



*Southwest / Navy Yard / Buzzard Point*  
Advisory Neighborhood Commission 6D

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April 4, 2018

**OFFICERS**

Chairperson  
*Meredith Fascett*  
Vice Chairperson  
*Andy Litsky*  
Secretary  
*Gail Fast*  
Treasurer  
*Ronald Collins*

Anthony Hood, Chairman  
Board of Zoning  
441 4th Street, NW,  
Washington, DC 20001

VIA E-MAIL: [zsubmissions@dc.gov](mailto:zsubmissions@dc.gov)

**RE: ZC Case # 02-38I 375 & 425 M Street SW, Sq. 542**

Dear Chairman Hood & Distinguished Members of the DC Zoning Commission:

**COMMISSIONERS**

SMD 1 *Gail Fast*  
SMD 2 *Cara Shockley*  
SMD 3 *Ronald Collins*  
SMD 4 *Andy Litsky*  
SMD 5 *Roger Moffatt*  
SMD 6 *Rhonda Hamilton*  
SMD 7 *Meredith Fascett*

At a regularly scheduled and properly noticed public business meeting on March 19, 2018, with a quorum being present, a quorum being four Commissioners, **Advisory Neighborhood Commission (“ANC”) 6D voted 5-0-0 for a motion of conditional support of ZC Case 02-38I**, the application of Waterfront 375 M Street, LLC and Waterfront 425 M Street LLC (“the Applicant”) for Second Stage PUD & Modification of Significance to the First Stage PUD @ Square 542, approved under ZC 02-38A, pending the resolution of a number of outstanding issues. The ANC also voted 5-0-0 to authorize Commissioners Litsky, Fast, Moffatt, and Fascett to testify on behalf of the ANC at the Zoning Commission hearings.

In evaluating the Applicant’s requested modification of significance, the ANC gave substantial consideration to the Southwest Neighborhood Small Area Plan (“the Plan”). The Plan calls for a “thriving town center” at Fourth St. SW, between M and I Streets that is a “commercial core that most directly serves the Southwest neighborhood<sup>1</sup>.” More specifically, it states:

*“Southwest will enjoy Fourth St. SW as a thriving town center and commercial heart of the community, with a range of neighborhood-serving retail options, an active streetscape, a high quality public realm, quality new development and easily accessible transit.”<sup>ii</sup>*

The ANC was also cognizant of the Plan’s statements regarding the commercial office market in Southwest as stated below:

*“The Waterfront Station development calls for two additional office towers to be constructed...[T]hese proposed office developments could prove less viable in the near term than residential developments with ground floor retail uses...As a result, the developer should have the flexibility to request a modification to the approved Planned Unit Development to incorporate residential uses within the buildings.”<sup>iii</sup>*

In this context, the ANC negotiated a Community Benefits Agreement (“CBA”) with the Applicant that aims to advance the development of a thriving town center on Fourth St. SW and allows for the incorporation of residential uses in these parcels.

### **Community Center**

As detailed in the Applicant’s submission, the Applicant committed to a lease and build-out of a 6,000 square foot, two-story space for a neighborhood serving Community Center – **at no cost for a period of no less than thirty years**. The ANC believes that the creation of a Southwest Community Center is indispensable to our neighborhood and a critical component that led to our support of this project. The Community Center will provide an important neighborhood asset that we have long sought and serve an unmet need in the community, breaking down the balkanization inherent in our larger, self-contained major residential complexes and enabling all residents in our rapidly developing neighborhood to come together outside of the confines of their own homes to learn. The Center will also help to activate the adjacent public realm during both daytime and evening hours. The Community Center’s programs combined with an improved retail and commercial mix that caters to community services will ensure pedestrian activation of Waterfront Station and position Waterfront Station to become the vibrant center for the community. The community is looking forward to the creation of this Community Center and the ANC has attached a letter of support from the Southwest Neighborhood Assembly for the Zoning Commission’s reference.

### **Traffic Plan & Active Management of the PUD Site**

As detailed in the CBA, the Applicant agreed to a substantially improved traffic plan and active management of the PUD site itself. The ANC believes that the improved signage plan

will address many of the problems all of our neighbors currently encounter navigating the private streets between Safeway and the Metro Plaza and the streets separating it from the Mill Creek Development on the west and the Waterfront Tower Condominium on the east. The addition of inside turn-arounds for both buildings will relieve major congestion points, especially on the private road for 375 M, close to the Waterfront Tower condominium. The active site management – which has heretofore been seriously lacking – should significantly enhance pedestrian safety, prevent inappropriate vehicular traffic, and improve the area overall.

### **Retail Strategy and Implementation**

The ANC believes that the execution of a compelling retail strategy is absolutely essential to the creation of a thriving town center in Southwest. We remind the Commission that prior to the Applicant's purchase of the superblock formerly known as Waterside Mall, the Southwest neighborhood was home to no less than 25 small merchants who served our neighborhood. In contrast, to date, the superblock has only a handful of neighborhood serving retailers – a grocery store, a cleaners, a CVS, and two restaurants. Thus far, the ANC has been very disappointed with the selection of retailers on Fourth St. The ANC wants to see exciting, neighborhood-serving retail that draws pedestrian traffic, encourages engagement with the storefronts, and provides offerings otherwise unavailable in the neighborhood. We expect nothing less from Forest City, a Big Board company with large projects located in major communities nationwide. We expect that the Applicant will, by virtue of this PUD, now legally commit to implementing such a strategy and regularly meet with the ANC to discuss the retail strategy and implementation plan. Southwest can no longer be Forest City's ugly stepchild while it lavishes attention on The Yards. We support this PUD with the expectation that the Applicant will use their expertise and find retailers who can transform Fourth St. into the thriving town center that they have promised the District that they would create when they purchased those 11 acres from the City for a paltry \$47 million more than a dozen years ago. It's Southwest's time now. And we expect the Applicant's full attention.

### **Inclusivity**

ANC 6D has been and remains an advocate for affordable housing and for affordable units with more than two bedrooms. The commitment in this application meets the current requirement for Inclusionary Zoning and also includes five three-bedroom units affordable at 60% of Area Median Income. (Note: The Applicant is providing these larger units at the ANC's specific request.) The ANC also believes that the inclusion of the Community Center and neighborhood-serving commercial are contributions that will address essential needs of residents in every economic stratum, including residents of low income households.

## **Improvements to the Public Realm**

Regarding the public space plan, the ANC is pleased that even though this case does not include the public space use around the Metro Waterfront Station, the Applicant agreed to work with other owners at Waterfront Station to enhance the Waterfront Metro Plaza area by adding element(s) that create a sense of arrival to a vibrant, thriving waterfront neighborhood. These elements could include public art, incorporate wayfinding features, and enhance the existing features of the Waterfront Metro plaza area.

## **Building Massing**

The ANC appreciates that a residential building design requires a lower FAR that lessens density, moving the development more in line with the open space design of Southwest. The ANC believes that the residential massing is much more appealing than the massing that would have been used for commercial buildings on these parcels. This newest design will have a significant positive visual impact on the communities of Tiber Island and Carrollsburg located across the street. Instead of creating K St. NW on M St. SW, which is something that would have come about had we embraced commercial office structures, these new buildings will fit well into the quality of central Southwest and provide a distinct statement that we are a residential community.

The ANC believes that these benefits, when coupled with plans for enhanced ground floor community serving retail and second floor commercial space, will do much to create the thriving town center for which we have long advocated. Thus, ANC 6D believes that the Applicant's plan addresses the ANC's concerns for activation, traffic control, and neighborhood requirements related to a change from an approved commercial development to one whose major content is residential.

The ANC, however, is withholding its full support pending the resolution of a number of outstanding issues. The ANC would like to resolve these open questions with the Applicant as soon as possible and will update its report upon resolution.

- 1) Community Center Selection & Operations: Upon further review, ANC 6D believes that the ANC should have the full authority – not shared with the Applicant – to select the operator of the Community Center and expects the CBA to be amended accordingly. The ANC also believes that the Applicant has reneged on a commitment made during negotiations when the Applicant clearly agreed that the Community Center would be **totally free for 30-years** (and that would include electricity, heat, and air serving the space). The Applicant's claim made during a subsequent negotiating session that the requirement for paying utilities is imposed on all lessees is well-appreciated in the context of promoting energy conservation. However, the

back-tracking on costs to be borne by the Community Center caught the ANC by surprise and, as it was presented to only half of the ANC's negotiating team (Commissioners Litsky and Fast were out of the country) at a meeting just before the ANC Business meeting, seems like a tactic used by the Applicant in the past to promise and then not deliver. The ANC would like the final order to reflect that the Community Center will be free, as was presented to the Commission's full negotiating team and the Southwest community prior to the ANC's vote of conditional support. To reiterate, the ANC expects that the Southwest Community Center that Forest City will proffer will be provided FREE for thirty years. Period. No equivocation. No subtext.

- 2) Public Space Improvement Element: In advance of any Zoning approval, ANC 6D wants to see what element(s) the Applicant will be installing in the public space of the Metro plaza that they have promised will create "a sense of arrival" to the project that a decade ago they grandly named Waterfront Station. The ANC made the mistake of taking the Applicant at their word during the first PUD process that they would install a water feature. What they delivered was a series of occasionally gushing garden hoses that in no way reflects positively on their grandly named project, let alone on the Metro Station it sits astride or on the center of the vibrant waterfront neighborhood it is supposed to represent.
- 3) Enhanced Traffic and Site Plan for Fourth & M Streets SW: Currently, the juncture of Fourth and M Streets is one of the most difficult corners in Southwest. DDOT continues to struggle with the crossing patterns at that intersection and the intersection will be further complicated by the arrival of two buildings on each of the major corners.
  - a. Left Turn Lane: ANC 6D understands that there is discussion about reimplementing a left, eastward turn from Fourth St. onto M St. to acknowledge the significant additional traffic that we anticipate with the growth of Buzzard Point, the rebuilding of Greenleaf with nearly 2000 units of housing, and the opening of Audi Field. In the event that DDOT decides to implement a left turn lane at the intersection of Fourth and M Streets, ANC 6D wants the Applicant to be required, prior to the decision, to present plans allowing for an adjusted streetscape and traffic plan to accommodate an

additional lane for left-turning vehicles at the intersection of Fourth and M Streets.

- b. Metrobus Stop: There is a 74 Metrobus stop in front of what will be 375 M St. That stop had been moved from Fourth St. diagonally across the street more than four years ago. At that time, the bus kiosk was also removed and never replaced in the new site. Our ANC has long fought for the replacement of that bus shelter to no avail. While Metro builds them, they are supported by an advertising contract held by DDOT who has refused to weigh in on this. Our Commission wants to be assured that the building and streetscape at 375 M St. will not in and of itself prohibit the replacement of that shelter. If we are to encourage more public transport, we must make it attractive. No more standing in the rain waiting for a bus in the heart of our Community.
- c. Circulator Stop: After a five-year absence, the Circulator will return to Southwest this July. The placement of the Circulator's Southwest Stop is not to be an afterthought and should be included in this new development. ANC 6D requires that DDOT and the Applicant arrive at a solution for the bus top placement. We would find it unacceptable were the Applicant to claim that the placement of a Circulator Stop in front of 375 or 425 M St. will detract from the Applicant's ability to encourage ground floor retail.

4) Logistics & Operations – The ANC has a number of logistics and operations concerns that need to be addressed more completely.

- a. The ANC needs the Applicant to provide a written commitment to develop and enforce a construction management plan that appropriately mitigates construction impacts on adjacent neighbors.
- b. The ANC wants the Applicant to provide written assurances that the residential buildings will not be eligible to apply for DDOT's Residential Parking Program.

- c. The ANC wants the Applicant to provide language ensuring that all deliveries, including trash, FedEx, UPS, and retailer deliveries will occur within the loading dock bay in both their buildings.
- d. The ANC wants greater detail on how the public realm plaza areas will be programmed and maintained upon the completion of construction.

Finally, the ANC would like to note that, as recommended in the Southwest Neighborhood Small Area Plan<sup>iv</sup>, the Fourth St. parcels are currently programmed by the Applicant and the Southwest BID for temporary community uses – a farmer’s market, gathering spaces, pop-up events, etc. Indeed, it was ANC 6D that recognized that these temporary uses were needed in the Community and mandated – as a condition of maintaining their PUD – that the Applicant activate these spaces. ANC 6D recognizes that these spaces have become very popular in the community – as we knew that they would. The ANC expects the Applicant to maintain this programming until the commencement of construction at each site. Separately, the ANC recognizes the importance of these types of spaces and believes strongly that Southwest should be the “green oasis” described in the Small Area Plan. We also recognize that there are two open park spaces at the north end of Fourth St., in front of the two churches on the east and west sides of Fourth St. As the open space on the south side of Fourth St. undergoes development, we encourage the Commission and members of the Southwest Community to recognize that these northern spaces need to be retained for open community use as new development occurs on the opposite side of that superblock. ANC also affirms its commitment to supporting the Southwest Duck Pond and advocating for significant improvements to Lansburgh Park<sup>v</sup> and Randall Recreation Center<sup>vi</sup> (which the ANC helped save from absorption by a charter school) as outlined in the Small Area Plan so that the community has continued access to revitalized outdoor spaces for gathering and recreation.

Thank you for your consideration. Should you have any questions, please contact me at [6D07@anc.dc.gov](mailto:6D07@anc.dc.gov).

Sincerely,



Meredith Fascett  
Chair, ANC 6D  
Southwest, Navy Yard, & Buzzard Point

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<sup>i</sup> Southwest Neighborhood Small Area Plan, p. 101

<sup>ii</sup> Southwest Neighborhood Small Area Plan, p.7

<sup>iii</sup> Southwest Neighborhood Small Area Plan, p. 52

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<sup>iv</sup> “Fallow development parcels will offer places for temporarily public art installations, community gatherings and events.” Southwest Small Area Plan, p. 103.

<sup>v</sup> “Ensure Lansburgh Park evolves into a “central park” that will become a center of activity for the Southwest neighborhood” Southwest Neighborhood Small Area Plan, p. 6

<sup>vi</sup> “The community desires renovations and improvements to make the park more accessible and visible...Community sentiments regarding future improvements include more robust arts-centered programming to meet the demand of an expanding art culture - within the neighborhood.” Southwest Neighborhood Small Area Plan, p. 43





Southwest Neighborhood Assembly  
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March 17, 2018

Meredith Fascett  
Commissioner, ANC-6D07  
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Washington, DC 20024

Commissioner,

I am writing on behalf of the Southwest Neighborhood Assembly (SWNA) in support of the inclusion in Forest City's proposed mixed-use property on the lot at 4<sup>th</sup> Street and M a community center that will be open to all residents in Southwest DC. As the civic association for Southwest, we believe that the opening of such a center would have multiple benefits. Currently, Southwest lacks a facility that can be considered a "hub" for the community, a magnet for individuals across all demographics in our quadrant. We are confident that a community center would be heavily utilized for activities of a recreational, educational, or cultural nature. It is critical that such a center be located in a strategic spot such as the Forest City lot—among other things, it will be a walkable destination from most parts of the community and is located just off an intersection that features or will feature Metro train and bus service.

SWNA would support Forest City's mixed use property to the extent that it includes a sizable community center available to all residents.

Bruce A. Levine, President, SWNA