

September 21, 2007

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**VIA HAND DELIVERY**

Zoning Commission for the  
District of Columbia  
441 4th Street, N.W., Suite 210S  
Washington, D.C. 20001

Re: PUD Submission – 100 Potomac Avenue, SE  
Zoning Commission Case No. 04-14C

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D.C. OFFICE OF ZONING  
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Dear Members of the Commission:

On behalf of Florida Rock Properties, Inc., enclosed please find an original and nineteen copies of the PUD Submission setting forth the revisions to the project as previously set forth in correspondence to the Zoning Commission. In addition, mailing labels have been provided for the convenience of staff.

We request that the Commission set this modified project for hearing on an expedited basis, as set forth in the enclosed submission. Should you the Commission have any questions or need additional information, please do not hesitate to have Office of Zoning staff contact me.

Very truly yours,

  
Christy Moseley Shiker

Enclosures

cc: Jennifer Steingasser, Office of Planning (Via Hand; w/enc)  
Joel Lawson, Office of Planning (Via Hand; w/enc)  
Ken Laden, District Dept. of Transportation (Via Hand; w/enc)  
Advisory Neighborhood Commission 6D (Via Hand; w/enc.)

ZONING COMMISSION  
District of Columbia

CASE NO. 04-14C  
EXHIBIT NO. 1  
ZONING COMMISSION  
District of Columbia  
CASE NO. 04-14  
EXHIBIT NO. 67

**BEFORE THE  
ZONING COMMISSION  
FOR THE DISTRICT OF COLUMBIA**

**Zoning Commission Case No. 04-14C/01-31TE/98-17F/95-16P**

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**RIVERFRONT ON THE ANACOSTIA  
PUD SUBMISSION**



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**SECOND-STAGE PLANNED UNIT DEVELOPMENT  
APPLICATION  
AND MAP AMENDMENT**

**100 POTOMAC AVENUE, SE**

**FLORIDA ROCK PROPERTIES, INC.**

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**Holland & Knight LLP  
2099 Pennsylvania Avenue, NW  
Suite 100  
Washington, D.C. 20006  
September 21, 2007**

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## **I.**

### **INTRODUCTION**

This PUD Submission and attached documents (the "PUD Submission") are submitted by Florida Rock Properties, Inc. (the "Applicant"), the owner of the property at 100 Potomac Avenue, S.E., (the "PUD Site") – presently identified as "Riverfront on the Anacostia" – in conjunction with its request for review and approval of the Applicant's second-stage application for a Planned Unit Development ("PUD") and amendment to the District of Columbia Zoning Map under Chapter 24 of the District of Columbia Zoning Regulations, 11 DCMR (February 2003), as amended (the "Zoning Regulations"). This PUD Submission modifies and supplements the following submissions:

(1) the Applicant's PUD Statement and supporting documents, including architectural plans and drawings, filed with the Zoning Commission on May 21, 2004, and its modified PUD Statement and supporting documents, including more detailed architectural plans and drawings, on August 26, 2004;

(2) the Applicant's Prehearing Statement, Urban Design Study and architectural plans and drawings, filed with the Zoning Commission on May 2, 2005, and its Supplemental Prehearing Submission, including supporting documents and a full set of reissued drawings, filed with the Zoning Commission on November 18, 2005, and the Applicant's Modified Supplemental Prehearing Submission dated August 25, 2006; and

(3) the Applicant's Post-Hearing Submission, dated November 17, 2006.

#### **A. Summary of Procedural History of Case Through Consideration of Proposed Action**

On May 21, 2004, the Applicant submitted its application for second-stage approval of the PUD. This application presented a project and amenities package which was in compliance with the intent and purposes of the Zoning Regulations, Zoning Commission Order No. 850 (approving the first-stage PUD application), and the revised Design Guidelines made part of Zoning Commission Order No. 910-B. The Applicant provided additional information in support of the application in its Modified PUD Submission.

In September, 2004, the Zoning Commission set the case for hearing. In accordance with the Zoning Regulations, the Applicant filed its Prehearing Submission, and the case was set for hearing for December 8, 2005. In anticipation of the hearing on that date, the Applicant filed its Supplemental Prehearing Submission and posted all required notices.

After the Commission set the case for hearing but before the hearing was held, the District of Columbia announced that the new Washington Nationals baseball stadium (the "Stadium") would be constructed immediately across Potomac Avenue from the PUD Site. During this time, studies were also in process and decisions were being made regarding the location of a replacement for the Frederick Douglass Bridge (the "Bridge") and the final design for the South Capitol Street improvements. As a result of the Stadium announcement, the uncertainty regarding the design of the Stadium, and the variety of other unresolved planning issues, the Applicant agreed to the request of the Anacostia Waterfront Corporation ("AWC") that the scheduled hearing on the PUD application be postponed for a period of approximately 120 days in order to allow coordination to occur between the Applicant's PUD proposal for the project and the ongoing design and planning efforts for the Stadium and its surrounding areas as well as for the proposed replacement Bridge and South Capitol Street transportation projects, each of which would impact the project.

During the period following the postponement of the public hearing on the application, the Applicant worked extensively with the Office of Planning, AWC, the District Department of Transportation ("DDOT"), and the DC Sports and Entertainment Commission to evaluate how the Stadium and the transportation projects would influence the PUD project and how the Applicant's project design might be modified to respond to these new influences. The revised

project was set forth in the Applicant's Modified Prehearing Submission filed with the Commission on August 25, 2006.

On September 18, 2006, the Zoning Commission held a hearing on the application as presented. As part of that hearing, the Office of Planning and DDOT each filed a report in support of the proposed project, but each agency raised certain questions related to the proposed project as presented in the Prehearing Submissions. During this public hearing, the Zoning Commission raised additional matters for further review by the Applicant, the Office of Planning, and DDOT. In response, the Applicant filed its Post-Hearing Submission, setting forth the Applicant's responses and proposed modifications to the project. The Zoning Commission held a second public hearing on November 27, 2006, to consider the Post-Hearing Submission.

At the Commission's regularly scheduled public meeting on February 12, 2007, the Zoning Commission elected not to take proposed action on the application, with various members of the Commission expressing concerns about certain aspects of the project and with some expressing their vision of how the project should be modified. The Commission as a body suggested that the Applicant return to the Commission once it had considered the collective comments of the Commission.

**B. Zoning Commission's Consideration of Correspondence Since Proposed Action**

By letter dated March 2, 2007, the Applicant requested clarification from the Commission regarding its discussion of the project at its February 12<sup>th</sup> meeting and set forth in that letter what the Applicant understood to be the principal points of the Commission's discussion at that time. At its regular meeting on March 12, 2007, the Commission confirmed that the Applicant's correspondence had accurately captured the substance of the Commission's concerns. The Commission concerns are summarized as follows:

- The footprint of the east end of the proposed East Office Building, as revised before the November 2006, hearing, still did not satisfactorily recognize the location and nature of the grand stair of the Stadium to the north and the view corridor from that grand stair to the River;
- The continued recognition in the site plan of the legacy of Half Street through the project to the River was no longer necessary;
- While there was general agreement among Commissioners that 4.4 FAR was an appropriate density for the PUD Site, the proposed project lacked the right "civic character" and that a greater presence of residential uses, preferably apartment units, would be more appropriate;
- The proposed project lacked a "sense of place" – a defining element(s) notwithstanding its unique location adjacent to the Stadium and it's frontage on the Anacostia River; and
- The proposed project amenity of a viewing pier extending into the Anacostia River was not a necessary or contributing element to the project.

By correspondence dated June 1, 2007, the Applicant submitted for the Commission's consideration and concurrence a modified site plan for the project, including a change in use allocation, density adjustments and height of building modifications responsive to the Commission's concerns. The Commission at its regularly scheduled public meeting on July 9, 2007, considered the Applicant's June 1<sup>st</sup> correspondence. The Commission confirmed that the Applicant was proceeding in a positive and acceptable direction in its modification of the project

and requested that the Applicant supply additional information and justification to further explain the project. The Office of Planning and the Commission raised specific questions related to the Applicant's proposal for a tower element on the east end of the project, the nature of the retail experience, and the functioning of the proposed open space in the western portion of the project (now known as the Cascade Plaza).

At this meeting, the Commission encouraged the Applicant to make a full supplemental submission of this modified proposal. Accordingly, this PUD Submission is submitted, along with detailed architectural plans and drawings of the modified project. The Applicant requests that the Commission set down this case for public hearing and that the public hearing be held on an expedited basis.

## **II.**

### **INTRODUCTION TO RIVERFRONT ON THE ANACOSTIA**

From this iterative process has been born "Riverfront on the Anacostia" – a proposed name for the project – that is both a revision and a holistic re-thinking of the PUD proposal previously considered, especially regarding its civic spaces. Riverfront incorporates three retail-lined public-use spaces – an urban park tentatively referred to as the "Pitch"; an enclosed galleria, the "Potomac Quay"; and an outdoor, water animated plaza, the "Cascade Plaza". These spaces collectively serve to link the PUD Site with the Anacostia River, the Stadium, the proposed replacement for the Bridge, the South Capitol Street Oval and the Capitol axis. While each space has its own location-specific characteristics, each of these spaces also works in context with the others to enhance the life and accessibility to the proposed waterfront esplanade of Riverfront (the "Esplanade") and the area surrounding the Stadium. At the same time, a physical tightening of the buildings results in an enhanced site plan.

These modifications, as described below, affirmatively and effectively respond to the concerns expressed by the members of Zoning Commission, both in its February deliberations and in subsequent responses to the Applicant's correspondence to the Zoning Commission. The following modifications to Applicant's proposal have been made and are being proposed:

- The east end of the project has been completely re-conceived in order to recognize the location and importance of the Stadium's grand stair and the view corridor from that grand stair to the Anacostia River, as well as to provide a vertical identity at this critical juncture with adjoining public spaces and the Stadium.
- The orientation of the project buildings has been altered to relate more to the Anacostia River waterfront, the Stadium massing and the axis of Potomac Avenue, SE, and has eliminated any acknowledgment of the former Half Street, SE.
- The project's design has been re-focused on the importance of the PUD Site as a civic space. The project's location on the waterfront and connection to important redevelopment of the District – including the Stadium, Potomac Avenue and the South Capitol Street Oval – has been recognized and highlighted through the creation of memorable public spaces.
- The intensity of residential uses in the project (including workforce housing) has been increased. Residential use now constitutes more than fifty percent of the gross floor area of the project and the total number of "pure" residential uses (i.e., apartment units for sale or for rent) has increased from approximately

203,191 square feet of gross floor area to approximately 323,433 square feet of gross floor area (by approximately 58%).

- A sense of place has been created in the project through creation of new public spaces and enhancements to previously proposed public spaces as well as through the further consideration and planning of the project's retail vision.

The reworking of this project to address these objectives has created a superior project. The Applicant is committed to creating an iconic development along the Anacostia River waterfront with the highest quality of design, architecture, materials and landscaping. The PUD Site's unique waterfront location, with incredible visibility as one travels across the River and its close proximity to the Stadium, requires that the landscape design, building layout and the architecture are executed superbly. The Applicant is committed to ensuring that this is accomplished and intends to create a world class development at this important site through its open public space, building spaces and retail vision.

**A. Public Spaces**

The revised project and site plan are a result of the careful consideration of and response to the concerns and issues raised by the Zoning Commission. The Commissioners emphasized the need for a civic orientation of the space – essentially a desire to make this location accessible and useable by residents and visitors to the District. Thus, a primary change of the project is the focus on the three remarkable public spaces, each leading to the Esplanade – which has been conceived as a linear park providing for varying modes of movement and activity along the waterfront. The public spaces include the "Pitch", an urban park located at the east end of the project across Potomac Avenue, SE from the grand stair of the Stadium, the Potomac Quay, an

enclosed galleria located between the East Office Building and the Residential Building, and the Cascade Plaza, an open space identified by a central water feature located near the western end of the project and framed by the Residential Building, the West Office Building and the Hotel Building.

1. The "Pitch":

Located in the portion of the PUD Site that falls within the view corridor of the Stadium's grand stair, the "Pitch" is an approximately 15,000 square foot urban "pocket" park containing sculptures that give the park its name and highlight the excitement and anticipation of this quintessential aspect of the game of baseball. The two sculptural "players" – a pitcher and a batter – are portrayed larger than life, set in a lawn panel surrounded by hardscape paving. This centerpiece can be accessed by the Stadium's grand stairs, with Stadium patrons exiting the Stadium and flowing into the Pitch, or by the visitors to the adjacent public park planned by the District to be known as Diamond Teague Park ("Diamond Teague Park"). Pedestrians and visitors can sit on or adjacent to this grassy area while watching the visitors to the cafes, restaurants and retail shops that wrap around the East Office Building. The commercial nature of this space will distinguish it from Diamond Teague Park to the east.

2. Potomac Quay: The Potomac Quay is a three-story atrium space lined with retail and entertainment opportunities and provides a year round indoor (during winter and inclement weather) and covered outdoor (during summer and the clement portions of the other seasons) grand public space. The Potomac Quay is anchored by a two-story café/bar located where the Quay opens to the Esplanade. This element divides the south end of the Quay into two passageways of unequal widths: the wider one providing a view directly to the Esplanade and the River beyond and the other providing a vista to the new Bridge as well as the River.

The Potomac Quay is intended to be a highly-transparent link – an almost jewel-like pedestrian passage – to the waterfront from Potomac Avenue and visually between the East Office Building and the Residential Building. It has been inspired by the storied glass-roofed gallerias and passageways of Europe and is designed with sinuous walls of glass with operable panels that open in the nice weather to create an open-air covered galleria. At the north end of the Quay, a fountain marks its entrance from Potomac Avenue. This fountain is in turn connected visually to a watercourse inside the galleria that is bridged for pedestrian circulation at numerous points as it flows through the Quay, adding visual and acoustic interest. The water element disappears near the southern end of the Quay and re-emerges outside at the stairs leading down to the Esplanade to emphasize the connection of the Quay to the Esplanade and the River beyond.

3. Cascade Plaza: The Cascade Plaza – occupying more than 37,500 square feet of land area – serves as the outdoor urban place that is the focus of the west end of the development. Primary pedestrian access to the Cascade Plaza is provided at two locations: the entrance from Potomac Avenue between the Residential Building and the West Office Building and the “cascade” stairs descending from the Plaza to the Esplanade with a tumbling “water stair” in the center – giving the Plaza its name. A third pedestrian access is through an area to be known as the Capitol Quay, which provides mid-block access from the South Capitol Street Oval to the Cascade Plaza.

The center of the Plaza is dominated by a large, interactive water feature and a sculptural prismatic and crystalline skylight element providing day lighting to the parking and off-street loading facilities below. Pedestrians are invited to cross over to the water feature along an axis that connects the through-lobby of the West Office Building from the corner of Potomac Avenue

and the South Capitol Street Oval to the cascade stair. The water and skylight elements serve as both as an environmental feature – being part of the biofiltration system and providing natural light to the below-grade level – and as an aesthetic feature – for those approaching the Cascade Plaza on foot and for those crossing the Bridge and viewing the lighted water feature and skylight/beacon at night.

Surrounding the central water feature and the vehicular driveway are broad sidewalks having a minimum width of seventeen and a half feet. These sidewalks provide opportunities for outdoor dining extending into the arcade of the West Office Building and provide easy access for pedestrians between the Esplanade and Potomac Avenue. For purposes of vehicular access, the central water feature is ringed by a driveway set flush with the rim of the fountain and the sidewalks and paved with a heavily textured and patterned paving to clearly identify the vehicular zone. The vehicular path is lined with bollards at its inner and outer edges that provide separation of pedestrian zones while allowing vehicular access for passenger cars for drop off to the West Office Building, the Hotel Building and the Residential Building. The entire Plaza area, including the sidewalks, has a pavement patterning, symbolizing the flow of the River, that carries on out to Potomac Avenue.

## **B. Building Spaces**

In order to achieve the goals for this project – creating the desired vistas and special public spaces – the interior spaces of the project have been physically tightened and the buildings have been placed on the PUD Site in more efficient and effective ways. The result is four buildings that work together to create a sense of place. Two of these buildings are residential in nature (residential and/or residential-hotel), with ground floor service and retail uses. Each of

these residential buildings reflects added height, with each rising to 130 feet (from the previous heights of 102 feet and 112 feet respectively). All of the additional height in each building is devoted entirely to "pure" residential uses (i.e., apartments for sale or for rent), increasing the total qualified residential use in the PUD to more than fifty percent of the total density of the PUD (an addition of about 0.44 FAR or about 120,000 square feet of gross floor area for residential uses with a corresponding reduction in the amount of commercial uses). The other two buildings incorporate commercial uses with extensive ground floor retail. Street-level retail now comprises more than 80,000 square feet of the gross floor area of the project. The overall project density remains at 4.4 FAR.

1. East Office Building: The East Office Building has been moved significantly to the west (more than 180 feet) to create the view corridor from the Stadium's grand stair to the River. This building has been rotated slightly off-line with Potomac Avenue to bring it closer to the River on the south side and to emphasize the view corridors. Retail lines the ground floor from the Potomac Quay along Potomac Avenue and warps around the corner adjacent to the Pitch to the building's frontage on the Esplanade.

The East Office Building has maintained its height at 92 feet but with a smaller floor plate. On its east end, adjacent to the Pitch, an iconic "tower" element, rising to a height of 120 feet, has been integrated into the massing of the façade. This tower element provides circulation within the building – possibly between a two level retail space at the lower floors of the building – as well as the potential to provide accessibility to a future viewing terrace on the roof from the upper floors of the building.

2.     Residential Building: The height of the Residential Building has been increased to 130 feet as allowed by the 1910 Height Act in order to accommodate an increase in the amount of residential use on the PUD Site. The design of the Residential Building incorporates a grand sweeping curve on the east side, oriented toward the up-river views. The slender nature of the structure allows vistas on either side of its curved façades. On the west side, the façade generally describes a shallower curve, which defines the eastern boundary of the open-air Cascade Plaza. The orientation of this form has been rotated so that a centerline axis through the tower is generally perpendicular to Potomac Avenue rather than following the alignment of the former Half Street right-of-way, as recommended by the Commission. As a result of the revised alignment, a view corridor now exists between the Residential Building and the West Office Building from the proposed replacement Bridge to the Stadium's principal facade, allowing views of the "Nationals" sign from both the present and proposed replacement Bridge. In turn, the gap between the Residential Building and the East Office Building will also afford views of the Anacostia River from the glazed areas of the Stadium's Main Concourse.

3.     West Office Building: The West Office Building, having maintained its height at 112 feet, wraps the corner of Potomac Avenue and the South Capitol Street Oval and continues to frame that important corner. A through-building lobby links this corner to the Cascade Plaza and the retail fronting on this public space. Movable glass walls will allow the portion of the ground floor space of the West Office Building fronting on the Cascade Plaza identified for food service retail to operate year-round. Along and above the sidewalk on this façade, a gracefully curving glass canopy provides cover for pedestrians and visually ties the West Office Building to the Hotel Building's entry/porte-cochere area. The lower portion of the east wall of the West Office Building closest to Potomac Avenue provides an opportunity for the installation of a

"special event wall" that will serve to attract pedestrians down Potomac Avenue from the area of the Stadium's grand stair and draw them into the Cascade Plaza.

4. Hotel Building: The Hotel Building now rises to a height of 130 feet, which allows for the addition of two floors of residential, concierge apartments. The glass canopy from the West Office Building continues to the Hotel Building's base, which visually ties the two buildings together and provides a covered walkway between the buildings. Between the buildings, a through-connection (i.e., the Capital Quay) provides access from the South Capitol Street Oval to the Cascade Plaza, and ultimately to the Esplanade.

**C. Retail Vision of the Project**

Appended to this text as Exhibit A is a report from StreetSense, a recognized and well regarded retail consultant that speaks to the long term vision of the Riverfront project from the perspective of its potential retail environment. The report notes that the Riverfront project, due to its location and site planning, can be expected to provide the opportunity for development of a vibrant and dynamic retail experience that complements and supplements the retail experience that is expected to the north in and surrounding the Stadium. In addition to the visioning for the at-grade retail environment, StreetSense has also developed for the Applicant a possible merchandising plan for the project reflecting what the retail environment of the project could look like at project completion. The StreetSense report also includes an Image Board that takes examples of existing retail and related experiences nationally and internationally. The Image Board applies those experiences to various elements of the propose Riverfront project to allow the Commission to visualize how the vision could be realized for each element of the project.

Whether it is the Potomac Quay experience or the retail environment as it confronts the Esplanade, the Image Board provides a conceptualization of what the Riverfront project can be.

The StreetSense report finally includes two computer generated renderings depicting what the at-grade experience would be for visitors to the Riverfront project. One of the renderings depicts a view of the Cascade Plaza as seen from the Esplanade, noting the interaction of the retail experience with the Cascade Plaza and the Esplanade. The second rendering depicts a view of the Pitch, the Stadium grand stair and the east end of the East Office Building as seen from the pedestrian pier leading to the Pump House in the River waterway. This rendering shows the excitement that can be expected on a game day at the Stadium at this critical location in the project – the convergence of the Riverfront project with the Stadium grand stair, terminus of First Street, SE and Diamond Teague Park to the east.

Two additional renderings have been supplied with this Submission that speak to the excitement and vibrant atmosphere that the Riverfront project offers. These artist renderings can be found as Sheets 41 and 42 of the Updated Architectural Plans and Drawings, which are part of the Applicant's submission. Sheet <sup>42</sup>~~41~~ depicts the Potomac Quay with a view from Potomac Avenue, looking through the galleria space of the Potomac Quay to the Esplanade and the River beyond. Sheet <sup>41</sup>~~42~~ depicts the Cascade Plaza and the interactive environment that can be expected, which will stimulate the senses of visitors to this dynamic space.

**D. Detailed Information Regarding Project**

A detailed description of the architecture and massing as well as related development issues, including the phasing of the project, are set forth in summary attached as Exhibit B. A

Tabulation of Development Data is set forth in the attached Exhibit C. Finally, a summary of the zoning flexibility needed for the project is set forth in the attached Exhibit D.

### **III. UPDATED PUBLIC BENEFITS AND PROJECT AMENITIES**

The Applicant has enhanced its amenities and benefits package with this modified PUD Submission. As part of its modified application, the Applicant has increased the overall value of the proposed amenities and benefits package, but where funds were previously proffered as actual payment of funds, the amount of those actual funds has been adjusted to reflect the material and substantial changes and enhancements in other components of the amenities and benefits package of the modified project. The modifications to the project that should be recognized as enhancements to the amenities and benefits package include the substantial increase in the amount of workforce housing that would be made available in the project from approximately 9,600 square feet of gross floor area to approximately 29,000 square feet of gross floor area, meaning approximately 17 additional units of work force housing being made available. Also the development and maintenance of the "Pitch" at the east end of the PUD Site – where previously there was an income generating building footprint and a portion of the Esplanade – has added materially to the cost of the Riverfront project.

The modified amenities and benefits package being offered by the Applicant includes the following, the details of which can be found in Exhibit E to this submission:

- Additional "pure" residential housing (increased from approximately 203,191 square feet of gross floor area to approximately 323,433 square feet of gross floor area).

- An increase in the amount of "pure" residential housing set aside as workforce housing in the Residential Building from approximately 9,600 square feet to approximately 29,000 square feet of gross floor area, (representing a 300% increase in the amount of workforce housing being committed to by the Applicant).
- Enhanced Esplanade affording unrestricted public waterfront access along the Anacostia River.
- Development of multiple public spaces, in addition to the Esplanade, consisting of the Cascade Plaza, the Potomac Quay, and the "Pitch" park area – the new open space area at the east end of the PUD Site.
- Contribution of \$350,000 towards development of the Diamond Teague Park, reflecting that the Applicant has now accepted development, operation and maintenance of the "Pitch" as a new park area on the PUD Site, and the significant increase in the amount of gross floor area set aside for workforce housing in the Residential Building.
- Commitment to LEED Certification of the project.
- Implementation of transportation management measures.
- Commitment to First Source Employment and LSDBE arrangements with an additional commitment to a supplemental employment and skills training plan.

Overall, the proffers proposed along with the high quality, mixed-use development along the waterfront provide significant public benefits to the area and the District as a whole. Thus, the public benefits and project amenities clearly satisfy the balancing test as required in Section 2403.8.

**IV.**  
**THE PROJECT MEETS THE STANDARDS OF THE ZONING**  
**REGULATIONS AND PUD REQUIREMENTS**

**A. Area Requirements Under Section 2402.1(c)**

The PUD Site area is approximately 253,500 square feet in land area, which exceeds the minimum area requirement of 15,000 square feet for this PUD. 11 DCMR § 2401.1(c).

**B. Height and FAR Requirements Under Sections 2405.1 and 2405.2**

The project has been evaluated under the various zone designations, including the CG/W-2 District, the C-3-C District, and the C-3-C District with a PUD as set forth in the Tabulation of Development Data above. As indicated in the Tabulation of Development Data, the project is well below the FAR as permitted by the C-3-C District for a PUD, and the project's density at 4.4 FAR is generally consistent with the Design Guidelines as previously approved by the Zoning Commission and the CG/W-2 zone district. The revised height for portions of the project, however, is that permitted for a PUD in the C-3-C District.

**C. Impacts of the Project Under Section 2403.3**

1. Physical Enhancement. The project will have a positive impact on the surrounding area and will serve to complement the development planned in conjunction with the Stadium and the District's transportation infrastructure improvements. With three major pedestrian links from Potomac Avenue to the waterfront, the project serves to connect pedestrians with the Anacostia River and provide opportunities for public enjoyment at this waterfront site.

2. Economic Enhancement. The project will provide a significant economic boost to the District in general, as was previously noted in earlier case materials. An updated Economic Benefits Report prepared by Basile Baumann Prost & Associates, Inc. addresses the economic benefits to the District associated with the modified project; this updated report is

attached as Exhibit F. The report details that during the construction phase, approximately 1,775 jobs will be created during this period, with as many as 900 of those jobs being filled by DC residents. Total payroll generated can be expected to exceed \$86 million (in 2007 Dollars), and a generation of more than \$6.8 million (in 2007 Dollars) in tax revenues can be expected.

When fully developed, the project will create significant continued, annual, sustained economic contributions. It is estimated that more than 2,500 jobs will have been created, with an annual payroll of more than \$192 million (in 2007 Dollars). It is also expected that the project will generate significant annual tax revenues of more than \$27.5 million (in 2007 Dollars).

3. Transportation Matters. The modified project will not have any unacceptable impacts on the transportation and traffic infrastructure in the area. Both DDOT and Gorove/Slade have stated in previous submissions to the Commission that there will be no adverse traffic impacts resulting from this project. An updated Traffic Impact Analysis Memorandum, prepared by Gorove/Slade Associates, Inc., is attached as Exhibit G and continues to opine that the project will have no unacceptable impacts on traffic congestions, service levels at nearby intersections, or the condition of the area's transportation infrastructure. The report also maintains its conclusions that the parking provided, circulation within the project, loading operations, and access to Potomac Avenue from the project driveways are acceptable for each phase of the project.

**D. Not Inconsistent with the Comprehensive Plan Under Section 2403.4**

The project is not inconsistent with the District's recently adopted Comprehensive Plan of 2006. A full analysis of the project's compliance with the Comprehensive Plan of 2006 is attached as Exhibit H.

**V.**  
**REQUEST FOR EXPEDITED HEARING**

Section 3011.7 of the Zoning Regulations directs the Zoning Commission to "make every effort" to expedite cases in which the Office of Planning reports that:

- (1) The case has substantial merit in the public interest;
- (2) The issues in the case are relatively straight forward, and few if any modifications to the proposal are likely to be necessary; and
- (3) Little or no opposition has yet appeared, and the concerns at this preliminary stage appear to be capable of resolution in an expedited processing.

11 DCMR § 3011.7(c). Section 3011.8 further provides that the Commission "shall ensure that large or more complex cases of great import to the public interest are not delayed or are only delayed to a minor degree." 11 DCMR § 3011.8. The Applicant therefore requests that the Zoning Commission consider this case on an expedited basis.

**VI.**  
**COMPLIANCE WITH SECTION 3013**

In an effort to provide notice of a hearing as quickly as possible and in furtherance of the Applicant's request for an expedited hearing, the Applicant hereby certifies that this application complies with the provisions of Section 3013 of the Zoning Regulations as set forth below and that the application is complete.

<u>Subsection</u>	<u>Description</u>	<u>Page</u>
3013.1(a)	Information Requested by Commission	Contained Herein
3013.1(b)	List of Witnesses <sup>1</sup>	<u>Exhibit I</u>
3013.1(c)	Summary of Testimony of Applicant's Witnesses and Reports for Record	<u>Exhibit J</u>

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<sup>1</sup> All resumes for expert witnesses are already included in the file. A resume for the newly designated expert witness has been included as Exhibit K.

3013.1(d)	Additional Information	Herein or with previous submissions
3013.1(e)	Reduced Plans	Submitted herewith
3013.1(g)	Estimated Time Required for Presentation of Applicant's Case (60 minutes)	<u>Exhibit I</u>
3013.6(a)	List of Names and Addresses of All Owners of Property Within 200 Feet of the Subject Property	<u>Exhibit L</u>
3013.6(b)	List of Names and Addresses of Each Person having a Lease with the Owner for All or Part of Any Building Located on the Property Involved in the Application	<u>Exhibit M</u>

Accordingly, this PUD Submission also constitutes the Applicant's Prehearing Submission.

## VII. CONCLUSION

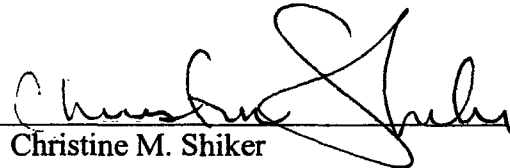
For the foregoing reasons, the Applicant submits that the PUD plan, as set forth in this PUD Submission meets the standards of Chapter 24 of the Zoning Regulations; is consistent with the purposes and intent of the Zoning Regulations and Zoning Map; is in substantial compliance with the first-stage approval in Order No. 850 and the Design Guidelines set forth in Order No. 910-B, with modifications as set forth herein; addresses the concerns and issues raised by the Zoning Commission at its February 2007 public meeting and confirmed thereafter at subsequent public meetings; is consistent with the land use objectives of the District of Columbia and is not inconsistent with the Comprehensive Plan of 2006; will enhance the health, welfare, safety and convenience of the citizens of the District of Columbia; satisfies the requirements for approval of a second-stage PUD; provides significant public benefits and project amenities; advances important goals and policies of the District of Columbia; and, therefore, should be adopted by the Zoning Commission.

Accordingly, the Applicant requests that the Zoning Commission re-open the record in this case, agree to set this case for hearing, agree to the scheduling of a hearing on an expedited basis recognizing that this case is a continuation of the case for which application was first made in May of 2004 and on which there have been at least two prior hearings, and numerous other public discussions, with no parties registered in opposition, and approve the second-stage PUD application as modified by this submittal, confirming the zoning of the PUD Site as C-3-C.

Respectfully submitted,

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