(20)

Holland & Knight

Tel 202 955 3000
Fax 202 955 5564

Holland & Knight LLP
2099 Pennsylvania Avenue, N.W., Suite 100
Washington, D.C. 20006
www.hklaw.com

June 3, 2005

NORMAN M. GLASGOW
202-955-3000
chip.glasgow@hklaw.com

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

Re: Case No. 05-03; Application of the Office of Property Management 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 an original and 20 copies of the Applicant's supplemental submission to its pre-hearing statement.

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

Sincerely,

Norman M. Glasgow, Jr.

Thomas J. Carroll

[redacted]
05-03
15

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

RECEIVED
D.C. OFFICE OF ZONING
2005 JUN -3 PM 2:38

BEFORE THE ZONING COMMISSION
OF THE DISTRICT OF COLUMBIA

Anacostia Gateway
Government Center

ZONING COMMISSION CASE NO. 05-03

APPLICANT'S SUPPLEMENTAL PRE-HEARING STATEMENT
IN SUPPORT OF THE APPLICATION FOR CONSOLIDATED REVIEW
OF A PLANNED UNIT DEVELOPMENT
AND ZONING MAP AMENDMENT

June 3, 2005

PREFACE

The Office of Property Management of the District of Columbia submits this supplement to its pre-hearing statement and the attached documents to the Zoning Commission of the District of Columbia in support of its previously submitted PUD application for a new office building and related map amendment at the 1800 block of Martin Luther King Avenue, SE. The proposed building has two wings, a combined gross floor area of 335,270 square feet and two levels of parking, providing 436 parking spaces. The Applicant seeks consolidated review and approval of a Planned Unit Development ("PUD") and a related zoning map amendment in order to implement this redevelopment proposal.

The PUD site 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 in Ward 8 of the city. Consisting of approximately 114,302 sq. ft., the PUD site includes 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 PUD site is currently divided between multiple zoning districts, C-M-1, C-3-A and R-3. The Applicant is seeking consolidated review and approval for the entire PUD site, and an amendment to the zoning map to rezone the entire site to the C-3-A District.

The Applicant originally filed a PUD Application Statement and supporting documents on February 8, 2005. The Application and supplemental materials set forth in detail the proposed development, project design, public benefits and project amenities, and consistency with the Comprehensive Plan and the Ward 8 Plan. The Applicant filed its Pre-Hearing Statement on April 18, 2005. This supplemental statement and exhibits support the previous

submissions and respond to comments from the Zoning Commission raised at its meeting of March 14, 2005.

As set forth below, this Supplement to the Pre-Hearing Statement, in conjunction with the Applicant's previous submissions, meets the filing requirement for a PUD and map amendment application under chapters 24 and 30 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

TABLE OF CONTENTS

Page

Preface i

Development Team iii

Certification of compliance with §3103 of the Zoning Regulation v

List of Exhibits vii

I. Introduction 1

II. Issues and Questions Raised by the Zoning Commission

A. Project Design 2

B. Office of Planning Report 3

III. Additional Information 4

IV. Conclusion 6

CERTIFICATION OF COMPLIANCE WITH SECTION 3013 OF THE ZONING REGULATIONS

The Applicant hereby certifies that this application, twenty copies of which were filed with the Zoning Commission on February 8, 2005, complies with the provisions of Section 3013 of the Zoning Regulations as set forth below, that the application is complete.

Subsection	Description	Page
3013.1(a)	Information Requested by Commission	Pre-Hearing Stmt
3013.1(b)	List of Witnesses	Exhibit A of Pre-Hearing Statement
3013.1(c)	Summary of Testimony of Applicant's Witnesses and Reports for Record: • Dan Tangherlini, Director, Dept. of Transportation, Tenant's Representative • Peter May, Deputy Director, Office of Property Management, Applicant's Representative • Martin Wells, Wells & Associates, Traffic Consultant • Steve Alicandro, Heery International, Inc. Architect • Steven E. Sher, Holland & Knight LLP, Land Planner	Exhibit A of Pre-Hearing Statement
3013.1(d)	Additional Information	Herein or with previous submissions
3013.1(e)	Reduced Plans	Exhibit 1 of Supplemental Filing

3013.1(g)	Estimated Time Required for Presentation of Applicant's Case (45 minutes)	Exhibit A of Pre-Hearing Statement
3013.6(a)	List of Names and Addresses of All Property Owners Within 200 Feet of the Subject Property	Exhibit C of Pre-Hearing Statement
3013.6(b)	List of Names and Addresses of Each Person having a Lease with the Owner for All or Part of Any Building Located on the Property Involved in the Application	None

LIST OF EXHIBITS

Description	Exhibit
Revised Plans	1
Update from the Traffic Consultant	2
Report of the Land Planner	3
Resume of Architect	4
DDOT Transportation Demand Management Plan	5

I.
INTRODUCTION

This Supplement to the applicant's Pre-Hearing Statement and the attached documents (the "Supplemental Statement") 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 (the "Anacostia Gateway Government Center" or "AGGC")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 PUD 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"). The Site is currently divided between multiple zoning districts, and C-M-1, C-3-A, and R-3. The Applicant seeks an amendment to the Zoning Map to rezone the entire Site to the C-3-A District.

The Applicant originally filed a PUD Application Statement and supporting documents on February 8, 2005. The Application and supplemental materials sets forth in detail the proposed development, project design, public benefits and project

amenities, and consistency with the Comprehensive Plan and the Ward 8 Plan. The Applicant filed its Pre-Hearing Statement on April 18, 2005. This Supplemental Statement and exhibits supports the previous submissions and responds to additional comments the Zoning Commission raised at its meeting of March 14, 2005.

II.
ISSUES RAISED BY THE ZONING COMMISSION

A. Project Design

At the hearing for set down of this matter of March 14th, the Commission requested further study of 1) the possibilities for further articulation of the building facades and 2) the views of the north façade of the MLK Wing from the Anacostia waterfront. The architects have refined and redeveloped these and other elements of the design and have received concept approval by the Commission of Fine Arts. Among the changes to the design are: the curved façade of the MLK Wing has been shifted such that it faces more towards the traffic coming over the 11th Street Bridge; the atrium has been lowered from the second level to the entrance level allowing a direct view of the atrium from the front door of the building and also allowing a direct view of the Traffic Management Center across the atrium; the conference center has been relocated to look out directly onto the front plaza; and the southwest corner of the MLK Wing has been filled out to allow for the provision of ground floor retail in this location and alignment of the building with the alley and the neighboring AEDC building. The cladding of the MLK Wing at this corner

complements the AEDC building. The architects designed the Good Hope Wing to complement the other side of the AEDC building in much the same fashion. The Applicant's revised drawings are submitted as Exhibit 1.

B. Comments by Office of Planning

The Commission also requested that the Applicant address the issues raised by the Office of Planning ("OP") in its report dated March 4, 2005. OP requested information regarding: 1) the roof plan, 2) an analysis of the side yard requirements for the Good Hope Wing, 3) a Construction Management Plan, and 4) a list of DDOT policies to encourage transit use. The Applicant responds as follows:

1) The Architects have refined the Roof Plan identifying all roof structures, their dimensions and setbacks. The Roof Plan is submitted as part of Exhibit 1. The Applicant requests flexibility from the requirements of §411 and §770.6.

2) The Applicant has requested relief from the side yard requirements along Good Hope Road in its Pre-Hearing Statement (p.3).

3. The Applicant submitted a proposed Construction Management Plan in its Pre-Hearing Statement (Exhibit B).

4. Mr. Dan Tangherlini, Director of DDOT, will discuss in his testimony the policies that DDOT will use to encourage mass transit use among its employees and contractors. The Applicant submits a copy of

DDOT's proposed Transportation Management Plan as Exhibit 5. As explained in the PUD filing of February 8, 2005, the Applicant is requesting a 25% reduction in the number of required parking spaces from 581 to 436. As shown in the Transportation Impact Study, DDOT only needs 384 parking spaces for its employees, contractors, and visitors. The underlying reason for this is that the building provides an unusual amount of public function and meeting space and has a low occupancy ratio. The typical occupancy ratio for an office building is 1 person per every 200 square feet of space. The AGGC will have a ratio of 1 person per every 600 square feet. The overall occupancy of the building is much less than the norm, and therefore the typical number of parking spaces is not necessary.

III.
ADDITIONAL INFORMATION

The Office of Planning requested the Applicant to provide additional information regarding LEED certification of the proposed building and the potential economic benefits to the community as a result of the Project.

A. LEED Certification

The Leadership in Energy and Environmental Design (LEED) Green Building Rating System represents the U.S. Green Building Council's effort to

provide a national standard for what constitutes a "green building". Through its use as a design guideline and third-party certification tool, it aims to improve occupant well-being, environmental performance and economic returns of buildings using established and innovative practices, standards and technologies.

The Rating System document states the basic intent, requirements and documentation submittals that are necessary to achieve each prerequisite and voluntary "credit". Projects earn one or more points toward certification by meeting or exceeding each credit's technical requirements. All prerequisites must be achieved in order to qualify for certification. Points add up to a final score that relates to one of four possible levels of certification. The following are the prerequisites required for certification:

- Erosion and Sedimentation Control
- Fundamental Building Systems Commissioning
- Minimum Energy Performance
- CFC Reduction in HVAC&R Equipment
- Storage and Collection of Recyclables
- Minimum IAQ Performance
- Environmental Tobacco Smoke (ETS) Control

The Applicant has committed that the proposed Government Center will be built to LEED Silver certification standards.

B. Economic Benefits to the Community

The Applicant has had its consultant do some preliminary research regarding the potential economic benefits resulting from the Project. When considering the increase in retail expenditures that will be caused by locating the Government Center in this community, the Applicant estimates that there will be an additional $1,150,000 spent per year on retail within the community. This additional consumer spending which is based on conservative estimates, will undoubtedly spur economic development in the surrounding community.

IV.
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, reduction in the required

side yard, flexibility from the roof structure requirements, and the elimination of the housing requirement.

Respectfully submitted,

HOLLAND & KNIGHT LLP
2099 Pennsylvania Avenue, N.W., Suite 100
Washington, D.C. 20006
(202) 955-3000

By: _____
Norman M. Glasgow, Jr.

By: _____
Thomas J. Carroll

2959434_v1