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2003 APR 10 PM 4:25

April 10, 2003

Ms. Carol Mitten, Chair
District of Columbia Zoning Commission
441 4th Street, N.W.
Suite 210
Washington, D.C. 20001

Re: Zoning Commission Case No. 02-38
(Waterfront PUD – First Stage)

Dear Ms. Mitten:

As the Commission requested at its last hearing on this case, enclosed are plans and photographs relating to two issues: the feasibility of having 4th Street pass between the Metrorail entrance and the Safeway store and views to the Southwest waterfront from the Metrorail escalators and other points on the subject site.

1. **Fourth Street Easement Alternative.** Sheet 22 depicts an alternate 4th Street easement that bypasses the Metrorail escalators to the east. The resulting 90-foot right-of-way would overlap the existing Safeway entrance and the Metrorail surface easement. This alternative was immediately deemed to be infeasible and was not pursued.

2. **Existing Views Towards Waterfront from the Waterfront Metrorail Station.** Sheet 23 consists of three photographs and a key plan. The photographs show the extent and quality of views towards the Southwest waterfront from the top of the Metrorail escalators and from two other locations along M Street on the PUD site.

- View # 3 from the Metrorail escalator entry shows no visibility of the waterfront due to obstructions in the foreground (vehicles) and buildings and foliage in the horizon.
- View #1 from M Street at the main parking entrance (4th Street intersection) shows a clearer view towards the waterfront, but without visibility of the water (Washington Channel).

ZONING COMMISSION
District of Columbia
Case 02-38
Exhibit 104

ZONING COMMISSION
District of Columbia
CASE NO.02-38
EXHIBIT NO.104

- View #2, taken farther west on M Street, shows the nearest instance of visibility to both the waterfront and the Washington Channel.

We trust that these graphic illustrations will assist the Commission in its decision on this case.

We have also attached hereto a copy of a recent editorial on the PUD published in the Washington Business Journal. This editorial was not written by the Applicant or any of its agents.

Sincerely,

ARNOLD & PORTER

Cynthia A. Giordano

Nathan W. Gross, AICP

Enclosures

cc: Advisory Neighborhood Commission 6D

OUR VIEW

Waterfront views

How could neighbors look at proposed changes to the Waterside Mall as anything but progress?

Southwest D.C. is changing.

That's good news.

The $1 billion Portals project just south of the National Mall is charging ahead. The $155 million Mandarin Oriental Hotel is going up adjacent to that site. And, an ambitious development plan could stimulate hundreds of millions of dollars' worth of new attractions and allure on the banks of the Southwest waterfront.

But the best news may be the future of the Waterside Mall, now called simply The Waterfront.

A major redo of the site, worth $300 million, promises an urban-friendly mix of up to 2 million square feet of office space, 200,000 to 400,000 square feet of residential space and about 75,000 square feet of retail.

...It's a good idea happening in a part of town that was besieged by bad ideas. Opening things up and putting more people on the streets only makes Southwest D.C. a more attractive, safe and lively place to live.

Finally, an urban-friendly gateway to the Southwest waterfront, instead of the shoddy box of poorly kept retail that now greets Metro riders and drivers trying to figure out where Fourth Street went.

The Fourth Street issue, of course, is what made the project controversial.

Developers of the site — a joint venture between Bresler & Reiner, The Kaempfer Co. and Cleveland-based Forest City Enterprises — plan to split the mall down the middle and reinstitute Fourth Street, which had been cut off by the mall.

Public hearings have given Southwest residents a chance to be heard on their views of the re-opening and their retail concerns. (Yes, Safeway and CVS are staying.)

Many hate the idea of more traffic.

Others hate that a mall will give way to more urbane retail storefronts.

Some people just don't like change.

It's good for everyone to get a chance to vent, but Southwest folks need to see: This is a good idea.

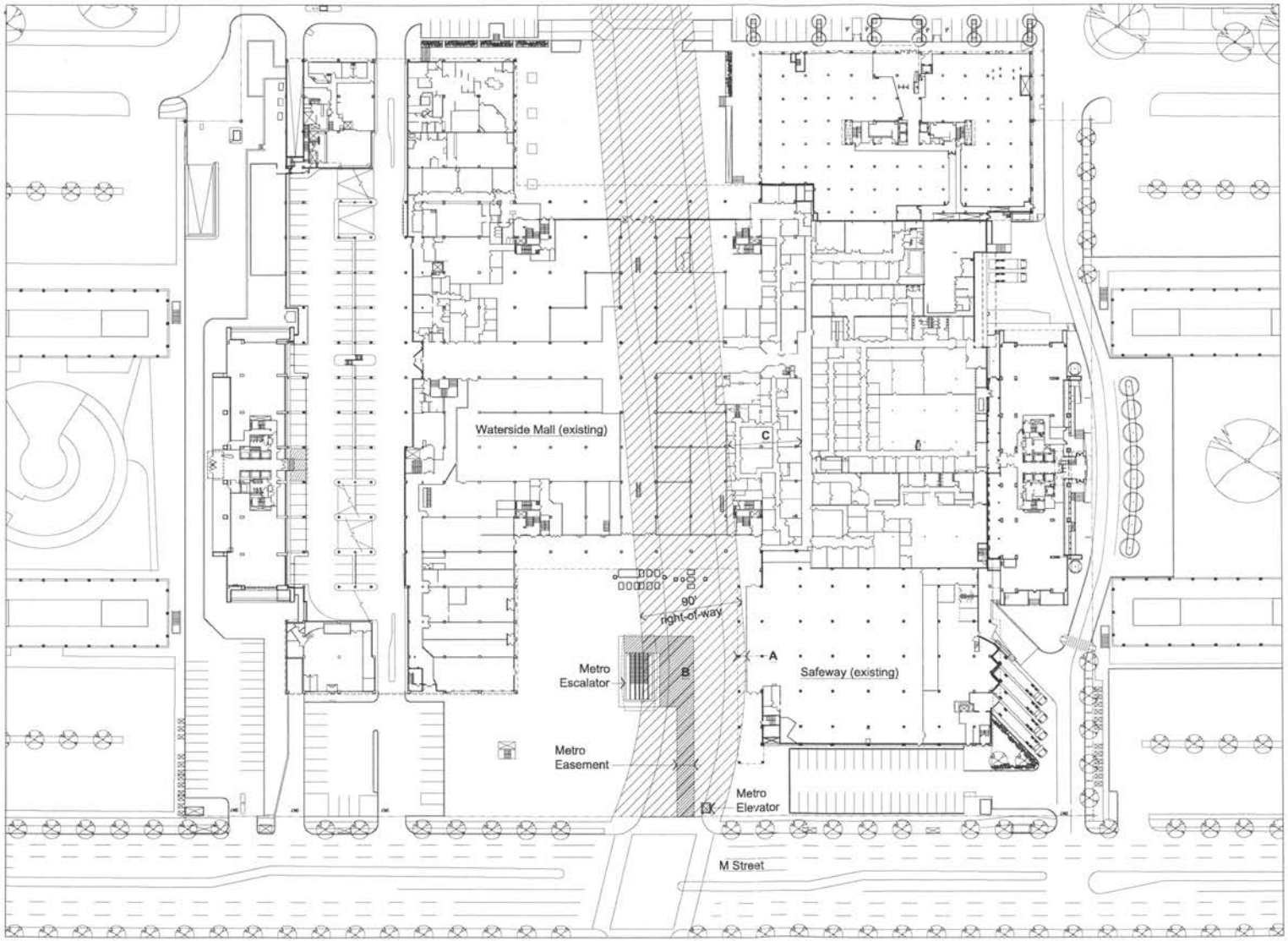
More, it's a good idea happening in a part of town that was besieged by bad ideas. Opening things up and putting more people on the streets only makes Southwest D.C. a more attractive, safe and lively place to live.

A 1998 Urban Land Institute report says the mall is on a block that "inhibits both pedestrian and automobile access and separates the surrounding residential neighborhoods from one another."

It also describes the mall as "an inward-focused compound surrounded by a moat of parking lots, walls and parks spaces hidden from view."

That's exactly what it's been.

With a little luck, that's not what it will stay.



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Notes:

For purpose of clarification, this Plan Diagram demonstrates an alternate 4th Street Easement alignment which bypasses the Metro escalator entrance-way to the East. The overlaps shown prove the non-feasibility of this alternate.

A Partial Overlap of existing Safeway Building and 4th Street Easement

B Full Overlap of Metro Easement and 4th Street Easement

C Reduced usable width of East 4th Street Building Base.



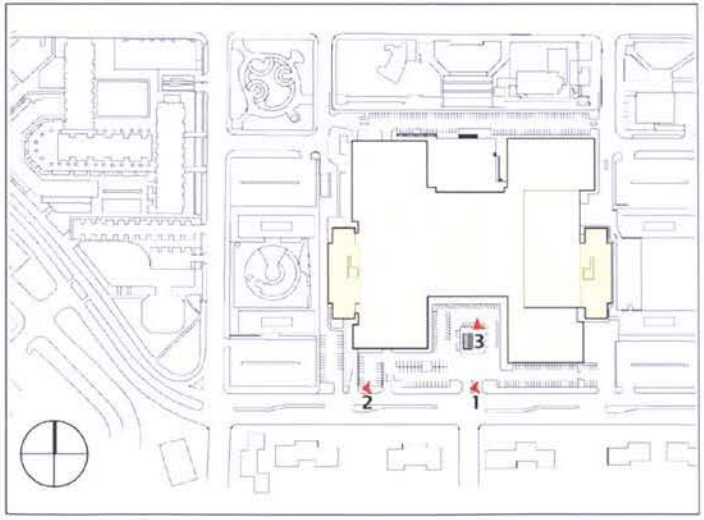
1 - VIEW WEST @ M ST + WATERSIDE MALL PARKING ENTRANCE
The Waterfront is visible. Washington Channel is not visible.



2 - VIEW WEST @ M ST + BANK PARKING ENTRANCE
Both the Waterfront and Washington Channel are visible.



3 - VIEW SOUTHWEST @ METRO ESCALATOR ENTRY
Neither the Waterfront nor the Washington Channel are visible.



KEY PLAN