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March 25, 2011

VIA HAND DELIVERY

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

Re: Application for a First-Stage Planned Unit Development, a Consolidated Planned Unit Development and a Zoning Map Amendment
Return to L'Enfant PUD (Center Leg Freeway) – Northwest, Washington,
Supplemental Post-Hearing Submission - Zoning Commission Case No. 08-34

Dear Members of the Commission:

On behalf of the Applicant in the above-referenced case, enclosed please find twenty copies of this Supplemental Post-Hearing Submission with exhibits. At its January 24, 2010, public meeting, the Zoning Commission considered this case for proposed action. While the Commission was supportive of the project overall, the Commission expressed concerns regarding the design of the North Block, the proposed retail, the covered Pedestrian Way, and the massing and density of the office component of the South Block. The Zoning Commission requested that the Applicant reevaluate these elements of the project.

Since that time, the Applicant has been working closely with the Office of Planning to reevaluate these elements and to reconsider other facets of the project. The result is a redesigned North Block, modifications to the location of proposed retail, a redesigned Pedestrian Way, and a proposed re-massing and reduction in scale of the South Block. In addition, based on this close working relationship with and on suggestions from the Office of Planning, the project will now incorporate technology incubator space at the ground floor level along portions of G Street, and the design of G Street has been refined to enhance its role as a street for pedestrian and bicycle traffic. The modifications, refinements and updates are all described in detail below.

ZONING COMMISSION
District of Columbia

CASE NO.

08-34

EXHIBIT NO.

56

Design of the North Block

At the request of the Zoning Commission and the Office of Planning, the Applicant has redesigned the North Block to create a two-building scheme that will read as three towers, separated north-south by an open-air Pedestrian Way¹. The east building will extend from Massachusetts Avenue along 2nd Street to G Street, having a maximum height of 130 feet. The west building will front on Massachusetts Avenue, extending along 3rd Street to G Street, and will incorporate two distinct floor plates above the 4th floor level, each rising to a maximum height of 130 feet. The resulting four-story “link” will be set back from the property line and adjacent façades and will connect the two towers of the west building, with a contrasting stone façade and vegetated “green” roof visible from the office spaces above.

A central, open-air Pedestrian Way will run through the middle of the North Block extending - both physically and visually - from Massachusetts Avenue to G Street. The buildings will be accessed through ground floor lobbies from the mid-point of the Pedestrian Way, with the west building also incorporating a through-lobby to 3rd Street. The lobbies are connected across the Pedestrian Way by an elegant stainless steel and glass, 30-foot wide canopy. The canopy material will be a translucent cast glass product, affording both daytime shading as well as creating nighttime visual interest at the building entrances.

The intent of the architectural design is to create well-proportioned, contextual buildings. At the ground level of the building abutting each street frontage, a two-story façade has been developed with column pilasters of natural stone and a cornice clad in natural stone and polished stainless steel creating a base to the building. The stone columns are lit from below to allow added architectural interest at night. Within the Pedestrian Way, the architectural design of the retail storefronts is proposed to be flexible so that it is capable of responding to the needs of the retailers, allowing the retailers to create their own identity.

Above the articulated cornice, the architecture of the North Block continues to consist primarily of high performance glass and curtain wall construction. To visually strengthen these façades, however, the curtain wall module has been further refined with expressed framing members that include dimensional relief, subtly conveying both the floor level and the typical 5-foot planning module. The four corners of each building have been softened by creating a 10-foot by 10-foot notch from the third floor level to the roof. This refinement helps to reduce the perception of building mass as viewed from the street. Additionally, the classical, tri-partite vertical organization of the façade is created by division of the base, center, and top, acting as a reducing and balancing characteristic of the design.

Retail Use

At the request of the Zoning Commission and the Office of Planning, the Applicant has revised the placement of the primary retail nodes for the project. With the redesign to a single,

¹ While referenced herein as multiple buildings, the structures are connected such that they constitute a single building for zoning purposes with the single measuring point being taken from 3rd Street.

central Pedestrian Way, the retail is now focused on Massachusetts Avenue and wraps around to the south, continuing down the street-like Pedestrian Way to the building lobby entrances. Opportunities for retail use, depending upon market conditions, continue further south along the Pedestrian Way and along the north side of G Street. The Applicant maintains its commitment for retail use on the south side of G Street. The retail strategy continues to be focused on retail that serves the project and the immediate environs with a variety of food and service uses, while also drawing patrons from a broader area by incorporating notable food or food-related uses.

With the revised design and relocation of the retail uses, the Applicant now commits to a minimum of 62,687 square feet of gross floor area devoted to retail use in the overall project. The North Block will now have a minimum of 22,064 square feet, while the Center and South Blocks continue to provide a minimum of 20,623 square feet and 20,000 square feet respectively, as in the previous iteration of the project. Depending upon market conditions and the success of the retail uses, the North Block could have as much as 14,410 additional square feet of retail use. The location of committed and potential retail space for the North Block is shown on Sheet 5.1 of the Updated Architectural Plans and Drawings for the Consolidated PUD, incorporated within the attached Exhibit A.

The Applicant continues to maintain appropriate ceiling heights for the proposed and potential retail spaces. For this project, the Applicant proposes a range of ceiling heights. Along Massachusetts Avenue, the minimum retail ceiling height is more than 18 feet, ranging up to 20 feet, 6 inches. The retail lining the north portion of the Pedestrian Way has a minimum ceiling height of 11 feet, 3 inches. In the areas identified for potential additional retail space, the minimum ceiling heights range from almost 13 feet to more than 14 feet. The proposed minimum ceiling heights for retail spaces in the North Block are shown on Sheets 4.3 and 5.1 of the Updated Architectural Plans and Drawings for the Consolidated PUD, incorporated within the attached Exhibit A.

Commitment for Space for Technology Incubators

In addition to the potential for retail along the north side of G Street and the commitment to retail on the south side of G Street in the residential building, the Applicant now also commits to provide space for technology incubators along portions of G Street. Technology incubators assist new technology companies by giving them access to space at below-market rental rate in close proximity to other technology firms, while they are still in the stage of trying to attract early capital and expert mentoring to help create successful new ideas and products. It has been found that the presence of technology incubators boosts employment and adds a splash of prestige, and the location along G Street will add vibrancy and interest to the public space.

The Applicant commits to reserve a minimum of 5,700 square feet of gross floor area as space for technology incubators. Based on information from the Office of Planning and the industry, there is a need for affordable space to allow these types of companies to start, collaborate and thrive. Accordingly, in addition to reserving the physical space for technology incubators, the Applicant agrees to rent this space at below-market levels, equal to 50% of the rent charged for the third-floor office space. The attached plans currently show this space at the corner of 3rd and G

Streets. The Applicant requests flexibility to locate this space in any of the ground floor space along G Street, so long as it totals a minimum of 5,700 square feet, fronts on G Street and is rented at the proposed reduced rent. This commitment will be in place for 10 years following the issuance of a certificate of occupancy for the North Block. The incorporation of this use along G Street will create an enlivening dimension and added interest to G Street and will bring enterprise that would not normally be able to lease this type of space to the development.

Pedestrian Way and G Street

The Applicant fully reevaluated the function and form of the Pedestrian Way. The Pedestrian Way is now more akin to a street, having a width of fifty-feet, being open to the air and extending the full length of the block from Massachusetts Avenue to G Street. While the entire area of the Pedestrian Way will be available exclusively for pedestrian and bicycle access, natural and man-made paver materials will be used to define the "sidewalk" and "street" zones within it. The "sidewalk zone" extends 15 feet on each side of the buildings and will incorporate opportunities for outdoor dining, wooden benches, and DC standard streetlight fixture. Seasonal plantings will be featured at both the ground plane in planters and in mounted planters at the mid-point of streetlight poles. The "street" zone will include the 25 feet in the center and will be flush with the sidewalk zone. This space is envisioned as an open, pedestrian street.

The single, large eco-chimney has been removed in favor of four smaller eco-chimneys. Two eco-chimneys will be located on each side of the Pedestrian Way within the sidewalk zone at approximately equidistant locations from the main building entrances in the Pedestrian Way. The exterior appearance of the eco-chimney will look somewhat like a greenhouse, or a contemporary glass structure with a plant wall inside. The eco-chimneys will each rise to a height of approximately 18 feet above the ground level, so that the exhaust air will be released well above the level of the Pedestrian Way and retail shops. The eco-chimneys are generally rectangular in shape, and each will comprise approximately 100 square feet.

The terminus of the Pedestrian Way at G Street is marked by four artistic lighting columns sitting within a specially paved central plaza. The sculptural columns frame views through the space and mark a sense of destination and arrival. Viewed from the Pedestrian Way, they shape a vista southward that is anchored by a proposed architectural embellishment on the residential building in the Center Block. These lighting elements will incorporate LED lighting features in the columns and will be able to use color as a luminescent top element to visually announce special events taking place in G Street, such as outdoor markets, art fairs or holiday festivals.

In addition to this central plaza, the proposed design for G Street has been modified to relate better to the revised form and function of the Pedestrian Way. As in the previous iterations of the project, G Street will be re-opened to pedestrian and bicycle traffic and will extend the street views of G Street. Like the Pedestrian Way, G Street has been designed with "sidewalk" and "street" zones. The sidewalk zone is proposed to extend approximately 33 feet from the property line and incorporate a walking and sidewalk café zone bordered by planters with integrated benches and filled with trees and ground cover. The "sidewalk" zone and the central "street" zone will be paved with pressed concrete pavers of neutral, complimentary colors and will provide space

for additional movable chairs and tables, food carts and vendors. A Capital Bikeshare Station and public bicycle racks will be located within G Street in a location that will be coordinated with the District Department of Transportation.

The Pedestrian Way and G Street will both serve to create an urban space that is welcoming to pedestrians. The mix of adjacent building uses, the pedestrian shopping experience, the presence of cutting-edge technology, café and informal seating, and streetscape connectivity combine to create a lively destination that remains active day and night, throughout the week and year. Thus, the change in function and form of both of these spaces results in a greater sense of place for the overall project.

South Block Massing

The Zoning Commission raised concerns as to the massing and density of the South Block. In its Post-Hearing Submission in the record at Exhibit 47, the Applicant agreed to set back the entire building façade abutting E Street to match the building lines to the west. This set back was originally proposed to result in a 10 foot sidewalk and provide general continuity of the urban street wall in this location. Upon further discussion with the Office of Planning, it was then requested that the building façade be set back further at least at the ground level to create a 14-foot sidewalk along E Street. The Applicant agreed to this request and that set back is now incorporated in the attached plans and area calculations.

In addition, the Applicant has continued to evaluate a variety of massing options for the commercial office building in the South Block in order to further reduce the perceived mass. The Applicant originally reduced the proposed gross floor area of the South Block by 30,000 square feet and proposed a variety of options including carve outs at the edges of the building, atriums at various levels, and mid-block openings, all of which would serve to reduce the appearance of the mass of the building. Even with those changes, the Commission continued to express concern regarding the mass of that building. Accordingly, the Applicant has further reduced the gross floor area of the South Block office building by an additional 42,174 square feet. The reduction is achieved through a combination of setbacks between the two buildings of approximately 40 feet and increasing the setbacks between the south block building and the adjacent properties to the west. The resulting FAR of the South Block is 9.0. As was previously proposed by the Office of Planning, the Applicant requests that the Commission approve the South Block at 9.0 FAR, but permit the Applicant to request up to an additional 0.5 FAR in a second stage application for the South Block upon a finding by the Commission that the mass is appropriate given the final design of the building.

Tabulation of Development Data

Comparative Tabulations of Development Data are attached as Exhibit B to this Supplemental Post-Hearing Submission. These summaries compare the project as set forth in the Applicant's Supplemental Prehearing Submission dated November 15, 2010, in the record at Exhibit 30, and presented to the Zoning Commission at the public hearing on December 6, 2010, to the project as presented in this Supplemental Post-Hearing Submission.

Project Amenities and Public Benefits

The Applicant set forth in detail the public benefits and project amenities offered in connection with the PUD in its Supplemental Prehearing Submission in the record at Exhibit 30. As noted therein, the most significant amenity associated with the project is the construction of the platform, which will create three new city blocks over what is now an active highway and will re-knit the East End of downtown Washington with Capitol Hill. The Applicant provided further clarification as to certain amenities in its Post-Hearing Submission in the record at Exhibit 47. Given those clarifications, as well as incorporation of the technology incubator space, the Applicant submits a complete summary of the updated public benefits and project amenities attached as Exhibit C.

Continued Work with the Community

The Applicant has continued to work with Advisory Neighborhood Commission 6C ("ANC 6C") regarding the proposed modifications to the project. The Applicant presented the updated project to the ANC 6C Planning, Zoning and Environment Committee on March 2, 2011, and to the full ANC 6C at its regularly scheduled public meeting on March 9, 2011. The ANC voted unanimously to support the modifications.

Summary of the Attachments

The following documents are attached and incorporated as part of this Supplemental Post-Hearing Submission:

- Exhibit A Updated Architectural Plans and Drawings for the First Stage PUD and the Consolidated PUD
- Exhibit B Comparative Tabulations of Development Data
- Exhibit C Summary of Public Benefits and Project Amenities

We appreciate the Office of Planning's extensive work with our team on these revisions and look forward to the Commission's consideration of this application for proposed action at the Zoning Commission public meeting scheduled for April 11, 2011. The Applicant requests that if the Zoning Commission approves the application as modified by this Supplemental Post-Hearing Submission, the Commission leave the record open for the Applicant to submit a full set of conforming Final First-Stage PUD Plans and a full set of conforming Final Consolidated PUD Plans that show the changes proposed herein throughout the plan books. These conforming plans will provide a clear record of the approved project as the case moves forward and as future Second-Stage PUD application are filed.

Should the Commission have any questions or need additional information, please do not hesitate to have Office of Zoning staff contact me.

Sincerely,

HOLLAND & KNIGHT LLP



Christine Moseley Shiker

Enclosures

cc: Advisory Neighborhood Commission 6C	(Via Hand Delivery; w/enc)
Rob Amos, ANC 6C PZE Chairman	(Via Hand Delivery; w/enc)
Jennifer Steingasser, Office of Planning	(Via Hand Delivery; w/enc)
Joel Lawson, Office of Planning	(Via Hand Delivery; w/enc)
Maxine Brown Roberts, Office of Planning	(Via Hand Delivery; w/enc)
Paul Goldstein, Office of Planning	(Via Hand Delivery; w/enc)
Karina Ricks, DDOT	(Via Hand Delivery; w/enc)
Matt Troy, IV, Office of the DMPED	(Via Hand Delivery; w/enc)
Councilmember Tommy Wells	(Via Hand Delivery; w/enc)
Laura Cohen Apelbaum, Jewish Historical Society	(Via US Mail, w/enc)
Edward Rogers/Ellen McCarthy, Arent Fox	(Via US Mail; w/enc)
Rev. Lydio F. Tomasi, c.s., Ph.D	(Via US Mail; w/enc)
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