

MOUNT VERNON TRIANGLE OVERLAY
TESTIMONY FOR LISA WIERSMA BEFORE THE ZONING COMMISSION
6/30/05 – 6 30pm

I. Introduction

- A. Entity - L5K, LLC, the developer selected by the NCRC to develop Square 515, Lot 158, at 5th and K Streets, N.W
- B. Project – Wax Museum - mixed-use project, including residential, retail and parking

II. History of the Wax Museum Site

- A. The Wax site has had a long rocky history.
- B. It has been vacant for many years and has been the subject of 3 different RFPs issued by the District
- C. The third RFP to develop the site was issued on July 7, 2003 L5K was selected on February 26, 2004 NCRC and L5K have subsequently executed an ERA and tomorrow will execute the LDA, which will govern the development of the Wax site, including the review and approval of the plans.
- D. L5K has already received approvals of the First Submission and Second Submission and, therefore, the design of the Wax Museum Project has been finalized. Significant work and expense has gone into such approved plans.
- E. L5K has also been working closely with the Office of Planning regarding its plans for the Wax Museum Project.
- F. Given all of this, additional overlay restrictions are unnecessary

III. Opposition to the Proposed Overlay

- A. As acknowledged by the Commission at setdown on July 12, 2004, the proposed overlay is both complicated and confusing.
- B. It is an obstacle against successful completion of the Wax project.
 - 1. Project design is currently well underway and approved by NCRC through several approvals as dictated by agreements between NCRC and L5K
 - 2. There are many differences between the currently approved design of the Project and the provisions of the proposed MVT overlay which Maurice Walters will describe.
 - 3. The use restrictions are not feasible.
- C. Therefore, the timely resolution of these issues is critical to the viability of the Wax Museum Project and, likely the creation of a successful MVT subarea, since the Wax Museum Project will be such a catalytic force there.

IV. Summary

- A. Redevelopment of the Wax site has been a long, sometimes bumpy road and it is far from complete.
- B. L5K and NCRC have devoted an extraordinary amount of time and expense to make this project finally happen and bring new life and vitality to the MVT and OP has been involved.
- C. Superimposing additional, often conflicting design and use restrictions (with controversial phase-in trigger provisions for more restrictive uses) is inconsistent with NCRC's and the City's goals for developing the Wax site and needlessly complicates, and even jeopardizes, an already complex project.

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V. Requested action

- A.** Therefore, we respectfully request that the Commission, should it proceed with the MVT overlay, specifically exempt the Wax site from any of its provisions and issue a revised hearing notice to that effect
 - 1. We note that Section 1724.1 of the proposed legislation specifically exempts the Wax site from the proposed height restriction.
 - 2. The Office of Planning's July 9, 2004 updated report on the proposed "Text and Discussion" (at page 8) stated that "square 515 is exempt from this requirement." and that "This square is already covered by the ERA for the disposition of the Wax Museum site."
 - 3. A similar logic should be applied to the remainder of the overlay restrictions.
- B.** Should the Commission determine not to exempt the Wax site from the MVT overlay, we ask that the Commission modify the overlay significantly as we have suggested in our statement.