

**Testimony of David Tuchmann, The John Akridge Development Company
Regarding the Adverse Impact of the Proposed Amendments to the Zoning Regulations
Regarding Height on the Burnham Place at Union Station Project**

Members of the Commission: my name is David Tuchmann, and I am a Development Manager at the John Akridge Development Company. I am speaking on behalf of Burnham South, Central and North, the owners of 14.3 acres of air rights above the rail yards directly adjacent to the north of Union Station. Spanning both sides of the H Street overpass, development of this project, called Burnham Place, will re-connect and serve as a nexus for the Capitol Hill, Near Northeast and NoMa neighborhoods. I am here this evening to point out the extremely harmful effects a component of the proposed changes to the Zoning Regulations could have on this important project.

Our intent for this site, established during multiple years of negotiations and planning, has always been to create an exciting, mixed-use development which leverages the existing transit infrastructure as well as considerable public and private investment in the adjacent areas. The Comprehensive Plan's designation on the Future Land Use Map for the site predominantly indicates mixed use for high density commercial as desired. The Generalized Policy Map shows the entire site as a Land Use Change area, and the Central Washington element identifies it as a "catalytic" site.

Because of their depth and very limited street frontage, each of our parcels, both north and south of H Street, will likely be constructed as a single building for zoning purposes, with meaningful connections between structures at or above the main floor. The buildings on each side of H will be separated by a publicly accessible mid-block courtyard. This configuration of the development plan is based upon well-known and recognized interpretations within the development and architectural communities and has been used by us and others in assembling land and developing large, multi-phased projects in the central area of the city. Furthermore, as early as five years ago, we began discussions with the Office of Planning and the Zoning Administrator to establish general parameters for the treatment of this project, causing us to rely even more greatly, on interpretations such as these.

We have reviewed proposals which OP has submitted to the Zoning Commission as part of the Zoning Revision Project, and we are particularly concerned about a number of the proposals contained in the proposed height amendments. A number of these provisions, if adopted, could significantly adversely affect our ability to build the project as planned, with a series of smaller inter-connected buildings with a mix of uses. The proposed revisions would instead force us to design a single mega-block building, each on a footprint greater than six acres on each side of H Street.

(turn over)
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Our most serious concern with the height proposal, is the proposed definition of a “building” for zoning purposes, requiring parts of a building to share mechanical systems and to share open access on at least half of the floors. Although we understand that the shared mechanical systems requirement may no longer be part of the proposal, the requirement for open access between all portions on at least half of the shared floors renders a mixed-use development with multiple buildings on this site nearly impossible. Furthermore, sharing floors makes little sense in a mixed-use project, where the floor-to-floor heights for office and residential are different so the levels would not line up on the upper floors.

As I mentioned previously, the basis upon which we have proceeded in our design as well as our acquisition of this extremely complex and clearly unique site for several years, is well known and recognized within the industry and has been used by developers and designers in planning and constructing mixed-use, multi-phased projects. For the District to change these principles at this time would be a serious impediment for us and others to develop these large mixed-use projects that are desired and necessary to enhance the areas of the District where development is favored.

We believe that the District will benefit substantially from what we are planning at Burnham Place. The project will mend a century-old scar in the fabric of our City, just blocks from the U.S. Capitol and adjacent to the region’s premier Intermodal Transportation Center. The proposed height amendments place serious obstacles in front of our collective realization of this vision in a manner that will enhance the vibrancy of the area and create an attractive, pedestrian-oriented destination. We hope that you will consider these adverse impacts in your deliberations.

Thank you for your consideration, and I would be happy to provide you with any additional information that you need or might find helpful.