major office building in this area will undoubtedly lead to eventual economic opportunities for members of this community, whether through the building tenants or resulting development of the area surrounding the Site. The Applicant has met with First Source representatives and is in the process of coming to an agreement. The Applicant will supplement this filing once an agreement is reached.

5. Environmental (Section 2403.9(h)

The Applicant is committed to making the AGGC a green building, LEED "Silver" certified energy efficient and environmentally friendly.

6. Other Public Benefits and Project Amenities (Section 2403.9(j)

The Project provides for economic development in an area designated as a New or Upgraded Multi-Neighborhood Commercial Center and is described by the Comprehensive Plan as "in critical need of economic development." The Applicant's proposal to locate a major office

building for use by a D.C. Agency and provide retail opportunities in this area of the City will give a much needed boost to the economic development of the area. In addition to bringing economic development and opportunity, the Anacostia Gateway Government Center will bring government services closer to the people it serves in Ward 8.

Additional amenities are proposed to the tenants of the AGGC. The Project calls for a day care center for approximately 25 children, an employee changing room and bicycle racks.

The Applicant will also submit and agree to abide by a Construction Management Plan with the community in an effort to minimize any potential adverse impacts resulting from the construction of the Project. The Construction Management Plan will address issues such as pre-construction surveys, construction site management, construction site cleanliness, work hours, traffic and parking, and complaint procedures and communication. The Applicant is currently working with the community on this agreement and will file the proposed plan as part of its Prehearing Submission.

IV.
COMPLIANCE WITH COMPREHENSIVE PLAN

The provision of additional commercial office space fulfills an objective for the Anacostia area of Washington, as set forth in Subsection 1929.1(c) of the Comprehensive Plan for Ward 8. This subsection recognizes the need for high quality office space to help improve the physical condition of the ward.

The proposed PUD is consistent with and, in fact, fosters the goals and policies stated in the elements of the District of Columbia Comprehensive Plan, [D.C. Law 5-76, 10 DCMR (Planning and Development) § 100 et seq. (1984)], particularly those within the Land Use Element.

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 promoting the social and economic development of District residents through the provision of quality commercial office development, achieving the community goal of adequate parking, promoting economic growth for the District and its residents, increasing employment opportunities in the District, maintaining the architectural assets of the District, and stabilizing and improving the Anacostia Gateway vicinity.

A. <u>Compliance with Major Themes</u>.

Among the major themes advanced under the Comprehensive Plan ("Plan") is the goal of respecting and improving the physical character of the District. The Applicant's proposal is consistent with this theme through the development of an exceptional design that will significantly enhance the prominence of the Martin Luther King, Jr. Avenue and Good Hope Road commercial area and will complement the neighboring historic district.

The Comprehensive Plan encourages making maximum use of the District's location at the center of the region's radial Metrorail and commuter rail systems. *See* 10 DCMR §109.1(b). The Project takes advantage of this asset by its location along major Metrobus routes and its proximity to the Anacostia Metrorail station and the future Light Rail system.

The Comprehensive Plan also encourages the active involvement and input of local communities. For about the past 18 months, the Applicant has worked with the Office of Planning in an effort to gather community input on the project and modify the design of the Project to address community concerns. The Applicant will continue to work with the community to address the identified issues with respect to the Project.

The Project 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 8 in the Comprehensive Plan.

B. Compliance with Major Elements.

The Comprehensive Plan contains eleven major elements. The Project furthers the objectives and policies of several of these elements as follows:

1. Economic Development Element

According to the Economic Development element of the Comprehensive Plan, the objective of economic development outside of the Central Employment Area is to create and expand economic activity and employment centers. 10 DCMR 206.1 In support of such objective, it is a policy to support appropriate development of the Martin Luther King, Jr. Avenue corridor. 10 DCMR 206.2(b). The Project furthers these objectives by locating a major office development with a retail component in this area. In addition to the retail space provided by the AGGC, the Applicant has made it possible for its neighbor, the AEDC, to provide retail on the first floor of its proposed building at the corner of Martin Luther King, Jr., Avenue and Good Hope Road. As explained earlier, the Applicant arranged for the sale of the property to be used for the AEDC Project. Per the terms of the agreement, the new AEDC office building will provide ground floor streetfront retail space. The Applicant believes that retail uses located at

the corner of Martin Luther King, Jr. Avenue and Good Hope Road will be a significant benefit to the community.

An additional policy of this element is to enhance the environmental quality of areas of significant development through guidelines related to access and egress, setbacks, landscaping, lighting, facades and structural relationship to adjacent buildings. 10 DCMR 204.2(c) The Project continues a sense of place in the Anacostia area and is sensitive to the nearby residential communities, acknowledging their low rise nature by a significant decrease in height on the eastern and southern portions of the Site. The Project is also designed to complement the architecture of Historic Anacostia.

2. Environmental Protection Element.

> It is the goal of the District to "protect the environment, to resist threats to its overall quality, and to act to maintain and enhance its positive features in the interest of residents, workers and visitors...." 10 DCMR § 401.1.

The Applicant will comply with all the applicable rules and regulations of the District to promote energy conservation, improve air quality and protect the natural environment. The Applicant is committed to obtain LEED silver certification, creating a green building that is energy efficient and environmentally friendly. DDOT, the major tenant of the proposed office building, plans to encourage and foster the use of public transportation by its employees.

3. Transportation Element.

> It is the goal of the District to "[p]romote the increased use of mass transit, in the District and the region." 10 DCMR § 503.2(c).

Development of the Project at the present Site along major Metrobus routes and within close proximity to the Anacostia Metrorail Station and the future Light Rail will promote and stimulate the use of existing mass transit service.

The goal of Comprehensive Plan's transportation element is to provide for the efficient movement of people and goods within the District and its metropolitan area. See 10 DCMR § 500.2. The policies established in support of the general transportation objectives include supporting land use arrangements that simplify and economize transportation services. 10 DCMR § 502.1(a). The location of the Project along major Metrobus routes and near the Anacostia Metrorail Station and future Light Rail furthers this goal. As stated above, DDOT plans to encourage the use of public transit by its staff.

Additionally, the creation of sufficient parking on Site to accommodate the Project needs will prevent "overflow" parking into the surrounding area, while at the same time the requested 25% reduction in parking and encouragement of the use of public transportation supports the environmental goals and objectives.

4. Urban Design Element.

> The policy...in support of the urban design objective is to enhance the physical image and symbolic qualities of the District that establish its character as an urban center and the nation's Capital. 10 DCMR 702.2.

The proposed PUD will enhance the mid-scale commercial quality of the area through superior design elements that respect the special character of this prominent commercial corridor. The design is respectful of the local architecture and will serve as a compliment to Historic Anacostia.

> It is the goal of the District to "encourage new development within areas of strong architectural character to contribute to the physical identity and character of the area." 10 DCMR 710.2(d).

The proposed Project will provide a distinguished design that provides a rich and vibrant texture to this prominent gateway and enhances the vibrancy of this commercial corridor.

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 Project has been designed to enhance the physical character of the area and complement the materials, height, scale and massing of the surrounding development. 10 DCMR § 708.2. As previously stated, the Project's height steps down significantly from eighty feet to approximately 44 feet along the eastern and southern portion of the Site. The lower height fits better within the context of the residential community to the east and commercial area to the south. In this regard, the Project's massing and scale are sensitive to the established patterns of development in the area. 10 DCMR §710.2(e).

The streetscape objective of this element is to establish a clear classification of streets and sidewalks that is functionally efficient and visually coherent, enhances the pedestrian environment, and provides for the orderly movement of goods and services. 10 DCMR § 709.1. As stated above, the Project proposes significant enhancements to the streetscape along Martin Luther King Jr. Avenue, 13th Street, and Good Hope Road.

5. Land Use Element.

> It is the goal of the District to "promote appropriate commercial development, including centers for retail and office uses, to serve the needs of the economy of the District and its neighborhoods...." 10 DCMR § 1108.1(a).

The Project responds to this goal by providing a moderate density commercial office structure of superior design that will foster the continued growth of the District's economy and

employment base and serve as a landmark to this focal point for the Anacostia Gateway and commercial corridor.

6. Generalized Land Use Maps.

The Comprehensive Plan Generalized Land Use Map depicts the Site as located in a moderate density commercial land use category. The Generalized Land Use Policies Map depicts the Site as located in a New or Upgraded Multi-Neighborhood Commercial Center. The proposed PUD is consistent with the Generalized Land Use Maps.

C. Compliance with Major Elements of the Ward 8 Plan

1. Ward 8 Economic Development

The Ward 8 Element states that "increased economic development is a particularly critical need." 10 DCMR § 1904.1. Less than 2% of the land area in Ward 8 is devoted to commercial uses. 10 DCMR § 1904.3. Ward 8 offers fewer commercial services to its residents than any other ward in the city. *Id.* The proposed PUD contributes needed economic development to Ward 8 by establishing a premier office building and developing new retail space in this location.

2. Ward 8 Urban Design Element

The Ward 8 Urban Design Element encourages new development in areas with vacant or under used land to secure a strong, positive, physical identity and the coordination and strengthening of the design function and image of commercial corridors that serve neighborhoods. 10 DCMR 1920.1(g).

The Project furthers these goals. The Project brings new development to an underutilized area with a promising future. The Project has been designed to enhance the physical character of

the area and complement the materials, height, scale and massing of the nearby moderate density commercial uses and the established moderate density residential community to the east.

3. Ward 8 Land Use Element

The Land Use Element for Ward 8 encourages renovating or replacing blighted or unused properties to remove actual or potential locations for illegal drug activity and to increase the amount of commercial development in ways that minimize adverse impacts on nearby residential neighborhoods. 10 DCMR 1928.14(a)(d). The Project advances these goals by: locating a premier office building in an underutilized area; improving the image of this commercial area, and; avoiding conflicts or negative impacts on the nearby community through use of an appropriate design and planning.

V.
AREAS OF FLEXIBILITY

The Applicant has made every effort to provide a level of detail that conveys the significance and appropriateness of the Project's design for this location while at the same time provide a design that does not require flexibility from the requirements of the Zoning Regulations. Nonetheless, some flexibility is necessary that cannot be anticipated at this time.

The Applicant requests flexibility in the following areas:

1. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the building;

2. To vary the location and arrangement of parking spaces.

3. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction without reducing the quality of the materials; and to make minor refinements to exterior details and dimensions, including belt courses, sills, bases, cornices, railings and trim, or any other changes to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit.

VI.
PRE-FILING MEETINGS WITH COMMUNITY

Prior to filing the PUD Application, the Applicant, through the Office of Planning, actively engaged the local community in an interactive design process. Starting about 18 months ago, the Applicant met with the Office of Planning and community representatives, including the Advisory Neighborhood Commission 8A and other community residents, to discuss their ideas and concerns regarding the Project. At the meetings, a series of community requests were made. As a result, many changes have been incorporated into the Project.

The result of the community involvement is a superior project with less height and density. The proposed density, with the bulk located within the MLK Wing, helps to maximize the Site from an appropriate land planning standpoint and take advantage of the opportunity to create a premier office building in a major transportation corridor with available Metrorail, future Light Rail and Metrobus options while at the same time respect the residential community to the east. The Project carefully balances appropriate planning with community concerns, recognizing that the Site faces less intense commercial development to the south and east, and a low rise residential community to the direct east.

VII.
CONCLUSION

For the foregoing reasons, the Office of Property Management of the District of Columbia submits that the PUD plan meets the standards of Chapter 24 of the Zoning Regulations; is consistent with the purposes and intent of the Zoning Regulations and Zoning Map; is consistent with the land use objectives of the District of Columbia; will enhance the health, welfare, safety and convenience of the citizens of the District of Columbia; satisfies the requirements for approval of a consolidated PUD; provides significant public benefits and project amenities; advances important goals and policies of the District of Columbia and, therefore, should be adopted by the Zoning Commission. Accordingly, the Applicant requests that the Zoning Commission approve the PUD application and the concurrent change in zoning to C-3-A, the 25% reduction in parking, and the elimination of the housing requirement.

Respectfully submitted,

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