

5 June 2007

DC Zoning Commission
Suite 210
441 4th Street NW
Washington, DC 20001

**Re: Case No. 02-38 / Waterfront
Modification of a First Stage PUD
A Second Stage PUD and
A Zoning Map Amendment**

Dear Members of the Commission:

At its May 14th regular business meeting, ANC 6D, with a quorum being present, (four being a quorum) voted 6-1 to support the Applicant in Case No. 02-38, Modification of a First Stage PUD, etc. for the Waterfront development in Southwest but with reservations.

The Commission voted to authorize Max Skolnik, ANC 6D01 representative, who represents one of the two single member districts in which the project is located, to testify on its behalf at the May June 7th hearing.

Sincerely,



Roger Moffatt
Chairman

ZONING COMMISSION
District of Columbia

CASE NO. 02-38A
EXHIBIT NO. 42

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District of Columbia
CASE NO.02-38A
EXHIBIT NO.42

Testimony of Max Skolnik
Commissioner ANC-6D01
Before the Zoning Commission of the District of Columbia
Case No. 02-38A
June 7, 2007

Good evening Madame Chairperson and Members of the Zoning Commission,

My name is Max Skolnik, the ANC Commissioner for SMD 6D01, representing the neighborhood in which half of the Waterfront Mall project is located. I am testifying on behalf of Advisory Neighborhood Commission 6D, and I urge you to give great weight to our concerns. On May 14, 2007, at the monthly meeting of Advisory Neighborhood Commission 6D, at which a quorum was present and all seven members were in attendance, we voted 6-1 to support Waterfront Associates and RLARC's Planned Unit Development application, Zoning Commission Case No. 02-38A with reservations to be discussed later in the testimony.

The applicants Waterfront Associates and RLARC have proposed to redevelop the Waterside Mall site with a total of eight new or reskinned buildings housing a mix of uses, including residential, office and ground floor retail.

In exchange for the support of ANC-6D, Waterfront Associates and RLARC have agreed to the following community benefits:

1. **Grocery Store:** The Applicant has included space for a new 55,000 square foot grocery store within the first phase of the project. The Applicant has been working closely with the existing grocery store on the PUD Site to renegotiate its lease, currently set to expire in December 2020, and relocate the existing grocery store to the proposed new store location on the east side of the project.
2. **Retail:** The Applicants have agreed to guarantee a minimum of 110,000 sq. ft. and a maximum of 160,000 sq. ft. of retail space. To meet urgent neighborhood needs, the applicant has also committed to have retail outlets such as "restaurants, coffee shops, flower shops, video stores, grocery store, drug stores, banks electronic stores, bakeries, dry cleaners and the like." This is critical to promoting the idea of a vibrant town center. We also appreciate the commitment to identify local and small businesses as potential tenants.
3. **Housing and Affordable Housing:** The Applicants have committed to a minimum of 800,000 sq. ft. of residential development, of which 160,000 sq ft. in the initial phase will be dedicated to affordable housing.
4. **Public Safety and Impact on Adjacent Buildings:** The Applicant has put forward a comprehensive security and construction mitigation plan.
5. **Community Office and Meeting Space:** The Applicant has committed to providing 1000 sq. ft. of office and meeting space for ANC-6D and the Southwest Neighborhood Assembly.
6. **LEED Certification:** The Applicant has proposed LEED Silver Certification for the 4th Street office buildings.

7. **Parking Traffic Issues:** The Applicant has committed to an ongoing dialogue on parking and traffic issues arising from the substantial increase in both the residential and commercial population brought on by this project.

Despite this significant progress, ANC-6D believes that there are problems that still need to be addressed. These include:

1. Reopening of Fourth Street: The proposed opening of Fourth Street will involve a curvature around the Waterfront Metro Station. When the project was originally developed, Fourth Street 'straightened out' as it looped around to the North. In the current application, Fourth Street does not straighten out appreciably and does not realign with Fourth Street south of M Street, SW. In fact, the east building overhangs the street front north of the Metro Station significantly. One of the main reasons originally presented by Mayor Williams for the reopening of Fourth Street was to restore the L'Enfant grid. However, it is clear that this overhang disrupts that grid. The street, once reopened, should provide an unbroken line of sight view from Fourth Street SW to Fourth Street, NW. This overhang impedes this view corridor and ANC-6D. The L'Enfant view corridor must be restored as a consequence of the opening of Fourth Street. ANC-6D would like to see that corrected.

2. Respecting the Character of the Community: The Waterfront Mall project is the most significant development to occur in Southwest Washington in the past forty years. From its inception, ANC-6D hoped that this project would incorporate the design principles set forth in other residential properties in greater Southwest. We continue to hope that the Commission will embrace the residential properties located within the Southwest Redevelopment Area as worthy of recognition and preservation. The properties forming the residential boundaries for the current Waterside Mall super-block and beyond create the largest concentration of mid-century modernist architecture anywhere in the nation. As the project moves forward, ANC-6D continues to believe that the DC Zoning Commission needs to acknowledge these residential properties as an important city resource. While this Commission does not have the powers of Historic Preservation, we strongly urge you to recommend to the Applicant and its architect that they incorporate in their design of the Waterfront Mall an inclusion of these architectural characteristics. The finished product should integrate appropriately with the surrounding neighborhood.

Consequently and in line with the original application, we urge the Commission to ensure that the Applicant and its architect provide a project that will serve as the geographic, civic, and social "Community Center of Southwest." As such, ANC-6D urges the Commission to ensure that the Waterside Mall does not simply develop as a haphazard grouping of buildings. We ask that the project specifically **provide a sense of place** that acknowledges the strategic location at the center of the smallest quadrant of our city. ANC-6D and the community desire a project that reflects the distinct Southwest character and is not simply a pale copy of the generic development found elsewhere in the metropolitan area.

3. Project Density: If this project is approved as presented, it will more than double the amount of square footage allowed on the property. While we appreciate that the Office of Planning wishes to maximize development above Metro Stations citywide, ANC-6D would also like to ensure that we are not being singled out for such significant construction. We insist that Southwest be treated equitably and that every community similarly located above a Metro station in the District of Columbia -- whether on M Street, SW or along upper Connecticut or Wisconsin Avenues -- bear a comparable burden.

4. Height and Setback Issues: ANC-6D is concerned about the M Street façade. The community seeks to avoid an overshadowing streetscape with an insufficient setback of 18 feet. Rather, ANC-6D would support a more reasonable setback of 22 ft. We feel that it is necessary to minimize nearby residents' loss of views, open space, and light. We strongly believe that an accessible neighborhood and streetscape need to be maintained given the high volume of development expected along this corridor. It is in the interest of all businesses and residents that pedestrian traffic and aesthetic views are unimpeded. Additionally, ANC-6D seeks to address issues of height and massing. To prevent structures that would overwhelm the neighborhood, it would be preferable to locate the taller structures toward the core of the project. This would align with the historic openness and lowered building heights found throughout the Southwest community.

6. Affordable Housing: ANC-6D strongly supports this component and favors the widest possible distribution of the affordable units throughout the residential sections of the east and west towers. Furthermore, in agreement with OP, ANC-6D seeks an amount of affordable housing where at least 8% of the total floor area is available to households earning less than 80% of the AMI.

For many years, the Applicant, ANC-6D, and the Southwest community have discussed the details of this project. After much negotiation, ANC-6D strongly believes that this project needs to move forward. For too long, the local population has lived without its retail and social core. Given the increasing development and demographic pressures on the neighborhood, it is critical that the Waterfront Mall site develops as a touchstone for the community, a place where residents can shop, dine, and enjoy the social interactions so vital to the life of a city. With ANC-6D's support in mind, we ask you to strongly consider the issues we have raised and urge the Commission to give *great weight* to our concerns. Thank you for your time.

Respectfully,
Max Skolnik
Commissioner, ANC 6D