Advisory Neighborhood Commission 6D

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September 4, 2003

Chairperson Carol J. Mitten
DC Zoning Commission
441 4th Street, NW • Suite 210 South
Washington, DC 20001

ANC 6D Testimony re: Case No. 03-06, the SEFC Overlay District

Dear Chairperson Mitten and Zoning Commission Members:

My name is Ed Johnson, and I am the Secretary of ANC 6D and Commissioner for 6D-01. ANC Chairman Assalaam is out of town and sends his regrets that he is unable to attend tonight's hearing. I have been appointed to speak on behalf of the ANC on our position on the SEFC Overlay District petition.

As you know from our initial report of June 17, 2003, the ANC is opposed to the General Services Administration's (GSA) petition solely on the grounds of the requested variances to the District of Columbia Municipal Regulations (DCMR) for height and FAR exceptions on selected CR and R-5-E parcels. Although the scope of our objection is limited, we believe very strongly that the potential for irrevocable and long term harm to the community by the granting these exceptions at this stage of the process warrant an overall objection to the petition.

For the record, the ANC commends both the GSA and the Office of Planning (OP) for their coordinated community outreach, and for the many community benefits included in the proposed plan. In particular, the open space and residential components proposed in the overaly will be tremendous benefits to adjacent neighborhoods. Furthermore, we fully recognize that the GSA could, under the 1992 Master Plan, develop the property in a much denser and less community oriented way than proposed in its petition. Nonetheless, it is vital to the community to have substantially more detailed information, and opportunities for feedback on the actual buildings before a petition for variances to existing zoning regulations is brought to the table.

Our written report of June 15th details the individual parcels and the specific zoning exceptions we are opposed to. I want to focus tonight on just the one area, designated as Parcel A on the GSA map attached in its Exhibit A, to illustrate our concern. §1803.5 of the GSA proposed zoning regulation amendments calls for a maximum height of 130 feet on that area of the site. In public presentations, that proposed structure has often been referred to as a "Signature Building" that will be constructed at the intersection of M and New Jersey Streets SE, directly across from the Navy Yard metro station.

Given the location, the topography, and the proposed surrounding development, any building situated on that corner will be a significant part of the landscape. And if it is built to a height of 130 feet, it may be the only view for people exiting the metro or occupying adjacent offices. Under the timeline presented by the GSA earlier, responses to the RFP that would provide at least some level of detail to assist in making an informed decision are not due until after this hearing. It is not just the lack of information that concerns the ANC, but also the lost opportunities for the public, the GSA, and its future developer to benefit from a dialogue with the community that would assure that the cornerstone of the project is a building that will serve everyone's interests. Thanks to GSA's active community outreach so far, we have a proven track record establishing how successful community input can be in the design process. We need to continue that process, not cut it off.

ZONING COMMISSION
District of Columbia
Case 03-06
Exhibit 40

ZONING COMMISSION
District of Columbia
CASE NO.03-06
EXHIBIT NO.40

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As a lesson from the past, we need only to look at the Federal Housing and Urban Development building by l'Enfant Plaza on the other side of our ANC to know exactly what can go wrong†. I have no doubt that, at the time, the GSA believed that the beehive architecture of the HUD building would make for a great "Signature Building" on a Federal campus. Over the years, it has not worn well. Given the size and scope of the proposed SEFC project, we will have to live with whatever is built there for a long, long, time. It is incumbent on us to utilize all the safeguard processes available, and not to take shortcuts we will pay for in the decades to come. No number of plastic-clad aluminum pole saucers will ever make the HUD building aesthetically pleasing by today's standards, if it ever was. This is not a mistake we need to repeat today.

It is simply not possible in a text and map amendment to the zoning regulations to define all the criteria that would guarantee a result that meets the functional and visual requirements of both the GSA and the surrounding neighborhoods. If you refer to §1802.4 of the proposed zoning regulation amendments, it calls for "...a reduced height and bulk of buildings along the Anacostia riverfront in the interest of ensuring views over and around waterfront buildings." While the petitioner obviously interprets that as allowing for a 130 foot high building on the northwest corner of the site, I don't believe that is a universally held opinion in the community.

Final designs need to incorporate an architecture that reflects the historical character of the area†, meet the security standards for federally occupied buildings, and include enough flexibility to adapt to changing environments and conditions. Recently built commercial space north of M Street falls short of what we could hope for in revitalizing this part of town†. We have an opportunity to do much better this time if we follow the existing processes through to completion.

I want to assure you that the ANC did not apply a single "building height litmus test" in making the decision to oppose the petition. We asked ourselves the following questions:

1. *Is this a project that will benefit the community?* We believe it has a greater potential to do so, and can only benefit from community involvement if the public process is allowed to continue. Recognizing the merits of the proposal, we made a best effort to be as specific as possible in the elements we opposed.
2. *Are we creating a stumbling block in the way of needed development?* Definitely not in this case. Any public process takes a combination of time and participation by all the affected parties. Here, the time required for public review and the GSA's own review on design proposals can be concurrent, and we've already demonstrated willingness for the community and the GSA to work together.
3. *Are we placing an undue burden on the applicant?* Absolutely not. Constructive dialogue between the community and the selected developer(s) can only benefit all parties in assuring the best possible results, with no more effort than is required in any PUD process.

When considering the flexibility in zoning the applicant has requested, we have to weigh the potential pitfalls of circumventing an established public process. It's happened before with unacceptable results, and it can happen again. Premature approval is not a precedent the Zoning Commission should set on the dubious grounds that it might make the future development easier or faster.

To conclude, I want to underscore that the ANC is in no way opposed to the proposed types of zoning, we request only that the specified CR and R-5-E zoning overlays be applied in compliance with the applicable regulations in Chapters 3, 4 and 6 of the DCMR without exception. If and when the GSA brings forward detailed, comprehensive proposals for actual buildings, the vehicles exist for a public process to approve them at a later date *if they merit exception.* We do not believe it is possible at this early stage in the development process to have enough information available to grant what amounts to a carte-blanch exception to well founded rules and regulations.

Thank you for your attention,

Edward J. Johnson

Commissioner Edward J. Johnson
Secretary, Advisory Neighborhood Commission 6D

† See Appendix A for photo references

APPENDIX A - Photo Exhibits











Photos:

Top: The HUD Building is referred to as a "striking landmark...of Modernism" on the GSA Website.

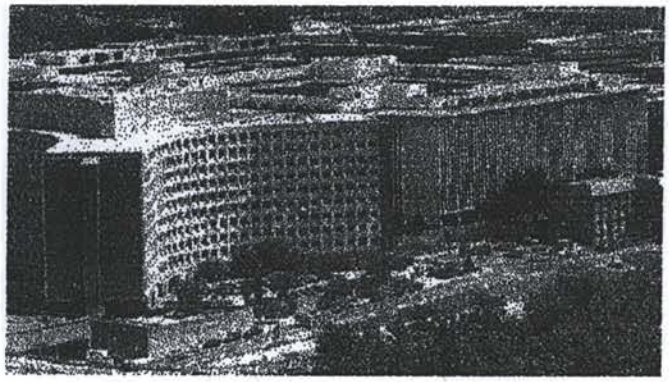
Center: Recent commercial construction at First and M Streets S.E.

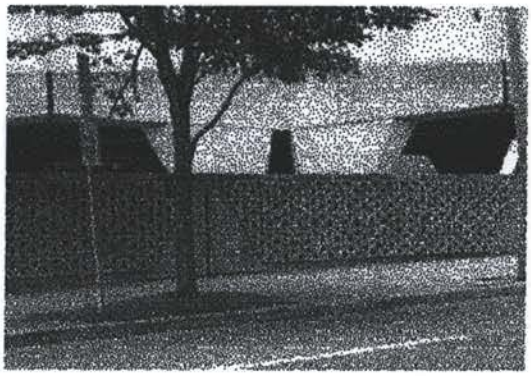
Bottom: Existing historic building on SEFC campus illustrates a more enduring style.

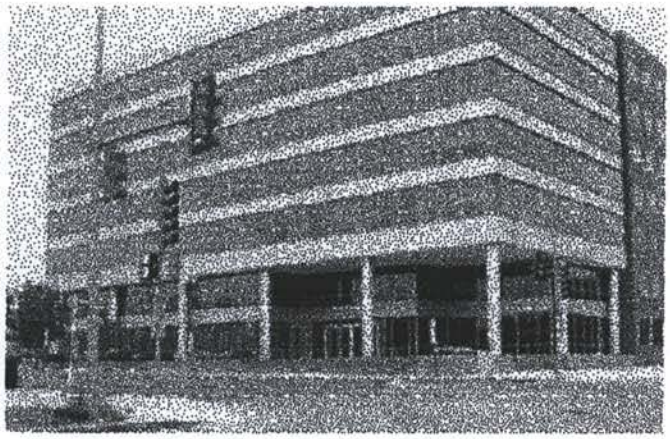
Photo Credits: Arial view of HUD/DOT, Richard Westbrook, Perry Klein. All others courtesy of Thomas Fenton.

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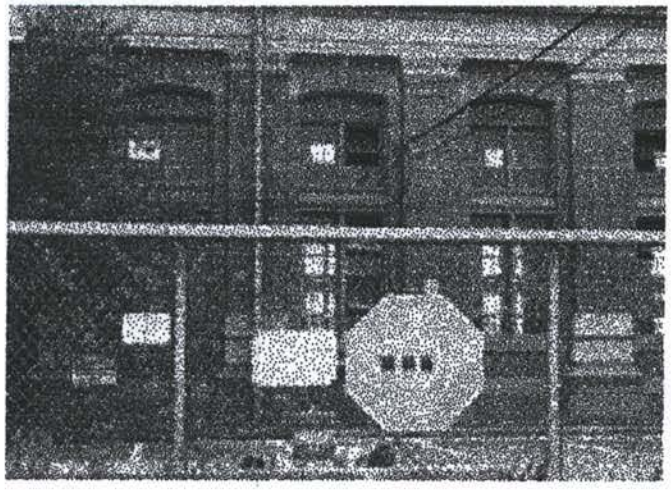
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