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May 16, 2007

VIA HAND DELIVERY

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

2007 MAY 16 2012 25

DC. OFFICE OF ZONING

RECEIVED

Re: ZC Case No. 07-13 – Randall School PUD and Map Amendment
65 I Street, S.W. (Square 643-S, Lot 801)

Dear Members of the Commission:

On behalf of the Trustees of the Corcoran Gallery of Art and MR Randall Capital LLC, the applicants in the above-reference case, we are submitting herewith the following information in response to questions raised by the Commission at its May 14, 2007, meeting. This information, as well as the materials submitted in the initial PUD submission, fully demonstrate the exceptional merit of this project and the sufficiency and completeness of the record that would allow a hearing to be scheduled for this case.

1. Project Design.

The current design of the building reflects the direction given to the applicants by the D.C. Historic Preservation Review Board ("HPRB") at its March 22, 2007, meeting and later endorsed in concept at the April 27, 2007, HPRB meeting, with specific comments for further design development. The current design is also responsive to the questions raised by the Zoning Commission on May 14, 2007. In adopting the March 2007 staff recommendation, the HPRB found that

[t]he project is very well developed in its layout and massing, with careful attention to the preservation of both the historic school blocks and the armature of the L'Enfant Plan. The project is big relative to the historic school, but adjacencies are controlled to create a compact yet modulated overall composition. The scale of the two entrance wings is appropriately deferential to the scale of the school buildings on I Street, and the 90-foot apartment structures relate to the context of the apartment blocks in the Southwest urban renewal area, which is contemplated as an eligible historic district. The restriction in height to 90 feet reflects early consultation with the Office of Planning.

HPRB Staff Recommendation, March 22, 2007 (copy attached at Attachment A). At the March

ZONING COMMISSION
District of Columbia

ZONING COMMISSION
District of Columbia
CASE NO. 07-13

ATT NO. 07-13
EXHIBIT NO. 16

ATT NO. 14

meeting, the Board requested, and the applicant agreed to:

- Retain the historic smokestack;
- Shift the building to the east property line (provided a light and air easement could be obtained along the city's adjacent property to allow windows in the east elevation);
- Make commensurate shifts in two of the three "legs" of the E-shaped new construction to create more breathing room at the interior courtyards;
- Eliminate of the "cupola"/upper floor of the northwest corner of the building adjacent to Friendship Baptist Church;
- Scale back the two-story additions to the 1927 wings and create greater transparency to reveal more of the historic structures;
- Use the penthouse at the north elevation as an artistic opportunity to celebrate the presence of the Corcoran School of Art and Design on the site; and
- Make other design refinements.

These changes were incorporated into a revised set of drawings that were submitted as part of the applicants' PUD submission. Thereafter, the revised drawings were slightly updated for HPRB with several options for the artistic treatment of the penthouse (which eliminated the "Corcoran" lettering as a choice) and modifications to the loading dock area. At its April 27, 2007, meeting, the Board determined that

[t]he various revisions constitute an effective response to the Board's comments and significantly improve the concept design. The major building entrances at both ends of the I Street are better related to the old school; even the modest additional setbacks are effective, and the east residential entrance gains substantially from the additional width allowed by shifting the building footprint to the east property line. The relationship to Friendship Baptist Church is improved, as is the overall scale of the north elevation, which gains from the architectural articulation at the penthouse.

HPRB Staff Recommendation, April 27, 2007 (copy attached at Attachment B.)

The alternative design for the penthouse design supported by HPRB is attached at Attachment C. The applicants are continuing to refine the penthouse as part of its consultation with HPRB and its staff. The loading dock area was also redesigned by realigning the docks and creating a forecourt with a decorative gate to enhance the views along H Street and to the ball fields at the end of the block. The modifications also improve access to the fields and recreation center. Drawings depicting the revisions to the loading dock area are attached at Attachment D.

The applicants have been working with the D.C. Historic Preservation Office, the D.C. Office of Planning and the Deputy Mayor's Office for Planning and Economic Development for the past two years on the height, massing, scale, design and preservation scope of work for this project. The applicants will continue to refine the design as it progresses through the HPRB design review process and a hearing before the Mayor's Agent for Historic Preservation. The

comments received from the Zoning Commission will also be incorporated in those refinements in a manner which will reconcile, if necessary, the Mayor's Agent's upcoming review of the project design.¹ The applicants will submit updated drawings to the Zoning Commission prior to any hearing scheduled in this matter.

2. Sustainable Design Features.

The applicants have retained a LEED consultant to address the sustainable features of the project. Based on the current design, if the applicants were to seek LEED certification, the project would qualify for approximately 15-18 points, which is just one of the many significant benefits of the project. The primary goals of the PUD, however, are to establish a new campus for the Corcoran School of Art and Design in Southwest Washington and its related community outreach programs, to provide affordable housing at two and a half times the rate required under Inclusionary Zoning, and to retain, rehabilitate and adaptively re-use the historic Randall School building, recently designated a landmark in the D.C. Inventory of Historic Sites. The project will also include a First Source Employment Agreement and Local, Small and Disadvantaged Business Enterprise Memorandum of Understanding. While the Commission noted that green roofs are becoming standard features of many PUDs, and this will be further studied, the projects are primarily commercial office buildings, which do not have the same maintenance or liability issues as a residential building, particularly under a condominium regime. Further, none of these recent projects included the same exceptional level of arts, educational, community outreach, historic preservation, and affordable housing components that are the hallmark of the Randall School PUD. In exchange for these significant and costly benefits, the applicants are only achieving an additional 37,000 square feet of gross floor area – or 0.32 FAR – over matter-of-right density in the C-3-A District. The total density on the site will be 4.32 FAR, which is well below the PUD standard of 4.5 FAR. On balance, the benefits of the project as currently proposed far outweigh the relatively small increase in density.

Moreover, the existing development constraints imposed on the project may preclude the applicants from expending any additional sums on other costly benefits. The applicants have foregone significant development by agreeing to preserve the former rights-of-way at First and H Street, which are now private property, in order to protect the historic L'Enfant Plan for the City of Washington. The applicants initially sought to compensate for this lost square footage by constructing a taller building of approximately 110 feet in height behind the historic landmark. Based on discussions with the Office of Planning, though, the building height was reduced to 90 feet. These constraints, coupled with the additional costs associated with the preservation, rehabilitation and system upgrades to the historic landmark, impose significant financial challenges for the project. In fact, two previous development partners that proposed greater density for the site withdrew because they could not make the economics of the project work. Nevertheless, the applicants are committed to proceeding with the proposed PUD and its

¹ The Office of Attorney General (formerly the Office of Corporation Counsel) issued an opinion to Zoning Commission on August 6, 1979, stating that the Mayor's Agent for Historic Preservation has final authority over the design of new construction on the site of historic landmarks. A copy of that opinion is attached at Attachment E.

proffered amenities and benefits, which will significantly enhance the neighborhood and the public in general to a significantly greater extent than under matter-of-right development.

3. Landscape Plan

The applicants have retained Oculus, an award-winning landscape architecture firm, to develop the landscaping for the site. Because the footprint of the building shifted as a result of the HPRB review process, the revised landscape plans are not yet available. However, if the project is set down for hearing, the applicants will submit the drawings as part of their prehearing submission.

4. Traffic Study

The transportation consultant for the project, Wells and Associates, prepared a transportation study for the proposed development and concluded that the project will not have any unacceptable impacts on traffic. A copy of the report is attached at Attachment F. As noted in the applicants' PUD submission, the intersections surrounding the site will continue to operate at acceptable levels after completion of the project. The Randall School property is well-served by public transportation, including Metrorail and Metrobus. The site is located within walking distance of the Waterfront/SEU and Navy Yard Metrorail stations, which are both served by the Green line. Metrorail passengers may transfer to the Orange, Blue, and Yellow lines at the L'Enfant Plaza station, which is located just one stop away from the Waterfront/SEU station. A transfer point to the Red line is located at the Gallery Place/Chinatown station, which is only three stops away. The property is served by eight separate Metrobus lines on M Street and is also within walking distance of stops on five additional bus service lines. The Corcoran School of Art and Design also plans to provide shuttle bus service between the Randall School facilities and its main campus on 17th Street, N.W. Residents, employees, and students at the proposed development will therefore have a full range of convenient transportation options.

5. Conclusion

Based on the foregoing, and the materials submitted with the applicants' initial submission, the proposed project fulfills the objectives of the PUD process and merits a hearing before the Zoning Commission. The applicants look forward to the opportunity to present their proposal in detail at that time

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: *Carolyn Brown*
Norman M. Glasgow, Jr.
Mary Carolyn Brown

Attachments

cc: Harriet Tregoning, Director, OP (w/attach., via hand delivery)
Jennifer Steingasser, OP (w/attach., via hand delivery)
Joel Lawson, OP (w/attach., via hand delivery)
Doug Woods, OP (w/attach., via hand delivery)
Roberta Weiner, ANC 6D (w/attach. via mail)

ATTACHMENT A

HISTORIC PRESERVATION REVIEW BOARD STAFF REPORT AND RECOMMENDATION

Landmark/District:	Randall School [proposed landmark]	(x) Agenda
Address:	65 I Street, SW	() Consent Calendar
Meeting Date:	March 22, 2007	(x) Demolition/Alteration
H.P.A. Number:	07-129	(x) New Construction
Date Received:	2/22/07	(x) Subdivision
Staff Reviewer:	David Maloney	(x) Conceptual Design

The Trustees of the Corcoran Gallery of Art and MR Randall Capital LLC (a subsidiary of Monument Realty), propose to redevelop the old Randall School at First and I Streets, SW. The I Street portions of the school would be renovated and the remainder of the buildings replaced with new construction. The project would house new facilities for the Corcoran College of Art and Design, and a residential condominium with about 400 to 500 units.

The property is being developed pursuant to a covenant between the District of Columbia and the Corcoran Gallery. The District sold the former Randall Junior High School property to the Corcoran in 2006 in order to redevelop it for art school and residential use. Under the terms of the agreement, the Corcoran must provide a minimum of 80,000 square feet of space to arts education and arts-related uses, and a minimum of 340,000 square feet of space for residential uses. Twenty percent of the residential units must be set aside for low- and moderate-income households. The Corcoran is undertaking the project with MR Randall Capital LLC as its development partner.

The project is contemplated as a Planned Unit Development (PUD), requiring approval by the D.C. Zoning Commission. Since it involves demolition of a substantial part of the school building, it is also expected to require review by the Mayor's Agent. The anticipated grounds for approval would be through designation as a "project of special merit."

The staff has met with the Corcoran periodically since early 2005 to review the condition and significance of the school buildings and to discuss potential development plans. The Corcoran has had similar consultation with staff of the Office of Planning and Deputy Mayor for Planning and Economic Development. The present proposal reflects direction given to the Corcoran through this early consultation process. The Corcoran's sponsorship of the historic landmark application for Randall School is one outcome of this engagement.

Randall School

Randall School is described in the accompanying historic landmark application and staff report recommending designation of the property. The school was established as an elementary school in 1906, incorporated a neighboring manual training school as it grew to a junior high school by 1927, and was expanded further in successive campaigns. The resulting complex is an agglomeration of numerous parts dating from 1906 to the 1970s. The original 1906 school building and its two flanking I Street wings dating from 1927 would be retained in the new development. The remainder including the 1912 Cardozo Manual Training School, classroom

wings from 1936, 1940, and 1949, and gymnasium wing from 1932 and 1973 would be replaced by new construction.

L'Enfant Plan Considerations

The proposed development also raises considerations relative to the L'Enfant Plan. The property includes portions of two former L'Enfant Plan streets (First Street and H Street) that were closed in connection with the Southwest urban renewal plans of the 1950s. These sections of property are not technically part of the L'Enfant Plan designated historic landmark, but the layout of development has been configured to retain the open space of the street corridor on First Street.

Friendship Baptist Church

To the north of the Randall School project is the Friendship Baptist Church, designated by the Board as a historic landmark in 2004. This 1886 building is one of the few structures remaining from "old Southwest" and an important symbol of the largely African-American community displaced by the 1950s urban renewal program. The Board has approved a residential condominium project for the property, but construction has not begun.

Proposed Development

In the proposed development plan, two-thirds of the retained Randall School building, including the central 1906 block and the 1927 classroom wing to its west would be converted to art school use. The school would extend into an adjacent new wing along First Street, with the major school entrance at the southwest corner of the property, at First and I Streets. Residential condominiums would rise above the new art school wing and extend around the block in an E-shaped configuration, terminating at the east auditorium wing of the original school, which would be incorporated into the residential program. The major residential entrances would be at the northwest and southeast corners of the property.

The architectural design of the project is developed with a clear distinction between the historic structure and its contemporary additions. The traditional 3-part plan of the historic school buildings on I Street is "bookended" by similarly scaled new entrance pavilions, creating a 5-part composition of historic and contemporary elements along I Street. The E-shaped apartment building rises behind, with the open ends of the E facing south to create enclosed courtyards between it and the retained school. The apartment building rises to a relatively uniform 90 feet in height, but the wings facing the school are articulated with various pavilions and bays that step down in height to relate to the school. On the opposite north façade, the long bar of the E is composed as a sheer rectilinear block incorporating the rooftop mechanical penthouse enclosure into a unitary form. Various pavilions project from this core into the old H Street right-of-way.

Evaluation and Recommendations

The project is very well developed in its layout and massing, with careful attention to the preservation of both the historic school blocks and the armature of the L'Enfant Plan. The project is big relative to the historic school, but adjacencies are controlled to create a compact yet modulated overall composition. The scale of the two entrance wings is appropriately deferential to the scale of the school buildings on I Street, and the 90-foot apartment structures relate to the context of the apartment blocks in the Southwest urban renewal area, which is contemplated as an eligible historic district. The restriction in height to 90 feet reflects early consultation with the Office of Planning.

As recommended by staff, the building also steps back about 45 feet from the west property line

to the former right-of-way line, thus bringing the street wall back into alignment with the historic Friendship Baptist Church immediately to the north. This helps reinforce the L'Enfant street grid and serves to knit the remaining historic buildings back into a coherent fabric of city blocks and streets.

The north side of the project is perhaps less successful from the preservation standpoint, because the relationship of the tall north façade (90 plus the 18½-foot penthouse) to the Friendship Baptist Church is not entirely sympathetic to the landmark, tending to overshadow its corner tower. The condominium also projects into the former H Street right-of-way, which ideally would be avoided. The street does however dead-end at the Randall Recreation Center, and is non-contiguous west of Delaware Avenue, so that keeping this portion of the L'Enfant grid free from intervention is less important than on First Street. At a project density of less than 4.5 FAR, development of this piece of the property is also realistic. In any case, the massing of the north façade with a strongly expressed primary rectangular block does manage to anchor the design to the geometry of the former street grid.

The treatment of the mechanical penthouse as an upward extension of the main building mass is an architectural device that has been a matter of concern in the application of the city's zoning regulations (the normal requirement is to set back the penthouse, although various applicants have argued that the coplanar extension should be considered acceptable as an architectural embellishment of the building). The Zoning Commission will ultimately rule on the permissibility of this feature, but if allowed the staff recommends that the penthouse be modified by introducing elements that would add scale and visual relief to the skyline, particularly opposite the Friendship Baptist Church tower. The absence of context in the computer renderings also makes it virtually impossible to judge the visual effect on the surroundings.

There are two issues relative to the intersection of new construction with the historic school buildings. At each of the bookend pavilions, an alteration to the façade of the historic wings is proposed—at the west wing, several bays of classroom windows are merged into a double-height composition, and at the east wing, the corner of the block is eroded by a large glass bay. These interventions seem both unconvincing and even counterproductive, muddling the design quality of both old and new pieces where a clearer juxtaposition of traditional and contemporary would be more compelling. They are also not recommended preservation treatments.

Similarly, at the rear of the west classroom wing, the plan shows the new art school merging into the back of the original wing and the hyphen to the center block. As the design develops, refining this area to free up the view of the old exterior walls would help retain the integrity of massing and clarity of form of the historic blocks, while at the same time providing opportunities for visually exciting contemporary space.

One final recommendation relates to the use of the former school auditorium, shown in the plans as residential loft space in Phase 2 of the apartment building. Use of this historically open space for art exhibition and related communal space, perhaps as a shared amenity for the school and apartment building, would represent a better preservation solution and fuller realization of the mixed-use potential of the project. Exhibition might also extend out into the adjacent courtyard where preservation of the historic smokestack (which is visible from the street) would eliminate only a handful of parking spaces, visually enliven the courtyard, and add an evocative and potentially inspirational accent for the art school use.

The staff recommends that the Board give the following direction to the applicant:

Advise that the scope of work constitutes substantial demolition of the landmark building, and in that respect is not consistent with the purposes of the preservation law;

Encourage further development of the plans for the main blocks of the school in accordance with the Board's recommendations, and advise that the adaptive rehabilitation of these structures is a substantial preservation benefit; and

Recommend that the applicant return to the Board with refinement of the concept plans before proceeding to the Mayor's Agent for review as a "project of special merit".

ATTACHMENT B

HISTORIC PRESERVATION REVIEW BOARD

STAFF REPORT AND RECOMMENDATION

Landmark/District:	Randall School	(x) Agenda
Address:	65 I Street, SW	() Consent Calendar
Meeting Date:	April 26, 2007	(x) Demolition/Alteration
H.P.A. Number:	07-129	(x) New Construction
Date Received:	4/5/07, 4/16/07	(x) Subdivision
Staff Reviewer:	David Maloney	(x) Conceptual Design

The Trustees of the Corcoran Gallery of Art and MR Randall Capital LLC (a subsidiary of Monument Realty), return to the Board for review of revised plans for redevelopment of the old Randall School at First and I Streets, SW. The project would house new facilities for the Corcoran College of Art and Design, and a residential condominium with about 400 to 500 units.

On March 22, the Board designated the property as a historic landmark and reviewed concept plans for retention of the central portions of the school and new construction on the remainder of the property.

Revised Development Plans

The applicant has revised the development plans in response to the Board's comments and in preparation for the Mayor's Agent. The revisions are described in the revised project submission and include refinement of the junctures between the I Street wings of the school and new construction, retention of the smokestack, shifting of the new the building to the east property line, recessing new construction from the eaves of the landmark, modification of the north wing as it relates to Friendship Baptist Church, and other refinements. These changes are clearly shown in the "before and after" renderings in the revised submission.

Evaluation and Recommendations

The varicous revisions constitute an effective response to the Board's comments and significantly improve the concept design. The major building entrances at both ends of the I Street are better related to the old school; even the modest additional setbacks are effective, and the east residential entrance gains substantially from the additional width allowed by shifting the building footprint to the east property line. The relationship to Friendship Baptist Church is improved, as is the overall scale of the north elevation, which gains from the architectural articulation at the penthouse.

The architects have shown several options for treatments that would add scale and embellish the north façade at the penthouse level. These initial ideas show that some type of treatment along the lines indicated could very much enhance the scale and visual interest of the building and should be developed further. Of the options shown, the staff reaction is that the more successful ones repeat a series of bay-sized elements (Option D seems to over-emphasize the single horizontal gesture) and add some but not too much depth and shadow (the deep recesses in Option C seem too eye-catching). Option A may run afoul of signage issues. Light sculpture should not be ruled out as in Option B, but lighting needs to be approached with great sensitivity

to the orientation of the site relative to the Capitol: the building is only about a half-dozen blocks away and just off the Delaware Avenue axis to the dome. It should contribute to the texture of the skyline but should not be a distraction in the panoramic views from the West Terraces, which will presumably be returned to public use in the future.

The most difficult part of the design continues to be the area projecting from the north block out into the old H Street right-of-way. The establishment of a strong continuous wall along the old property line is a highly effective device, as is the lower height of the elements projecting north from it, but the property configuration is inherently anomalous and at variance with urbanistic expectations in a grid-ordered city. This complicates the task of developing a coherent streetscape and dignified entrance to the Randall recreation center. There are several suggestions that should be considered as the designs develop: the major pavilions could be shifted as far east as possible, thus giving more space at the “pinch point” at the rec center entry; the straight property line down the middle of the old street could be disguised by a less rectilinear and more organic footprint that opens out more gently onto the park landscape; and the placement of the loading docks and garage ramp could be reversed so that the clumsier mass of the loading docks is buried in the building rather than fronting on the periphery, on axis with the street and at the entrance to the rec center.

Finally, the architecture of the east façade should continue to be refined as the applicant works with the Office of the Deputy Mayor on the technical issues related to the east property line condition. Since the east property line is the former Half Street right-of-way line, it is urbanistically the same situation as the former First Street right-of-way line on the west side of the project. The plans on the west side envision the traditional 4-foot projections into the old right-of-way. As part of the contemplated easement arrangements with the District on the east side, consideration should be given to accommodating the traditional 4-foot projection allowance beyond the historic building line. This textural depth could help to animate the building facades on one of the prominent building fronts overlooking the rec center.

The staff recommends that the Board forward the project to the Mayor’s Agent for consideration in conjunction with the requested demolition permits, with the following advice:

- The scope of work constitutes substantial demolition of the landmark building, and in that respect is not consistent with the purposes of the preservation law;
- The adaptive rehabilitation of the three main blocks of the school is a substantial preservation benefit; and
- The revised concept plans are compatible with the school and other affected historic landmarks in the immediate vicinity, including the L’Enfant Plan and Friendship Baptist Church, with the understanding that the compatibility should be improved through refinement during design development.

The staff further recommends that the applicant continue consultation with the staff and return to the Board for further review of refinements, either as a revised concept before proceeding to the Mayor’s Agent, or as a preliminary review at design development stage after a ruling by the Mayor’s Agent.

ATTACHMENT C

OPTION B



THE RANDALL SCHOOL

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shalom baranes associates

architects

SOUTHEAST VIEW

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OPTION B



THE RANDALL SCHOOL

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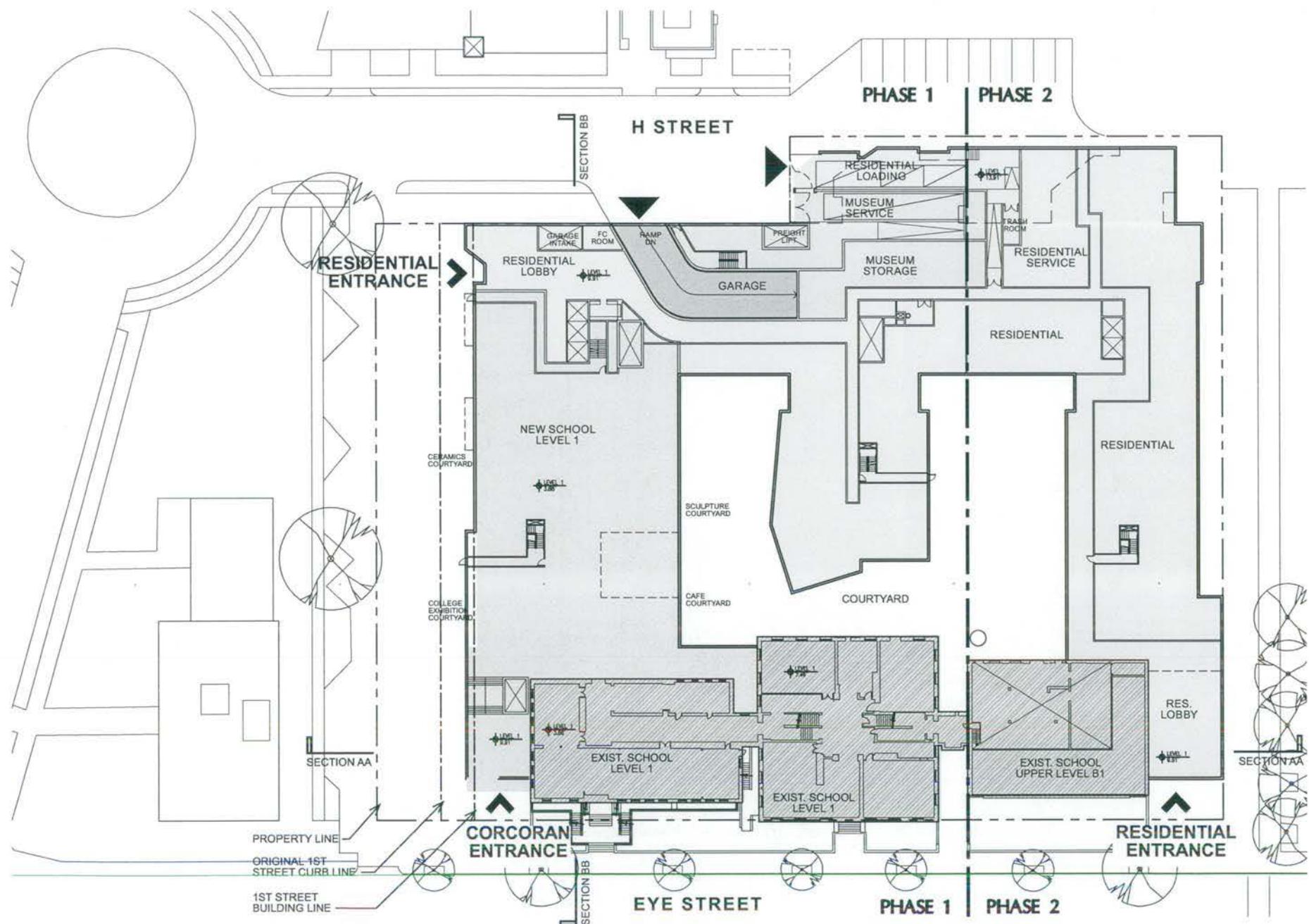
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architects

SOUTH VIEW

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ATTACHMENT D



THE RANDALL SCHOOL

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architects

FLOOR PLAN - LEVEL 01



THE RANDALL SCHOOL

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architects

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ATTACHMENT E

Government of the District of Columbia

OFFICE OF THE CORPORATION COUNSEL
DISTRICT BUILDING
WASHINGTON, D. C. 20004



IN REPLY REFER TO:

OPINIONS OF THE CORPORATION COUNSEL

VOLUME 4

(January - December 1979.)

with
Subject Matter Index
and
Tables of Statutes and
Regulations Construed

Judith W. Rogers
Corporation Counsel, D.C.

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Inez Smith Reid
Chief, Legislation & Opinions Section
Laphalia J. Gause
Legislative Assistant.

D.C.44
May 1967

Memorandum • Government of the District of Columbia

TO: Steven E. Sher
Executive Director
Zoning Secretariat

FROM: Judith W. Rogers
Corporation Counsel

Department.
Agency, Office: OCC:KKMcK

Date: AUG 6 1979

SUBJECT: Zoning Commission Case No. 78-21

This is in response to your memorandum of June 28, 1979 in which you requested a legal opinion for the Zoning Commission on certain questions pertaining to the applicability of D.C. Law 2-144, the Historic Landmark and Historic District Protection Act of 1978, to the above referenced case. As indicated in your memorandum this case is an application for approval of a one-step planned unit development, under subsection 7501.6 of the former PUD regulations for a 118 foot high density office/retail building in the C-3-B District. The specific questions are: 1) whether the zoning review of a planned unit development should precede the historic preservation review of the project; and 2) which action should take priority if two different designs or sets of plans were approved by the Zoning Commission and the Mayor's Agent under D.C. Law 2-144.

Under Article 75 of the Zoning Regulations, the Zoning Commission is authorized to grant increases in building height, and F.A.R. and variations on yard and court requirement in individual cases. In approving a proposed PUD application the Zoning Commission approves a designated plan and may include guidelines, standards or conditions and limitations on the proposed development. These conditions and limitations relate to the use, size, type and location of buildings and structures. Under a PUD, therefore, the Zoning Commission sets the maximum zoning requirements in terms of height and F.A.R. for the specific site included in the application.

In reviewing new construction under D.C. Law 2-144, the Mayor or his designated agent makes a finding on the design of a proposed building "after due consideration of the Zoning laws and regulations (Section 8(f)). It seems clear, therefore, that the law anticipates that the zoning for a particular site be set prior to review by the Mayor's Agent. Moreover the "Rules of Procedure Pursuant to D.C.

2-144", (26 D.C.R. 263 July 20, 1979), in subsections 2.2 and 2.3, which set forth the submission requirements for an "Application" and an "Application for Preliminary Review", require approval of the plans for new construction by the Zoning Administrator.

However, although the Mayor's Agent for D.C. Law 2-144 must take the Zoning Regulations for a particular site into consideration, he is not bound to approve a proposed building which fills the maximum zoning envelope. Pursuant to §8(f) of the act, the Mayor's Agent must make a finding concerning the compatibility of the design of a proposed building and the character of the historic district in which or the character of the historic landmark on the site of which the building is to be built. Design is defined in Section 3(d) of the act as "exterior architectural features including height, appearance, texture, color, and nature of materials Inherent in a review of height is the authority to find that a proposed building height, although allowed by the Zoning Regulations, is incompatible with the building's setting. The authority of the Mayor's Agent to approve a lower height is supported by D.C. Code §5-424 which provides that in the event a conflict with the Zoning Regulations and other laws or municipal regulations the more restrictive provisions shall govern.

Although it is my opinion that historic preservation review should normally follow review by the Zoning Commission, several practical difficulties may arise. Under the one-step PUD process, the applicant cannot get a building permit unless the plans conform to those approved by the Zoning Commission as modified by any guidelines, conditions or standards imposed by the Commission and unless the applicant has recorded a covenant binding him to construct on and use the property only in accordance with the Zoning Commission order. (Subsections 7501.671 and 7501.672) However, the applicant may only get a building permit if his plans are also approved by the Mayor's Agent under D.C. Law 2-144. If the proposed structure as approved by the Mayor's Agent exceeds the required zoning for the site, yet is less than the size building approved by the Zoning Commission in the PUD process, the applicant must reapply to the Zoning Commission if he finds the conditions imposed by the Commission to be too onerous. This cumbersome procedure may be eliminated by use of section 2.5(f) of the regulations for D.C. Law 2-144, which provides a procedure for review of the conceptual design of new buildings by the Historic Preservation Review Board and report prior to Zoning approval. This procedure would permit an applicant to get historic preservation review of his design prior to the preparation of detailed plans for submission to the Zoning Commission.

Consideration of these problems leads to your next question. If two different designs are approved by the Mayor's Agent under D.C. Law 2-144 and the Zoning Commission under Article 75, it is my opinion that the Mayor's Agent has final authority over those aspects of design which are subject to his approval. D.C. Law 2-144 is a specific piece of legislation enacted for the particular purpose, among others, of assuring that new construction in an historic district or on the site of an historic landmark is compatible with the character of the historic district or historic landmark. In accord with this purpose, the law gives the Mayor or his designated agent specific design review authority. Article 75 of the Zoning Regulations, on the other hand, was promulgated under the general zoning enabling act (D.C. Code §5-412 *et seq.*) which authorizes the Zoning Commission to generally regulate "the location, height, bulk, number of stories and size of buildings and other structures, the percentage of lot which may be occupied, the sizes of yards, courts, and other open spaces, the density of population, and the use of buildings, structures, and land for trade, industry, residence, recreation, public activities, or other purposes . . ." (D.C. Code §5-413).

It is an accepted principle of statutory construction, that a specific law concerning the same subject matter prevails over a more general provision. Castaneda-Gonzalez v. INS, 183 U.S. App. D.C. 396, 564 F.2d 417 (1977) Sanker v. United States, 374 A.2d 304 (1977). In the case of any conflict the specific design review authority of the Mayor's Agent under D.C. Law 2-144 would supersede the authority of the Zoning Commission pursuant to Zoning Regulation adopted under a more general law. Therefore, it is my opinion that the Mayor's Agent has final authority over the design of new construction in historic districts or on the site of historic landmarks.

ATTACHMENT F

**THE RANDALL SCHOOL
TRANSPORTATION IMPACT STUDY
WASHINGTON, D.C.**

Prepared for:
MR Randall Capital LLC Randall Capital LLC
and
The Corcoran Gallery of Art

Prepared by:
Wells & Associates, LLC

March 2, 2007

**THE RANDALL SCHOOL
TRANSPORTATION IMPACT STUDY
WASHINGTON, D.C.**

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**THE RANDALL SCHOOL
TRANSPORTATION IMPACT STUDY
WASHINGTON, D.C.**

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Section I INTRODUCTION

This report presents the results of a transportation impact study that was prepared in support of a Planned Unit Development application for the MR Randall Capital LLC and the Corcoran Gallery of Arts plans to develop residential and educational uses on the former Randall School property located on Square 643 in southwest Washington D.C. The Randall School is generally located on the north side of I Street, SW between South Capitol Street and Delaware Avenue SW with H Street bordering the site to the north, as shown on Figures I-1 and I-2.

The subject property is the site of the former Randall School and has recently been occupied with a men's shelter and studio space for artists.

MR Rancall Capital LLC and the Corcoran Gallery of Arts plan to develop the site with 485 residential units and approximately 100,000 S.F. for college education in arts. Parking would be provided in a three (3) level, 460-space, underground, parking garage. Of the 460 parking spaces, 400 would be designated for the residential units and 60 spaces would be designated for the Corcoran Gallery of Arts. Access to the parking garage and to the loading for the residential building and for the Corcoran would be provided on the north side of the site via H Street SW. The conceptual site plan for all phases of development is shown in Figure I-3.

The Corcoran Gallery of Arts currently has school facilities on 17th Street NW and on 34th Street NW. The Corcoran plans to increase its student enrollment from 500 to 1,000 students between the two existing facilities and the new Randall campus. Approximately 400 undergraduate and graduate students would utilize expanded classrooms for ceramics, fine arts, photography, and other equipment intensive arts. Rooms for student exhibition displays would also be provided at the Randall campus. Student dormitories are not planned at the Randall School facility. A shuttle bus service is envisioned for students and faculty, operating between the main campus on 17th Street and the Randall campus.

Along with the Ballpark, there are several other significant projects planned or under construction south of the site that were considered in the analysis as "pipeline" traffic generators.

For purposes of this traffic study, the proposed residential building and the Corcoran Gallery of Arts Randall campus were assumed to be completed in 2009.

Tasks undertaken in this study included the following:

- I. Review MR Randall Capital LLC's proposed development plans including the Corcoran Gallery of Arts.

2. Field reconnaissance of existing roadway and intersection geometrics, traffic controls, traffic signal phasing/timings, and speed limits.
3. Review the off-street parking and off-street loading for the proposed project.
4. Compilation of existing vehicular and pedestrian traffic at six (6) off-site intersections.
5. Analysis of existing levels of service during the commuter AM and PM peak hours was conducted.
6. Other approved and planned developments in the site vicinity were identified and their traffic impacts were included.
7. Planned roadway improvements in the site vicinity were reviewed.
8. Background future traffic volumes were forecasted for 2009.
9. Background levels of service were calculated at key intersections based on background traffic forecasts, existing traffic controls, and existing intersection geometrics.
10. The number of AM and PM peak hour trips that would be generated by the proposed project were estimated based on: (1) Institute of Transportation Engineers (ITE) trip generation rates, (2) the proximity of the project to the Waterfront/SEU and Navy Yard Metrorail stations, and (3) experience with other projects in Washington, D.C.
11. Total future traffic AM and PM commuter peak hour volumes were forecasted.
12. Total future levels of service for commuter peak hours were calculated at key intersections based on total future traffic forecasts, future traffic controls, and future intersection geometrics.

Sources of data for this analysis included; ITE; the Washington Metropolitan Area Transit Authority (WMATA); DDOT; the Office of Planning; the MR Randall Capital LLC development team; the Corcoran Gallery of Art; traffic counts conducted by Wells & Associates; and files of Wells & Associates.

The conclusions of this traffic impact study are as follows:

1. ***The proposed Randall School project on Square 643 is located within a connected street network for both pedestrians and vehicles. The proximity to the Waterfront/SEU and Navy Yard Metrorail stations, Metrobus service, the planned Corcoran Gallery of Arts shuttle, and the urban street grid helps reduce the demand for private automobile use.***
2. ***Heavy commuter traffic along the South Capitol Street corridor contributes to vehicle delays on the main line and at the cross streets in the study area.***
3. ***Most of the study intersections currently operate at overall acceptable levels of service during the AM and PM peak hours with the exception of the M Street intersections with the north and southbound South Capitol Street ramps.***
4. ***M Street is the east-west corridor serving the SW and SE DC waterfront areas. Substantial development is planned in the vicinity that will substantially increase future traffic volumes on M Street and South Capitol Street.***
5. ***Major roadway improvements planned along South Capitol Street will greatly improve vehicular access in the study area and will enhance the pedestrian and bicycle environment.***
6. ***The pipeline developments in the study area would generate a total of 2,142 AM peak hour trips and 2,490 PM peak hour trips upon completion.***
7. ***The Randall School project in Square 643, including 485 residential condominiums and the Corcoran Gallery of Arts, 400-student education facility, will generate approximately 100 AM peak hour vehicle-trips and 156 PM peak hour vehicle-trips at full build out and occupancy.***
8. ***The study intersections would operate at overall acceptable levels of service during both the AM and PM peak hours with the exception of the M Street intersections with South Capitol Street. Some of the minor street approaches would operate at unacceptable levels of service during peak hours which is typical for an urban, minor street approach.***

- 9. The Randall School project would provide 460 parking spaces in an underground garage; 400 spaces would be allotted to the residential condominiums and 60 spaces would be allotted for the Corcoran Gallery of Arts.**
- 10. The Randall School site would provide sufficient loading dock accommodations. There may be times when the service facilities will need to be managed to make sure all tenants are accommodated.**

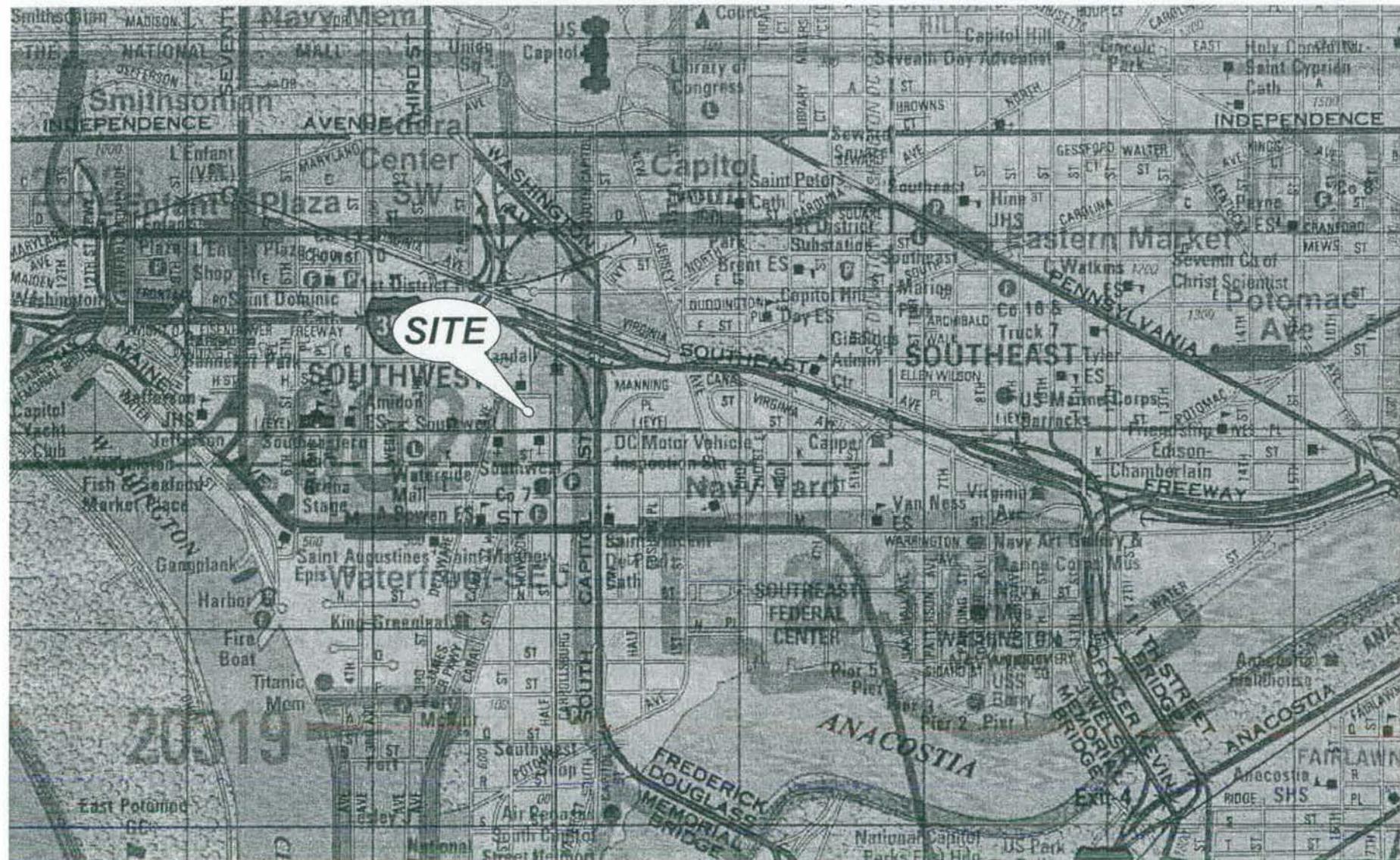


Figure 1-1
Regional Site Location

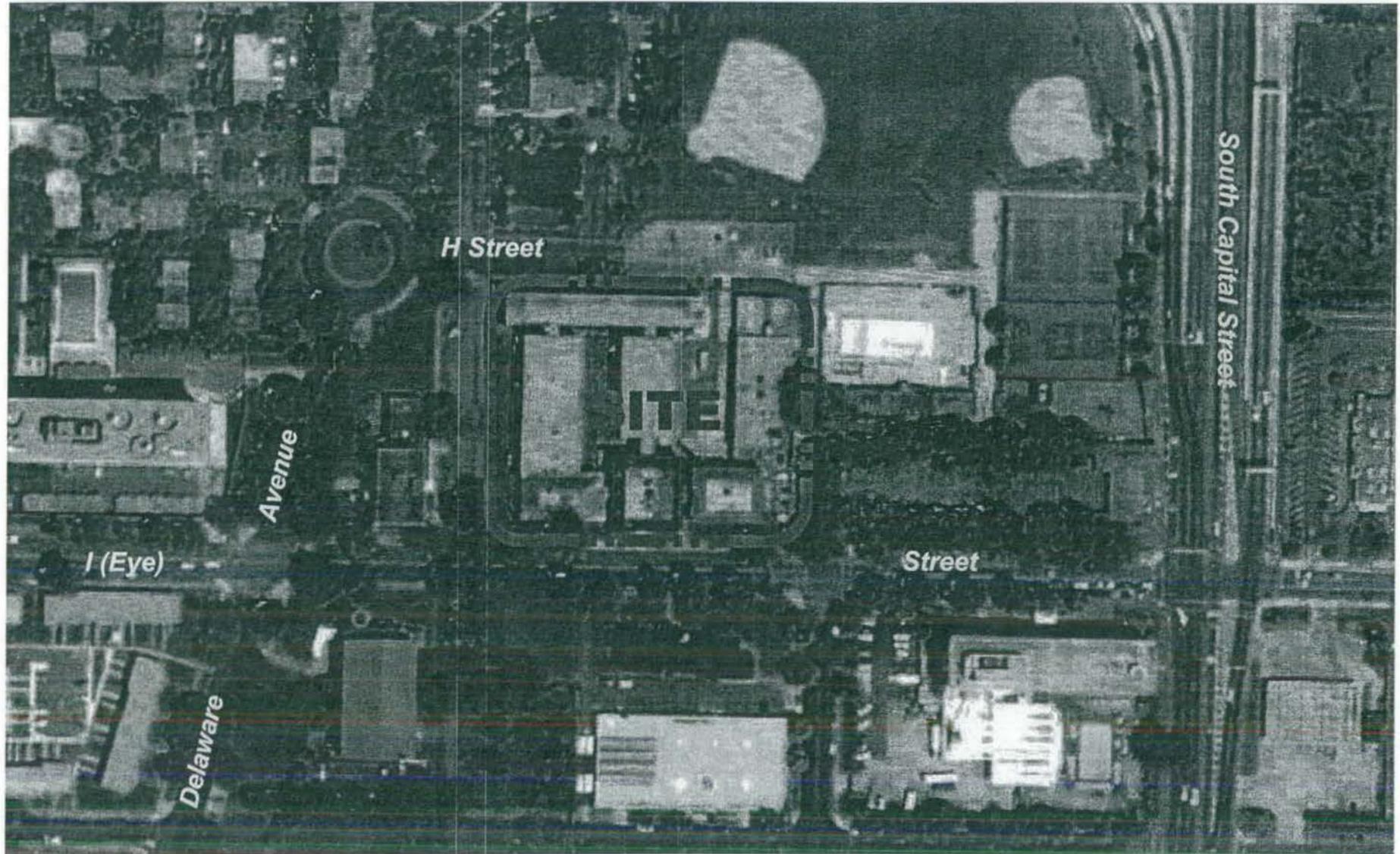


Figure 1-2
Aerial Image

The Randall School
Washington, D.C.

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ALL PEAK HOUR
000/000



WELLS & ASSOCIATES, LLC
TRAFFIC, TRANSPORTATION, AND PARKING CONSULTANTS

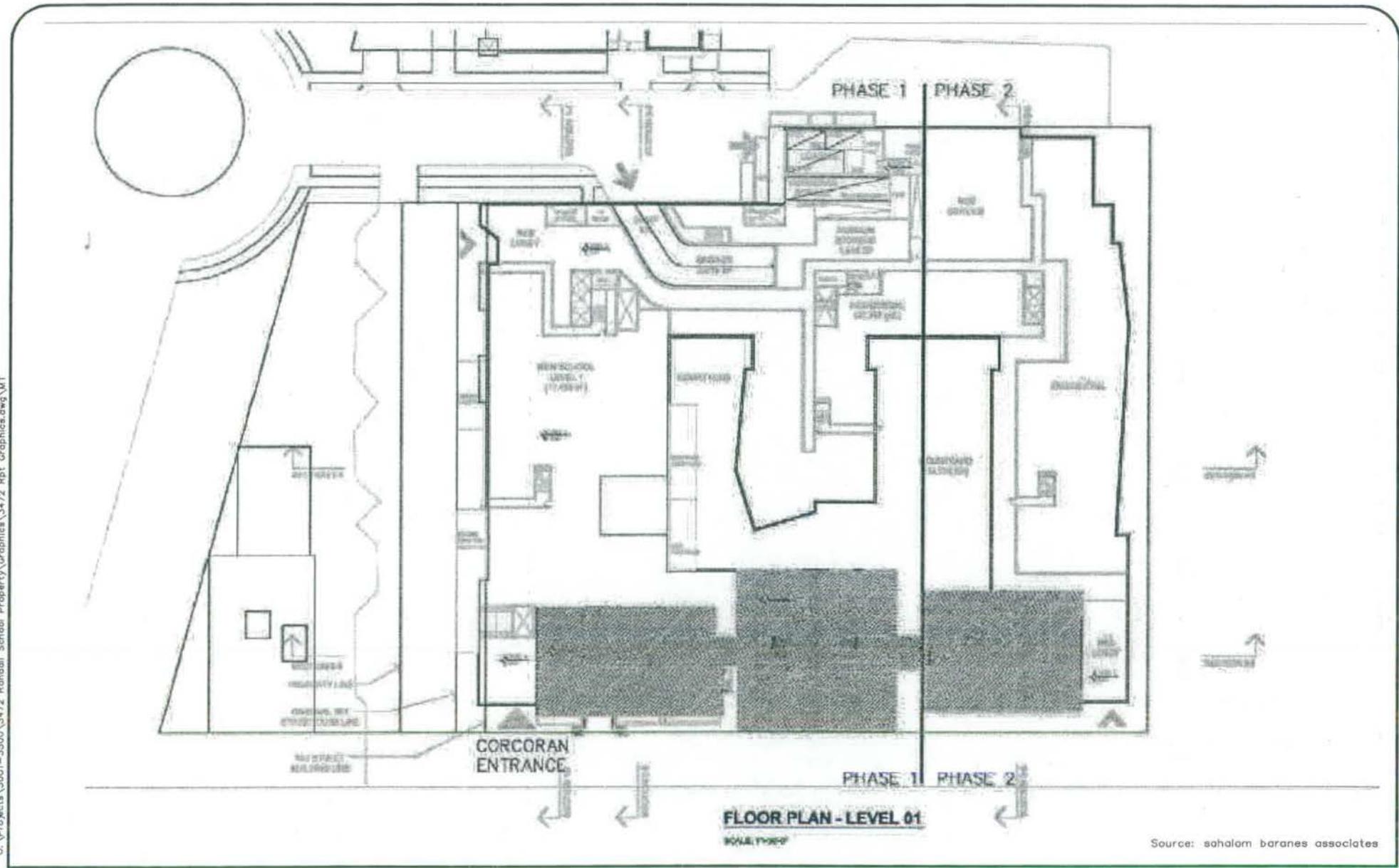


Figure 1-3
Coceptional Site Plan

The Randall School
Washington, D.C.

WELLS & ASSOCIATES, LLC
TRAFFIC, TRANSPORTATION, and PARKING CONSULTANTS

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A small icon of a house with a green roof, pointing upwards, representing the North direction.

Section 2 BACKGROUND DATA

Study Scope

The traffic study scope was selected based on the intersections that would potentially be most affected by the proposed development. This study includes the following intersections:

1. Delaware Avenue SW / I (Eye) Street SW,
2. Half Street SW / I (Eye) Street SW,
3. South Capitol Street / I (Eye) Street,
4. Delaware Avenue SW / M Street SW,
5. Half Street SW / M Street SW
6. South Capitol Street / M Street (local lanes only),

This study evaluates the transportation impacts of the following approved and planned pipeline developments in the vicinity of the site. The development programs associated with each pipeline project were determined by information from the Office of Planning and DDOT's Anacostia Waterfront Initiative and they include the following:

1. 20 M Street (office),
2. Square 0699N Phase I – 1st & L Street SE (residential),
3. Jefferson at 70 Eye Street – Phase I (residential),
4. 100 M Street SE (office and retail),
5. USDOT Headquarters (office and retail),
6. Monument Ballpark – Square 700-701 (hotel; office, residential, and retail),
7. 1325 South Capitol Street (residential and retail), and
8. 100 V Street SW (office).

Public Road Network

Regional access to The Randall School (MR Randall Capital LLC residential and Corcoran Gallery of Art) site is provided by I-295, I-395, South Capitol Street, and M Street SW/SE. Local access is provided from H Street SW via Delaware Avenue SW and M or I (Eye) Streets SW. Existing intersection lane use and traffic control at key intersections in the site vicinity are shown on Figure 2-1.

Planned Improvements

Street improvements along South Capitol Street are on a fast track to be completed by spring 2008. The improvements are described below.

Improvements to South Capitol Street include removal of the elevated viaduct north of the Frederick Douglass Memorial Bridge such that South Capitol Street intersects Potomac Avenue, P, O and N Streets at new at-grade, signalized intersections. The proposed cross-section of South Capitol Street within the 130' right-of-way from Potomac Avenue to N Street will include two 11' lanes and a 13' curb lane in both directions. The north and south traffic will be divided by an 18' median. Left turn lanes will not be provided and left turns will be restricted during peak hours. On street parking may be permitted during off-peak hours, but will be restricted during peak commuter peak periods.

Long-term improvements for South Capitol Street also include a new traffic oval at the Potomac Avenue intersection; however, this planned improvement will occur beyond the timeline contained in this traffic study. Similarly, removal of the grade-separation at South Capitol and M Street has been proposed as a long-term improvement. No firm plans for such an improvement currently exist and a timeline is unknown therefore it was not considered in the analysis.

Existing Traffic Counts

Existing AM and PM peak period vehicular and pedestrian traffic counts were conducted on Thursday, December 14, 2006, from 7:00 AM until 10:00 AM and from 4:00 PM until 7:00 PM by Wells & Associates at six (6) of the study intersections listed above.

The vehicular traffic counts are presented on Figure 2-2; the pedestrian traffic counts are presented on Figure 2-3. These counts are presented in Appendix A. The resulting AM peak hour is 7:45-8:45 AM and the resulting PM peak hour is 4:00-5:00 PM.

Figure 2-3 indicates that South Capitol Street south of I (Eye) Street carries 3,922 AM peak hour vehicle-trips and 3,746 PM peak hour vehicle-trips. Approximately 57 percent of all AM peak hour trips travel in the northbound direction toward downtown Washington; 43 percent travel in the southbound direction away from the DC urban core. As would be expected of a commuter corridor the pattern is opposite during the PM peak; approximately 64 percent of all PM peak hour trips travel in the southbound direction and 36 percent travel in the northbound direction.

I (Eye) Street west of South Capitol Street carries 724 AM peak hour vehicle-trips and 870 PM peak hour vehicle-trips. Approximately 37 percent of all AM peak hour trips travel in the eastbound direction and 63 percent travel west. Approximately 78 percent of all PM peak hour trips travel in the eastbound direction and 22 percent travel in the westbound direction.

M Street west of South Capitol Street presently carries 2,422 AM peak hour vehicle-trips and 1,962 PM peak hour vehicle-trips. Approximately 27 percent of all AM peak hour trips travel in the eastbound direction and 73 percent travel west. Approximately 62 percent of all PM peak hour trips travel in the eastbound direction and 38 percent travel in the westbound direction.

Delaware Avenue south of I (Eye) Street SW currently carries 97 AM peak hour vehicle-trips and 186 PM peak hour vehicle-trips. Approximately 59 percent of all AM peak hour trips travel in the northbound direction and 54 percent travel south. Approximately 32 percent of all PM peak hour trips travel in the northbound direction and 68 percent travel in the southbound direction.

Half Street south of I (Eye) Street currently carries 273 AM peak hour vehicle-trips and 366 PM peak hour vehicle-trips. Approximately 46 percent of all AM peak hour trips travel in the northbound direction and 54 percent travel south. Approximately 32 percent of all PM peak hour trips travel in the northbound direction and 68 percent travel in the southbound direction.

The highest numbers of pedestrians were observed at the South Capitol Street/M Street intersection where 82 pedestrians crossed during the vehicular AM peak hour and at the Half Street/M Street SW intersection where 161 pedestrians crossed during the PM peak hour. At the I (Eye) Street / Half Street intersection, eight (8) pedestrians crossed Half Street during the AM peak hour and five (5) pedestrians crossed Half Street during the PM peak hour, while seven (7) and 22 pedestrians were observed crossing I (Eye) Street during the AM and PM vehicular peak hours.

Public Transportation Facilities and Services

The Waterfront/SEU Metro station is located with at the corner of M Street and 4th Street SW and the Navy Yard Metro station is located at the corner of M and Half Streets SE, both served by the Metrorail Green line. A transfer to the Orange, Yellow and Blue lines is possible two stops away at the L'Enfant Plaza station. Virginia Rail Express (VRE) commuter service is also located at L'Enfant Plaza. The Red line Metrorail transfer is four stops away at the Gallery Place-Chinatown station. Maryland Rail Commuter (MARC) service is located at Union Station.

The MR Randall Capital LLC and Corcoran Gallery of Art project is served by the V7, V8, V9, A42, A46, A48, P1 and P2 lines which run along M Street. Other bus lines located within several blocks of the site include the P6, V5, 70, 71, and A6.

Off-Street Parking

The Randall School development plan includes 485 residential condominium apartments, a 99,843 S.F. school that is anticipated to have 400 students. The proposed, three (3) level, underground parking garage for The Randall School will have 460 parking spaces; 400 for the residential and 60 for the Corcoran School of Art + Design.

Off-Street Loading

The Randall School project will provide a total of one (1) 55 feet deep loading berth, one (1) 30 feet deep berth and two (2) 20 feet service areas for both the residential and schools use. The loading area is located on the north side of the project and would be accessed from H Street SW, as shown on Figure 1-3. There may be times when the service facilities will need to be managed to make sure all tenants are accommodated.



Figure 2-1
Lane Use and Traffic Control

← Represents One Travel Lane



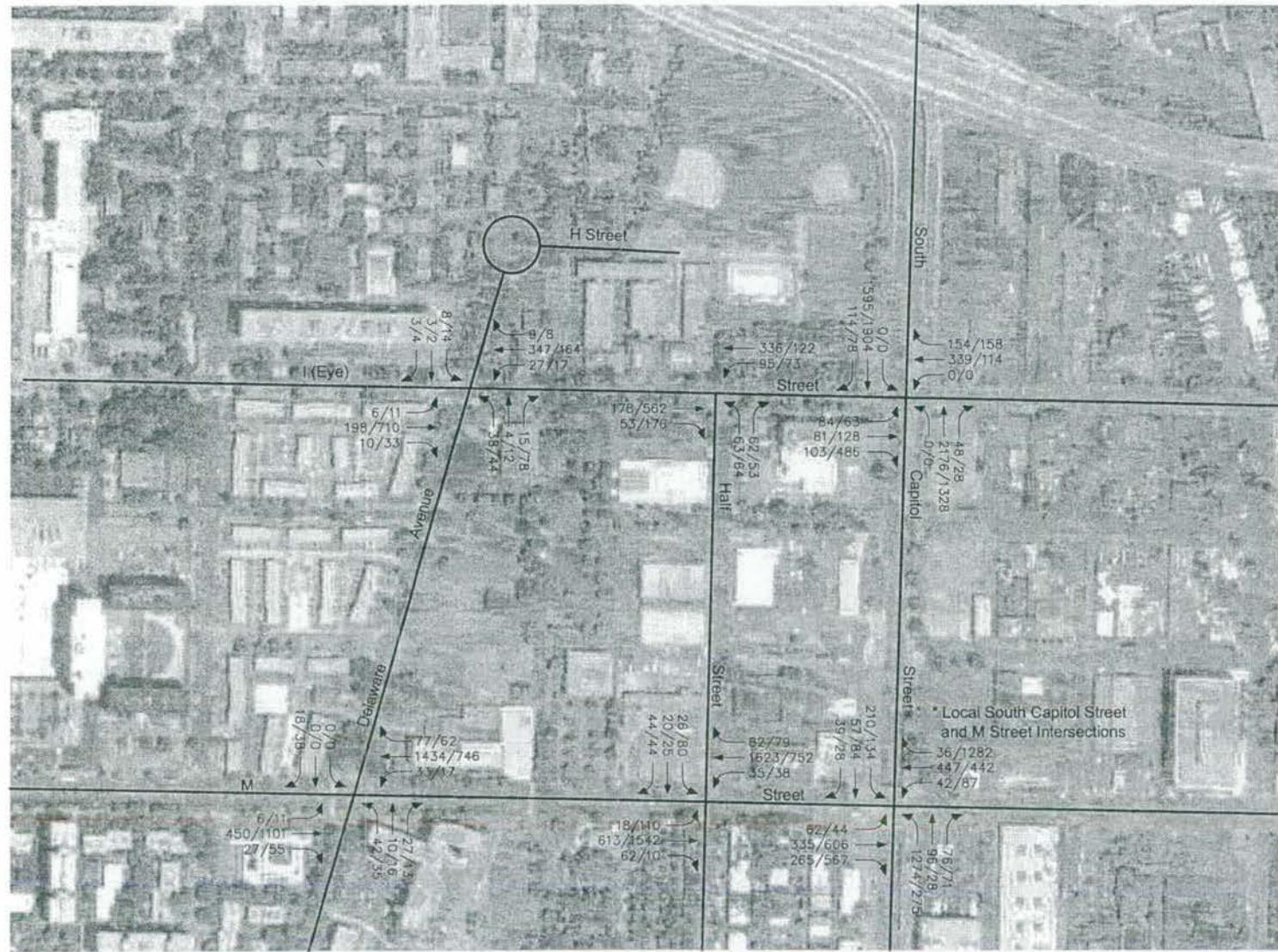


Figure 2-2
Existing Peak Hour Vehicular Traffic Counts

The Randall School
Washington, D.C.

WELLS & ASSOCIATES, LLC
TRAFFIC, TRANSPORTATION, and PARKING CONSULTANTS

AU PEAK HOUR
PH PEAK HOUR
000/000

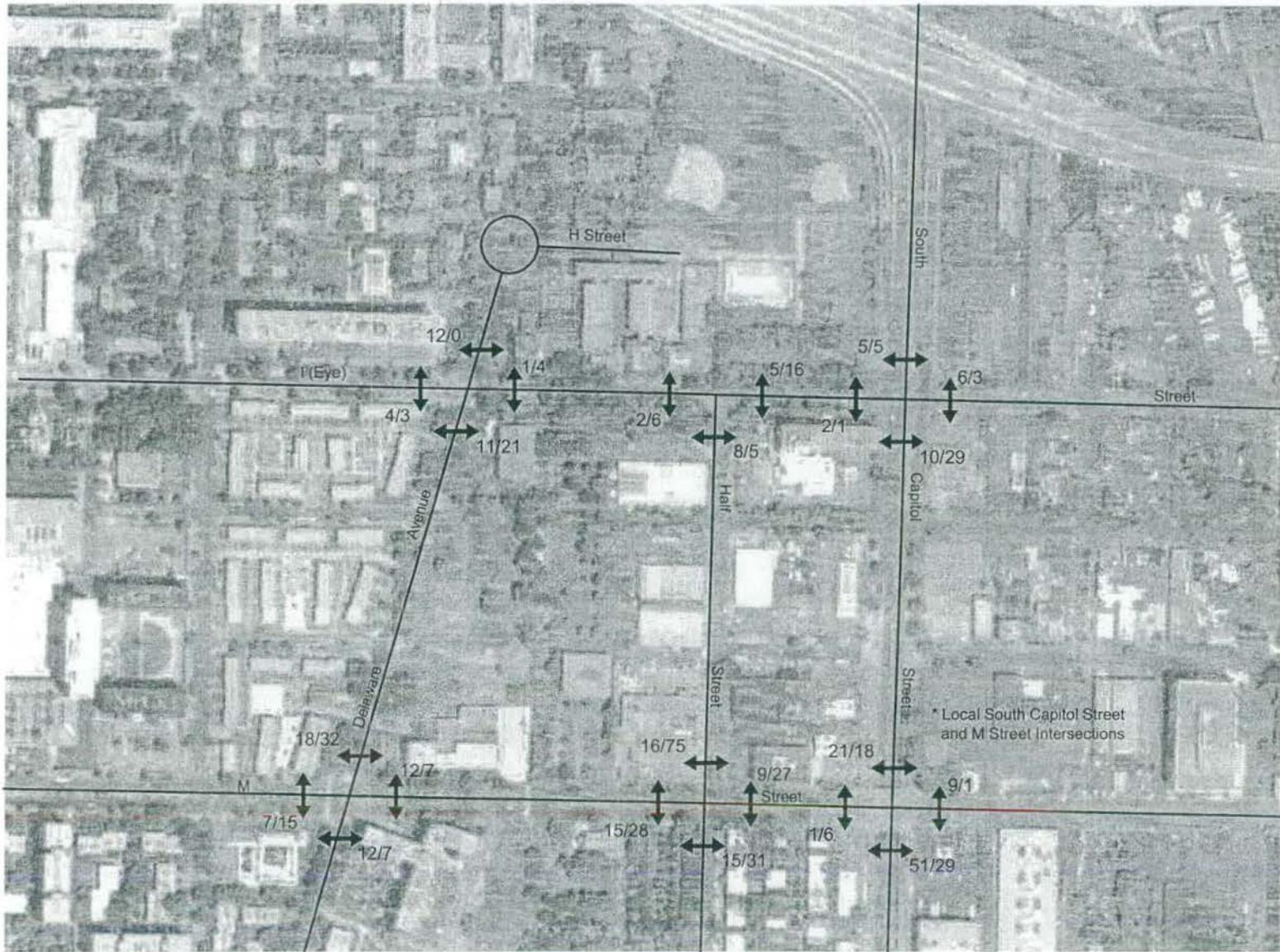


Figure 2-3
Existing Peak Hour Pedestrian Traffic

Section 3 ANALYSIS

Existing Levels of Service

Existing peak hour levels of service were estimated based on: the existing lane usage and traffic control shown on Figure 2-1; the existing vehicular and pedestrian traffic counts shown on Figures 2-2 and 2-3, respectively; existing traffic signal phasing/timings; and the Synchro intersection capacity analysis software. The results are presented in Appendix B and summarized in Table 3-1.

South Capitol Street carries heavy amounts of regional traffic during the commuter peak hours; the peak flows are northbound (inbound) in the AM and southbound (outbound) in the PM. Vehicle queues are experienced in the peak directions along South Capitol Street, however, these queues are largely isolated to the South Capitol Street mainline. This analysis considers the operation of the South Capitol local ramps at the grade-separated M Street intersection. It also considers the at-grade South Capitol and I (Eye) Street intersection.

As shown in Table 3-1, the eastbound approach of I (Eye) Street at South Capitol Street currently operates at LOS "F" during both the AM and PM peak hours. Overall the South Capitol Street intersection with I (Eye) Street operates at LOS "C" during the AM peak hour and at LOS "D" during the PM peak hour.

The eastbound approach of M Street at the South Capitol southbound ramp operates at LOS "E" during the AM peak hour and at LOS "F" during the PM peak hour. The southbound South Capitol Street local lanes intersection with M Street SW operates at an overall LOS "C" during the AM peak hour and at LOS "E" during the PM peak hour. The northbound approach of the South Capitol Street northbound ramp at M Street currently operates at LOS "F" during the AM peak hour and the westbound M Street approach operates at LOS "F" during the PM peak hour. The northbound South Capitol Street local lanes intersection with M Street currently operates at an overall LOS "F" during both the AM and PM peak hours.

These delays at the South Capitol Street intersections with I (Eye) Street and with M Street are attributable to the congestion on South Capitol Street caused by commuter traffic flows.

The eastbound and westbound I (Eye) Street approaches at the Delaware Avenue SW intersection currently operate at LOS "A" during the AM and PM peak hours. The northbound Delaware Avenue approach operates at LOS "D" and LOS "E" during the AM and PM peak hours, while the southbound approach operates at LOS "D" during both the AM and PM peak hours. Overall, this intersection operates at LOS "A" during the AM peak hour and at LOS "B" during the PM peak hour. Field observations indicate that I (Eye) Street receives the majority of the green time during a the traffic signal cycle length.