

WASHINGTON GATEWAY
PLANNED UNIT DEVELOPMENT

**SUPPLEMENTAL FILING
MRP REALTY
IN SUPPORT OF AN APPLICATION
FOR CONSOLIDATED REVIEW OF A PLANNED UNIT DEVELOPMENT
ZONING CASE NO. 06-14**

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**ZONING COMMISSION
District of Columbia**

CASE NO. 06-14

EXHIBIT NO. 29A

LIST OF EXHIBITS

<u>Description</u>	<u>Exhibit</u>
Architectural Drawings	A
Traffic Report by Wells & Associates	B
First Source Employment Agreement	C
Resumes of Persons Testifying on Behalf of Applicant	D

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I. INTRODUCTION

This document is submitted on behalf of MRP Realty (the “Applicant”), in accordance with Section 3013 of the Zoning Regulations, in support of its application for consolidated review and approval of the Washington Gateway planned unit development (the “PUD”). It includes an updated discussion of the project, application requests, and public benefits and project amenities. Also, a revised set of architectural drawings, the revised traffic study, and a copy of the First Source Employment Agreement are included with this submittal, as Exhibits A, B, and C. The resumes of those persons testifying on behalf of the Applicant are attached as Exhibit D.

A. Project Overview

The PUD is a mixed-use development consisting of residential, hotel, office, and retail uses. It will be located on a triangular parcel of land east of the intersection of New York and Florida Avenues, N.E., adjacent to the WMATA and railroad rights-of-way (the “Property”). Two buildings are proposed for the Property. One is a residential/hotel building located on the southwest portion of the Property. It will have approximately 229,690 square feet of residential use and approximately 120,443 square feet of hotel use in order to accommodate 230 to 250 dwelling units and 140-195 hotel rooms. Six percent of the residential floor area will be reserved for persons whose income does not exceed 80% of the area median income. The second building will have approximately 579,468 square feet of office use and extend eleven stories from New York Avenue. The PUD will have approximately 7,000 square feet of retail primarily fronting Florida Avenue.

In total, the PUD will consist of approximately 929,602 square feet of gross floor area with a floor area ratio of approximately 6.9. As a matter of right, under the existing C-3-C zoning district, the Property can be developed as an office project with a maximum FAR of 6.5. Under the PUD guidelines, the Property can be developed with a maximum FAR of 8.0.

B. Revisions to Architectural Drawings

Since the PUD application was set down for hearing, the Applicant has worked closely with the Office of Planning and the District Department of Transportation to refine the plans and address prior outstanding concerns. As a result, the drawings for the project have been revised as follows:

1. Instead of three buildings on three theoretical building sites (or zoning lots), the PUD will consist of two buildings on two theoretical building sites. The plans depict one office building with north and south sections instead of two office buildings. The residential and hotel uses remain in one building.

2. Instead of a single combined underground loading and service facility for the PUD, the project will have one loading area for the office building and one for the residential/hotel building. The loading area for the office building will be accessed from the plaza and the residential loading area will have front-in, front-out only access from Florida Avenue. The proposed curb cut near the overpass on Florida Avenue was removed and the entry drive lane from Florida Avenue was widened to better accommodate service vehicles.

3. A new parking entry (interior to the project) is located on the west side of the south section of the office building.

4. The optional third parking level was removed; there will be two-and-one-half levels of parking (P0, P1, and P2).

5. Instead of a ramp from the Metropolitan Branch Trail (the "Trail"), the PUD will have a three-story Metropolitan Branch Trail Atrium (the "MBT Atrium") that includes an oversized elevator and stair with a bike channel to provide a convenient connection between the Trail and the plaza for bicyclists and pedestrians. Signage and LED lighting installed in the ground plane will guide bicyclists and pedestrians to the MBT Atrium.

6. The office building retail has been redistributed to the ground level in order to put more retail along Florida Avenue.

7. The amount of decorative paving and the number of benches in the plaza has significantly increased.

8. Vertical panels have been added to the design on the north and east facades of the office building to provide a lighter tone to the building. Also, a roof terrace has been notched out of a portion of the 11th floor of the south section of the office building to reduce the perceived scale of the building from Florida Avenue and from the other side of the railroad tracks.

9. To create an interesting, dynamic, and inviting residential/hotel building, two contrasting ranges of contrasting brick colors have been introduced.

10. The PUD will include the following sustainable features: planted green roof on the residential/hotel building; high albedo, low “heat island effect” (light colored and/or reflective to deflect heat) sustainable roof material design on the office building; rain water harvesting from the office building roof captured in cisterns for re-use in irrigation, building washing and other uses, in lieu of potable water; Filterra stormwater bioretention filtration system catch basins around the perimeter of the site; and the use of native plant species.

II. PROJECT DESCRIPTION

A. Mixed-Use Development

Under the existing C-3-C zoning, the Property can be developed as an office project with a maximum FAR of 6.5. In lieu of an office development, at the recommendation of the Office of Planning and the District Department of Transportation, the Applicant proposes a mixed-use development that includes residential, hotel, office, and retail uses. The PUD is intended as a paradigm for the live-work environment encouraged in the NoMA Vision Plan. To accommodate the mixed-use development, to provide "breathing space" around the apartments and the hotel, and to allow for the central open space plaza at the core, the height of the buildings must be increased to 130 feet. This is essential to creating a healthy and attractive living environment for the residents of the PUD.

B. Public Space Infrastructure

As a result of the open space achieved through the PUD process, the project was designed with a significant public plaza. The master plan for the PUD evolved as an extension of 2nd Street, NE, which, once constructed, will become the primary visual and pedestrian access into the site from the south, including the New York Avenue – Florida Avenue – Gallaudet University Metrorail Station (the "Metrorail Station"). In addition to the plaza, other PUD public amenities include substantial upgrades to the sidewalks along Florida and New York Avenues and the Trail along the eastern boundary of the Property as well as an elaborate connection between the Trail and the Property. These elements work together in the following manner:

1. New York Avenue Sidewalk. The entire length of the sidewalk along the Property, approximately 680 linear feet, will be widened from approximately four feet to twenty-three feet. Beyond the standard improvements, the sidewalks will have upgraded paving, additional landscaping, and a garden overlook between the hotel and north office section that will provide pleasing views into the plaza below.
2. New York Avenue Connecting Stair. The PUD includes a monumental stair connecting New York Avenue to the plaza below and the surrounding city streets. The stair lands in a courtyard space in front of the north section of the office building, which will be an attractive space framed by a sinuous masonry wall and a garden with landscape elements, upgraded paving and benches.
3. Florida Avenue Sidewalk. Although the property line for the PUD is six feet north of the curb along Florida Avenue, the buildings will be set back at least nine feet behind the property line to create a sidewalk that is at least fifteen feet wide at its narrowest point. In addition to the standard improvements, the sidewalk, which extends 450 linear feet along the property line, will include upgraded paving and an enhanced landscape area in front of the residential/hotel building.

4. Florida Avenue Outdoor Seating Area and Retail. Along the majority of the southern face of the residential/hotel building, the sidewalk on Florida Avenue is further widened to a maximum of thirty-five feet (twenty-nine feet behind the property line), to create an outdoor seating area for the public. The outdoor seating area will be anchored by a two-story building base with retail amenities. The widened sidewalk also draws people to the plaza by creating a larger and more attractive visual corridor into the site.

5. Florida Avenue at the Office Building and Retail. The southern base of the office building along Florida Avenue will contain retail uses. The base of the building is notched to allow the public to flow into the plaza, and the first two stories of the building are pulled back along the western edge to provide a covered walkway to the plaza, the Trail and New York Avenue.

6. Metropolitan Branch Trail – Bicycle Path Upgrades. Currently, the Trail is in good condition (the asphalt surface was recently paved), but it runs through an abandoned field with rocks and dirt on one side and a chain link fence separating the Trail from the railroad tracks. The Applicant proposes to upgrade the entire portion of the Trail adjacent to the Property and provide a continuous concrete wall base with decorative metal fence along a significant portion of the Trail adjacent to the PUD. The Trail upgrades will facilitate the pedestrian and cyclist connection to the PUD and the city streets. Other upgrades include the planting of trees and other landscaping that will wind through a new gentle curve created in the Trail. The north section of the office building base will have smaller scale bay window expressions to make riders' experience more interesting.

7. Metropolitan Branch Trail – Pedestrian Connection to the Metrorail Station. In order to encourage a separation of bicycle and pedestrian traffic, special paving will be installed along the Trail, from the south property line to the

MBT Atrium. The path will be designated specifically for people walking from the Metrorail Station to the PUD or through the PUD to the city streets beyond.

8. Metropolitan Branch Trail Atrium – Connection from Trail to City. A significant feature of the PUD is a three-story atrium that functions as a connector between the Trail and the plaza, and serves as special place dedicated to pedestrians and urban cyclists. The MBT Atrium will have space designated for information about the Trail and surrounding neighborhoods, station maps, an automatic bike tire pump, drinking fountain, plants, and bicycle racks. An oversized elevator and stair with a bike channel will allow cyclists and pedestrians to conveniently get from the Trail to the plaza and to the city streets beyond.

9. The Plaza – Destination and Connection. The stair from New York Avenue, the generous sidewalks, retail space along Florida Avenue and the MBT Atrium connection from the Trail all lead to the plaza. The plaza is designed to be similar to a European plaza where the space itself becomes a “figure” or “object” defined by the walls of the buildings around it. In the case of the PUD, the west façade of the office building creates a clear spatial backdrop for the plaza while the residential/hotel building deflects around the plaza to create depth and proportion to the plaza, distinguishing it from the street that leads into it.

The primary entrance to the plaza will be from Florida Avenue. The main roadway surface will be pavers such as tumbled precast pavers in a patterned field. The sidewalks on either side of the entry roadway, in front of the office building and the residential/hotel building will be upgraded pavers similar to London Pavers. The large bands running east-west across the plaza will be stone pavers, with an inset oval shape of a different texture to define roadway lines. Precast pavers and stone pavers will be woven in the bands as shown in the architectural drawings.

The center of the plaza will contain a fountain with approximately nine jets that shoot vertical streams of water that cascade back into the oval at the bottom of the jets. The fountain, which will be illuminated at night, will be a

visual focal point for the public, the residents, retail customers, and office tenants in the PUD. It will be visible from the overlook along New York Avenue and from the MBT Atrium along the Trail.

Benches will be installed throughout the plaza so pedestrians can enjoy the plaza space. Specifically, the benches will be located along the sidewalks on either side of the entry drive, in front of the garden space at the residential entries, at the foot of the MBT Atrium stair, and in the garden court in front of the entry to the north section of the office building. This last seating area is separated from the plaza traffic by a serpentine wall and landscape elements, and will be open to the public as well as occupants of the office building.

Above the seating area adjacent to the north section of the office building is a mezzanine-level garden terrace with benches, paving and landscaping that will serve as an outdoor recreation area for the hotel. It will be visible from New York Avenue, providing a visual amenity, and the trees and landscaping in the garden will provide relief from the overall height distance from the plaza to New York Avenue.

Together, the various project amenities -- sidewalk improvements, the grand stair to New York Avenue, enhancements to the Metropolitan Branch Trail and the MBT Atrium -- create a significant interconnected public space centered around an open plaza with upgraded materials, seating, and a fountain as the centerpiece. A summary of the cost for the project amenities is included in Section III, D of this statement.

C. Residential/Hotel Building

The residential/hotel building will be situated on the southwest portion of the Property, and will consist of approximately 350,133 square feet. Of that, approximately 229,690 square feet will be for residential use and approximately 120,443 square feet will be for hotel use.

A tower element and dramatic triangular glass volume will identify the residential/hotel building for the PUD, and mark its prominent location at the intersection of New York and Florida Avenues. Its location opens up to dramatic views toward

Downtown, creates an architectural landmark for the project, and signifies the emergence of NoMA as a dynamic and vibrant location. The height of the building will be 130 feet on the New York Avenue side of the building, stepping down along the Florida Avenue side of the building, which creates an urban edge and buffer from the traffic on New York Avenue. This design element also helps to minimize the scale of the New York Avenue/Florida Avenue intersection and the plaza on the interior of the PUD. The double-height retail podium, or the lower mass of the building, faces Florida Avenue while other taller elements of the building are set back. This creates a more pedestrian friendly environment because the apparent scale of the building is reduced.

D. Office Building

The office building will be situated on the eastern-most portion of the Property. It will consist of approximately 579,468 square feet, and extend 130' from the measuring point on New York Avenue, stepping down along the Florida Avenue side of the building. The MBT Atrium discussed above will also be located within the office building.

The north section of the office building has a prominent position as a gateway on New York Avenue for those coming into the city from the east. A glassy tower emphasizing the narrow point of the site will create a dramatic icon for the site at its northeast corner. A floating visual plane composed of a pattern of vertical and horizontal lines creates an element with strong visual interest while making the first step down in scale toward the neighboring residential/hotel building. This same patterned façade element will occur on the east façade of the building. On the north and east, the motion in the façade design refers to and will be seen relative to the motion of the vehicular traffic along New York Avenue and the motion of the trains along the east side of the site. Interior to the site, another tower element plays an organizing role for the plaza space. Rhythms at the scale of a single story occur near pedestrian activity, while two-story rhythms are designed to relate to larger-scaled activity of car, bike and train.

The south section of the office building works with the residential/hotel building to frame the southern entry to the PUD and create an elegant backdrop to the plaza. Its slightly folded western façade gestures toward Florida Avenue to welcome people into

the site. This more articulated façade provides a greater sense of detail for pedestrians who can most enjoy the textures of the building. The south section of the office building steps down significantly -- three stories lower than the north section -- to integrate into the fabric and scale of existing and proposed neighboring buildings. A roof terrace was designed at the southeast corner of the building to activate it and create a greater sense of appropriate scale. The south façade of the building will have retail frontage along Florida Avenue that wraps around into the plaza.

E. Sustainable Design

The project includes a number of sustainable design features concentrated on elements that reduce or eliminate storm water discharge into the District's combined sewer system, including a planted green roof on the residential/hotel building; high albedo, low "heat island effect" sustainable roof material design on the office building; rain-water harvesting from the office building roof captured in cisterns for re-use in irrigation, building washing and other uses, in lieu of potable water; Filterra stormwater bioretention filtration system at catch basins around the perimeter of the site; and the use of native plant species. Also, the PUD furthers environmental objectives by (1) providing reserved parking for a car share plan (e.g. ZipCar or FlexCar); (2) creating a significant connection to the Metrorail Station and the Trail, thus promoting bicycle and pedestrian activity and reducing the number of vehicular trips; and (3) clearing the Property of the gas station, underground tanks, and contaminated soil within the excavation area.

F. Lot Configuration and Building Height

The proposed development consists of two buildings that are separated above ground but built on a common base that will contain parking and other service functions. Because the two buildings are not connected by a means of communication at or above the level of the main floor, by definition, they are not considered to be a single building.

Section 2517 of the Zoning Regulations allows *as a matter-of-right* more than one building on a single subdivided lot in a commercial district that is not within twenty-five feet of a residential district. Under this section, the number of principal buildings is not

limited, provided that each building meets the requirements of the Regulations, such as use, height, bulk and open space around each building. Alternatively, the Property can be divided into two separate record lots.

Each of the proposed buildings would fit on a lot (whether a theoretical building site or record lot) that meets all of the requirements of the Regulations, as follows:

The residential/hotel building is on a triangular lot with frontage on both New York and Florida Avenues. New York Avenue is 120 feet wide. The maximum height permitted in a PUD under the C-3-C District is 130 feet and the maximum height permitted under the Act of 1910 is 130 feet. Where a building fronts on more than one street, the street that permits the higher height shall be used for the point of measurement. The residential/hotel building would have a maximum height of 130 feet measured from the curb opposite the middle of the front of the building on New York Avenue (elevation 74 feet) to the high point of the parapet (elevation 204 feet). The top of the parapet of the southeast section of the building extending toward Florida Avenue, which is part of the residential section, is at elevation 188 feet. This is a height of 114 feet above the measuring point on New York Avenue and approximately 130 feet above the curb elevation on Florida Avenue. There is no minimum lot width or lot area in a C-3-C District. The lot occupancy is permitted to be 100 percent. The rear yard is provided at the southeast side of the building opposite to the front, meeting the minimum requirement of two-and-one-half inches per foot of height at the rear. No side yard is required or provided. Two irregularly shaped open courts are provided; the diameter of the circle that can be inscribed in those courts meets the minimum width requirements (four inches per foot of height for a residential building).

The office building is on an interior lot with frontage on New York Avenue. New York Avenue is 120 feet wide. The maximum height permitted in a PUD under the C-3-C District is 130 feet and the maximum height permitted under the Act of 1910 is 130 feet. The office building would have a maximum height of 130 feet measured from the curb opposite the middle of the front of the building (elevation 98'-4") to the high point of the parapet (elevation 228'-4"). There is no minimum lot width or lot area in a C-3-C District. The lot occupancy requirement applies only to residential buildings and is permitted to be 100 percent, in any event. The rear yard is provided at the southeast side

of the building opposite to the front, meeting the minimum requirement of 2-1/2 inches per foot of height at the rear. No side yard is required; the side yard provided on the northwest side of the building meets the minimum requirement (two inches per foot of height).

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

A. Matter of Right Development Under Existing C-3-C Zoning and PUD Regulations

The Washington Gateway PUD complies with the C-3-C zoning district and PUD requirements as follows:

1. The Property consists of 134,665 square feet where 15,000 square feet is required.
2. The development will have a lot occupancy of 55%, where a maximum lot occupancy of 100% is permitted.
3. The project will have an overall FAR of 6.9, where a maximum of 8.0 is permitted.
4. The height of the buildings will not exceed 130 feet.
5. The rear yard of the office building will be 31 feet 6 inches, measured along the open space of the bike path on the east side of the building, and meets the zoning requirement.
6. The rear yard of the residential/hotel building will be 29 feet 3 inches, measured from the southeast side of the building, and meets the zoning requirement.
7. The side yard for the office building is 21 feet 8 inches.

8. For the residential use, the PUD will have a minimum parking ratio of 0.6 where a ratio of 0.25, or one parking space per each dwelling unit is required.
9. For the hotel use, the PUD will have a minimum of one parking space for each four rooms usable for sleeping plus one parking space for each 300 square feet of the floor area in either the largest function room or largest exhibit space, whichever is greater, as required by the Regulations.
10. For the office use, the PUD will provide a minimum of one parking space for each 1,500 square feet, where a minimum of one parking space for each 1,800 square feet is required.
11. The buildings will provide the minimum number of loading berths, loading platforms, and service/delivery loading spaces required by the Regulations, as set forth in the table on Sheet 314 of the architectural.

B. Flexibility Under PUD Guidelines

1. Residential Recreation Space. The residential/hotel building for the PUD has 14,344 square feet of residential recreation space (6.2%) where 22,969 square feet (10%) is required. This difference is nominal when considering that, in lieu of the residential recreation space, a significant portion of the roof will be used as a “green” roof to facilitate stormwater management. The project incorporates as much residential recreation space as possible in light of the overall project layout.

2. Roof Structure. The Regulations require that the penthouse structure on the roof of the residential/hotel building be set back from all exterior walls a distance of 18 feet 6 inches. The penthouse structure meets this requirement except in two places: on the residential section of the penthouse, or southeast corner of the building, where it has a setback of 12 feet, and on the hotel section/courtyard plaza side of the building where there is a setback of 11 feet. This cannot be changed because of the location of the elevator bank in that corner. The elevators have been situated in the most efficient

location of the building based on the overall project layout and design. This area of the roof structure is setback more than 100 feet from the property line at the closest point.

3. Additional Areas of Flexibility. The Applicant has made every effort to provide a level of detail that conveys the significance and appropriateness of the PUD'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. Thus, in addition to flexibility requested above, the Applicant respectfully requests flexibility in the following areas:

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;

to vary the location and arrangement of parking spaces, provided that the total is not reduced below the minimum levels specified; and to the extent that the PUD exceeds the minimum parking specified above, the excess parking will be allocated to the respective uses and/or buildings according to need;

to have the flexibility to eliminate the interior drive to the south section of the office building should operational and/or security needs require; and

to vary the final selection of the exterior materials within the color ranges and material types as proposed, without reducing the quality of the materials; and to make minor refinements to exterior details and dimensions, including curtain wall

mullions and spandrels, window frames, glass types, 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.

C. Tabulation of Development Data

The development data for the PUD is included on Sheets 301 through 314 of the architectural drawings.

D. Public Benefits and Project Amenities

The PUD provides a number of public benefits and project amenities. Following is a comparison of the development incentives and flexibility requested under the PUD application versus the benefits and amenities offered.

Development Incentives/Flexibility requested	Benefits/Amenities provided
Height: Maximum of 90' permitted as a matter of right in the C-3-C district and 130' under PUD regulations; 130' provided.	Mixed-use development includes 230-250 residential units, 140-195 hotel rooms and approx. 579,468 sf of office where 100% office use permitted as a matter of right.
FAR: Maximum of 6.5 FAR permitted as a matter of right in the C-3-C district and 8.0 FAR permitted under the PUD regulations; 6.9 provided.	6% of the residential square footage will be devoted to affordable housing. Estimated Cost: \$2,455,000
Residential Recreation Space: 22,887 s.f. of residential recreation space required; 14,344 s.f. provided.	Improvements to the Metropolitan Branch Trail (landscaping, fencing, lighting) Estimated Cost: \$500,000
Roof Structures: Setback of 18'-6" required, 12' provided at SE corner of residential/hotel building.	Bike Trail / Pedestrian MBT Atrium Connection Estimated Cost: \$1,100,000
	Widening and enhancements to sidewalks along Florida and New York Avenues Estimated Cost: \$300,000
	Upgrades to plaza (pavers, additional landscaping) Estimated Cost: \$650,000

	Monument stair connection between plaza and New York Avenue Estimated Cost: \$350,000
	Filtterra stormwater bioretention filtration system Estimated Cost: \$130,000
	Below-grade cistern to collect rainwater for on-site irrigation Estimated Cost: \$180,000
	Green roof on residential/hotel building Estimated Cost: \$319,200
	Car share (eg ZipCar or FlexCar) parking with 24 hour access Estimated Cost: \$60,000
	Bicycle locking stations Estimated Cost: \$20,000
	First Source Employment Agreement (copy attached as Exhibit "C")
	Guaranteed 7,000 sf of retail use, including right for public to use bathroom in retail tenant space
	Native plants and species more adapted to the local/regional climate
	Exemplary architecture and site planning

The total estimated cost of quantifiable amenities is \$6,064,200. This estimate is conservative as it only takes into account incremental costs and excludes contingencies.

Please note that the Applicant has been working with Advisory Neighborhood Commission 5C and various neighborhood organizations to possibly expand the community benefits and amenities to include support for local programs and projects. The details for same will be presented at the Zoning Commission hearing on the PUD application.

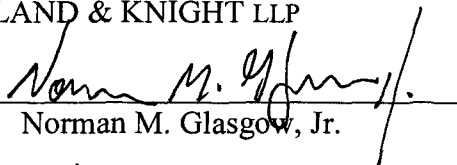
IV. CONCLUSION

In accordance with Section 3013 of the Zoning Regulations, this prehearing statement is submitted on behalf of MRP Realty in order to provide additional information in support of the application for the Washington Gateway PUD. Based on the information and items contained herein, and the case presented in the original submittal and prehearing statement, we respectfully request the Zoning Commission's approval of the Application.

Respectfully submitted,

HOLLAND & KNIGHT LLP

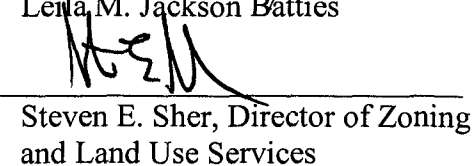
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