Advisory Neighborhood Commission 6D
400 Eye Street SW • Washington, DC 20024

ANC 6D Testimony submitted by ANC Chairperson Ahmed Assalaam

re: Case No. 02-38, the Southwest Waterfront PUD Application

March 31, 2003

For the record, my name is Ahmed Assalaam, and I am the Chairperson of ANC 6D. In the interest of time, I would ask that the attached revised report as well as this testimony be submitted into the record.

As you know from our initial written response, the ANC voted to oppose the application of the RLA Revitalization Corporation in this case. In our response, we laid out the eight areas of major concern to the citizens and stakeholders of our community. I know that you will give great weight to those concerns. I would like to use this time to discuss how the PUD is intrinsically flawed in addressing community needs.

Please understand, this ANC is as anxious as the citizens we represent to see the woefully inadequate and deteriorating Waterside Mall redeveloped. However, the proposed PUD, and the requested rezoning from C-3-B to C-3-C, would permit the creation of a Crystal City or S.E. Federal Center type of massive office complex that will not serve our community, and offers little benefit to what has long been a stable, vibrant and active residential area.

Waterside Mall was intended to be a community mall with resources to serve its neighborhood. What have become known as the "EPA towers" were, in fact, built to be mixed-use buildings, but primarily for residential use. Over the objections of the community, Waterside Mall has become primarily an office complex. It has not been a success. This PUD calls for doubling the amount of office space, lowering the amount of retail space from what was originally there, and does not begin to address the problems that caused this Mall to be the failure that it is today.

According to representatives from Kaempfer, the existing leased retail space today is between 50,000 and 60,000 s/f out of approximately 130,000 s/f currently available, with many of the stores vacant. The banner on the building says the new Mall will have 100,000 s/f of retail space. In fact that is a goal. The PUD calls for only15,000 to 25,000 s/f more than is rented now – retail which will undoubtedly be designed to serve the needs of office workers, but not the residents of Southwest. In the DC Office of Planning's report on the PUD, there is little to address the major concerns of the community. There is no call for additional residential or retail space, major timeline issues are not addressed, and there is no satisfactorily explanation of how an inadequate percentage of retail space complies with the Comprehensive Plan's call to "ensure businesses will service the adjacent residential neighborhood."

The Office of Planning asserts that market forces will drive rental development. That is one of the major problems with this PUD – the preponderance of office space and limited retail will create an environment like that at the S.E. Federal Center, where the office workers leave at day's end, and the restaurants close at 3:00 in the afternoon, leaving an area that is sterile and desolate in the evening. By limiting the amount of possible retail in the plan, it will effectively drive the lease rates for the available space higher, benefiting the developers, but eliminating the possibility of local and neighborhood orientated businesses to provide needed retail services.

ZONING COMMISSION
District of Columbia
Case
Exhibit 87
ZONING COMMISSION
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EXHIBIT NO.87

The PUD states, "The new complex would consist of a mixture of office, retail and residential uses." Yet, for every square foot of proposed retail space, there will be more than 25 square feet of office space. In the PUD, and in public meetings, the developers and the Office of Planning have discussed the new mall as a Town Center. That is exactly what it should be. Unfortunately, words are not plans, and this plan does little to create the appropriate infrastructure for a true Town Center. The proposed towers will not only create a 'canyon effect' to rival the urban ugliness of Crystal City, but more importantly, this planned development will create an office-oriented environment that will override the needs and quality of life of the surrounding neighborhoods.

For years, the Office of Planning has sold this community on the concept that a new Waterside Mall will become a destination point and gateway to the Southwest Waterfront. However, by placing a 110' tower on the southwest corner of the property, it becomes the only view visitors arriving by Metro will have.

The PUD refers to the 75,000 s/f of retail as a public amenity. However, 44,000 s/f are in use today by the Safeway, the CVS, and the bank. As matter of right, 50 percent of the existing one million s/f of mall space could be used for retail. Market forces will quickly fill the remaining 30,000 s/f – the same square footage amount as the Safeway – with sandwich shops and businesses that cater to office workers, but will not serve the local community. Furthermore, the PUD allows for 17 years before some of that frontage would begin to be built. This leaves our community drastically underserved for at least two decades.

In addition, the developers have stated on numerous occasions that this could be a 20 year or longer project, and of the few public benefits proposed -including the majority of retail and service establishments- most are contingent on commercial office construction taking place first. The developers must not have "carte blanche" to build another million s/f of 110' tall office buildings on an unlimited timetable.

Overall, the public benefits -as required of PUD applications- are inadequate relative to the private gains of the applicant. The only tangible public benefit is a 100 X 200 s/f plaza surrounding the Metro escalators, described as being of "substantial size, and...suitably paved...for public use and enjoyment."

We have heard the argument that a redeveloped Mall will benefit the community, but that is true whether the development is done under existing matter of right or this particular PUD. To ask for a zoning variance to compound an existing problem is unacceptable. If you will refer to the ANC's revised report, I would like to highlight the following items:

- Items 1-3, the proposed project height, size, density and proximity to M Street, illustrate our concerns in regards to changing the nature of the Mall from one that was meant to serve the community, to one that will serve commuter office workers. Specifics include the 'canyon effect' the height and density will cause, and how market forces will drive the limited retail to serve the office workers and not the residents of our neighborhoods.
- As far as item 4, we find it unfortunate that DDOT did not present realistic and unbiased numbers so that the community could properly evaluate the effect of re-opening 4th Street. Regardless, if the street is re-opened based on the PUD, we once again have the problems of the 'canyon effect' and of sidewalks designed to maximize office space at the expense of creating a true Town Center.
- Items 5-7, the unacceptable lack of real public amenities, the extended timetable for development, and the relatively small percentages of residential and retail space vs. office space underscores the focus of this testimony.
- I am pleased to say that, in reference to the last item, in terms of providing jobs and training for local residents the ANC and the developers have made progress. However, the PUD still lacks any substantial provisions to serve community needs and provide community input on an on-going basis.

To conclude, our decision to oppose this PUD was not taken lightly, nor was it taken without good reasons. Near Southwest has been an experimental laboratory for "modern urban design" once, and its failures cannot be repeated. This PUD, and the requested zoning map amendments, will create a massive office complex that will not serve the community, but will change the character of the area forever. In addition, it allows for years of construction that will continuously erode the quality of life for thousands of people.

The concept behind a PUD, a Zoning Commission hearing, and even the work of the Office of Planning, is to create a process that ensures that development benefits the citizens of the affected community, as well as the City overall. In order for this process to be complete, we ask that you deny the applicant's request at this time, and enjoin them to return to the ANC so that –together– we can work to create a plan that will benefit everyone. We have made some progress already. My colleagues and I are committed to improving the quality of life for the people we represent. We are ready, willing, and able to work with the developers, citizens, and other stakeholders, to achieve that goal.

Ultimately, it is the residents of Southwest who will have to live with the new development. Pardon me for being blunt, but the Office of Planning does not speak for the Southwest community, and its report is woefully inadequate to address our concerns. It is our mutual responsibility – that of all of us here tonight – to ensure that the new development benefits our citizens.

Thank you,

Ahmed Assalaam

Ahmed Assalaam
Chairman, Advisory Neighborhood Commission 6D