# Near Southeast/Southwest

Advisory Neighborhood Commission 6D

1101 Fourth Street, SW Suite W 130 Washington, DC 20024 202.554.1795 Email: office@anc6d.org Website: www.anc6d.org

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August 25, 2011

**Zoning Commission Board** C/o Sharon S. Schellin Secretary to the Zoning Commission 441 4th Street, N.W., Ste. 200/210-S Washington, D.C. 20001

# Re: ZC # 11-03, Southwest Waterfront 1st Stage PUD

Dear Chairman Hood and Members of the Zoning Commission:

At a special called and duly noticed (via website, flyers, and constituent emailing list) meeting on Monday, August 22, 2011, at which a quorum (4 being a quorum) of ANC Commissioners attending, ANC 6D voted 7-0-0 to support the Revised/Amended Resolution supporting ZC 11-03 (Hoffman Madison-Marquette Southwest Waterfront First Phase PUD) with certain concerns and conditions as outlined in the attached Resolution dated August 22, 2010.

Please contact me or Bert Randolph, Executive Director if you have any questions or require additional information.

Sincerely,

Ron McBee Chairman 6D

Ron Hobean

ZONING COMMISSION District of Columbia

EXHIBIT NO.\_

# ANC 6D Resolution in Support of Hoffman Madison-Marquette Southwest Waterfront First Stage PUD Case No. 11-03

Preface:

ANC motion 7-11-11 with date

HMW response 7-15-11 noted in black italic with date

HMW response at Discussion from 8-10-11 noted in red italic type with date

HMW response at Discussion from 8-17-11 noted in blue italic type with date

HMW response at Discussion from 8-19-11-noted in purple italic type with date

ANC motion 8-22-11 noted in green standard type and [bracketed] with date

ANC addition to motion of 8-22-11 noted in brown standard type and {braced} with date

Whereas the residents of Southwest have been working toward and looking forward to a redeveloped SW Waterfront for more than twenty years, and

Whereas, Hoffman Madison-Marquette has put forth an ambitious and visionary proposal to construct a waterfront project where boats, public piers, pedestrians, cyclists, retail users, and cultural programs come together in a comprehensive, mixed used, mixed income development reconnecting Southwest to adjacent residential areas, the Mall and Riverfront trails, and

Whereas this development, known as The Wharf, is the most ambitious development project ever undertaken in the District of Columbia,

That on July 11, 2011, at a regularly scheduled duly noticed meeting, where a quorum was present and all Commissioners voting, by a unanimous vote of 7-0, ANC 6D voted to support the Hoffman Madison-Marquette Southwest Waterfront First Stage PUD, Case No. 11-03, with the following concerns and conditions to be further elaborated during written and oral testimony,

{Whereas this document represents further elaboration on the First Stage PUD Case No. 11-03, with Hoffman Madison-Marquette, ANC6D requests their representations be included with the order by the Zoning Commission. ANC addition to motion of 8-22-11}

That on August 22, 2011, at a specially-called and duly noticed meeting, where a quorum was present and all Commissioners voting, by a vote of 7-0, ANC 6D voted to support the Hoffman Madison-Marquette Southwest Waterfront First Stage PUD, Case 11-03, with the following concerns and conditions to be further elaborated during written and oral testimony, and noted in this resolution in green or brown standard type and bracketed with the symbols "[" and "]" or "{" and "}":

1. Bus Traffic - Direct bus transport to and from the Spirit Ships, Odyssey or their successors shall be moved from in front of Pier 4 and away from the existing residential sections of Southwest including Tiber Island Cooperative Homes, Tiber Island Condominiums, Harbour Square Cooperatives and any residential units as may be built on the site presently occupied by St. Augustine's Episcopal Church. All buses and/or passenger vehicles carrying more than 8 persons and serving the large boats will be limited to the bus lay by area so designated on page

3.8 of the Updated PUD Submission of June 28, 2011. In any event and regardless of whether residential structures may be permitted at Pier 4, bus traffic will be banned from the above existing residential neighborhood locations to free it from the forty year plague of bus traffic serving the large boats. In addition, should the big boats remain on Pier 4 for any reason, vehicles ferrying passengers between Pier 4 and the bus lay-by as depicted on page PUD 3.8, will be prohibited from travel on Sixth Street, SW.

HMW in concert with DDOT and the ANC will develop guidelines to ensure that busses do not park with the residential areas. HMW will provide a more precise diagram to demonstrate how tour busses will arrivie and depart from on site to discharge and pick up passengers at the big boats. If additional bus lay bys are required, they will not be located east of the existing sites as demonstrated on page 3.8. ANC motion 7-11-11

HMW response 7-15-11 – HSW agrees with the above commitments and will provide the following assurances to the ANC:

- 1) Lay-by areas for buses (to the extent more are needed or the location is refined) will be located no closer to the existing residential areas than the Bus Drop Off identifies on page 3.8 of the Updated PUD Submission.
- 2) HMW agrees to remove all bus traffic southeast of the completed M Street Landing, by prohibiting via signage along Park Road (the extension of the old Water Street), 6th Street SW, and M Place SW, or upon commencement of redevelopment of Pier Four, irrespective of its intended use.
- 3) HMW will create a bus operations plan that details bus lay-by operations, drop-off, pick-up, and bus traffic control as a part of the Stage 2 submission for Parcel 9 or M Street Landing, whichever comes first.
- 4) HMW will cooperate with ANC 6D and DDOT in mitigating bus impacts in the Southwest community.

# [ANC6D Accepts 8-22-11]

2. Transportation – [The Gorove/Slade study, commissioned by HMW, makes many assumptions and comes to questionable conclusions. For example, they state "Traffic generated by these development will tend to use roadways and routes not heavily used by existing commuter vehicles. The Maine Avenue/M Street corridor will become less of a commuter based roadway with volumes generally flowing in one-direction during peak hours..." Ultimately, there are very few ways to get out of SW or near SE without using M Street/Maine Avenue. Consequently, ANC motion 8-22-11] ANC 6D recommends further review and analysis of the transportation, design and safety elements proposed by HMW. The District's Department of Transportation has specifically avoided addressing any of these elements in their letter to the ANC on July 11. DDOT's recommendation is to handle transportation and attendant concerns at the Stage Two submission. This is one of the largest projects ever undertaken in the District of Columbia in an area that has now considerable and growing transportation challenges. Indeed, there is in the present budget – after ten years of ANC 6D requesting it – the money do a comprehensive traffic and transportation study of the area from the Historic Fish Market at Maine Avenue along Maine Avenue and M Street to the Eleventh Street Bridge. Yet, in their

response to this project, DDOT has done nothing but punt [strikethrough 8/22/2011]. This is a blatant abrogation of their responsibilities as a District Department. ANC motion 7-11-11 [For these reasons, ANC 6D may have no choice but to vote against any Stage Two submission for the SWW PUD unless DDOT has taken quantifiable action toward administering the M Street traffic and transportation study and has presented a concrete plan for dissuading the commuter traffic from using M Street/Maine Avenue, beyond their assertions that the commuters will go away when it gets clogged enough. ANC motion 8-22-11]

HMW response 7-15-11—HMW has provided all necessary information to the District Department of Transportation (DDOT). HMW has also hired third party transportation expert to conduct its own comprehensive transportation and traffic study. The results of this study were utilized in designing plans for the Stage One PUD application. HMW will continue to work with the DDOT

HMW response at Discussion from 8-10-11

- Critical to separate issues under control of HMW versus broader DDOT issues outside scope of PUD
- Stage 1 approval critical for investor certainty and financing capability
- o Capacity and functioning of Wharf Center
  - Parking capacity is adequate per parking demand analysis of Gorove Slade (HMW to provide ANC 6D visual and narrative)
  - Parking to be accommodated at West end parking garages, with L'Enfant Plaza as a safety-net, rather than SWW east end parking garages
  - Connections between Wharf Center and L'Enfant Plaza Metro to be enhanced by steps from Banneker Overlook to Maine and traffic signal at intersection
  - Will work with DDOT on enhanced wayfinding for parking and Metro
  - Maximum seating of 3,500 seats
  - Maximum total capacity up to 4,500 people
- o Wharf Center Utilization "Heartbeat of Wharf" essential to place-making, generates patron activity for retail and restaurant success □ Variety of uses required for maximum activity and utilization est. 200 nights/year
  - Projected uses: music (popular and concert), sports such as Kastles, collegiate basketball and boxing, special events; conventions and events in connection with adjacent hotel and synergies with Destination DC.
  - High-end retractable seats with armrests and cushions
- o Capacity and functioning of Parcels 9/10 Parcel 9 is committed as residential only
  - Parking garage under parcels 9 and 10 and plaza in-between to include approximately 360 spaces
  - Shared use of garage (office/evening)
  - Parking capacity provided will exceed demand as identified through parking demand analysis of Gorove Slade
- o Capacity and functioning of Parcels 6, 7, 8 HMW commits residential at a minimum of 530,000 sq. ft and office capacity from 0 445,000 sq. ft. {see item 22, ANC addition to motion of 8-22-11}

- Approximately 600 parking spaces under 6, 7, 8
- Parking that is not designated for residential to be shared use –
  office/evening primarily for Arena and East End retail
- Parking capacity provided will exceed demand as identified through parking demand analysis of Gorove Slade

 New interior street in Parcel 8 (parallel to Maine Avenue) will increase circulation and eliminate any potential Maine Ave traffic backup

ANC6D specifically notes that HMW has verbally confirmed and clarified the above statement that the maximum capacity of the Wharf Center is 4,500 persons in any configuration, including standing. {strikethrough, ANC addition to motion of 8-22-11} AND6D accepts these Phase I representations under Transportation and that HMW has stated the maximum capacity/occupancy of the Wharf Center is 4,500 in any configuration, including standing. {ANC addition to motion of 8-22-11}

# [ANC6D Accepts 8-22-11]

3. Plan B – HR # 723 is currently before the Congress and will allow for significantly longer docks and reconfiguration of the Washington Channel providing the SW Waterfront neighborhood with the kind of vibrant marine environment we have long envisioned. Should the congressional legislation not prove successful, the current marine aspects of the PUD will need to be reworked. ANC 6D urges that the Zoning Commission request that HMW to develop a Plan B – to be vetted by the ZC and the Southwest community -- to ensure that The Wharf will maintain a balanced and not lopsidedly land-oriented, yet waterfront, development. In any event, HMW will abide by their commitments to maintain the same number of slips in any revised marine plan to ensure approximately the same number of live-aboard slips as exist in June, 2011 (a minimum of 94 slips) with provisions for retention of existing live-aboard slip holders. ANC motion 7-11-11

HMW response 7-15-11 – HMW does not have a Plan B currently for waterside programming. Approval of legislation narrowing the channel is anticipated to be complete prior to the hearing for the Stage Two PUD application by the Zoning Commission expected to be toward the middle to end of 2012. This will allow the full development to be constructed on schedule as contemplated and will also provide for an ANC review process for plan B should it arise. In the event the channel cannot be narrowed, HMW will create an alternate waterside plan that balances the requirements and commitments to Gangplank and Capital Yacht Club slip holders and the desire for public access, public use piers, and a vibrant active harbor for the District. In the event of an alternate plan, HMW will present such plan to ANC 6D for its review and guidance to the zoning commission.

HMW response at Discussion from 8-10-11
o Encouraging status update from The Carmen Group
o Legislation anticipated to be out of committee in the Fall, and approved by end of December, 2011;

Pending legislation to be provided to ANC 6D
 HMW will return to ANC 6D in unlikely event that approval isn't secured by completion of Stage 2, Phase 1

# [ANC6D Accepts 8-22-11]

4. Gangplank Marina - HMW will provide for a live-aboard community at the redeveloped Gangplank Marina on the Southwest Waterfront for approximately the same number of live-aboard slips as exist on June, 2011 (a minimum of 94 slips) with provisions for retention of existing live-aboard slip holders.

HMW has completed a transition plan that it has shared with the Gangplank Marina Slipholders Association (GPSA) Development Advisory Group. The plan provides for reasonable continuity of existing services (including water, electric, trash, pump-outs, security, showers/restrooms, US mail and package receipt, and vehicle access) and amenities (including parking, laundry, and Cable/Internet), and accommodates the current Gangplank Marina slip holders in the Washington Channel during the redevelopment, consulting with GPSA to prioritize vessel moves. ANC motion 7-11-11

HMW response 7-15-11—HMW has worked with the GPSA to form the plan taking into consideration their interests and needs. GPSA supports this plan. HMW agrees with the ANC and will carry out this provision.

# [ANC6D Accepts 8-22-11]

5. Dedicated Walkway Along the Washington Channel – As intriguing as have been the descriptions of "chaotic" mix of pedestrian, automobile, bicycle and street car uses of the 60 feet of space along the Washington Channel, ANC 6D is obligated to raise safety concerns. ANC 6D would request that this concept be further elaborated -- and with the very specific and detailed endorsement of DDOT, which they have thus far refused to provide -- including their clear understanding and delineation of traffic flow and enforcement. Further, ANC 6D would like assurances that HMW will provide a continuous, dedicated pedestrian pathway of approximately 20 feet with the aforementioned 60 that will be maintained -- from the Titanic Memorial to the historic Fish Market (with the exception of temporary interruption for construction) -- to allow safe passage for walking and jogging and access by both wheelchairs and strollers. ANC motion 7-11-11

HMW response 7-15-11 - HMW agrees with the above statement with the following clarifications. HMW agrees to maintain "continuous pedestrian flow" within the Promenade Zone between Parcel 2 and the Titanic Memorial. At Parcel 1 to the Fish Market which is a unique design situation as shown on 4.5 of the June 28, 2011 prehearing submission, HMW agrees to maintain a dedicated ten foot pedestrian walkway with no obstructions and with separation (for safety, such as bollards, planters, etc.) provided between travel and pedestrian areas. The intent of this statement is to provide

continuous flow for pedestrians for the entire length of the Wharf, from the Fish Market to the Titanic Memorial, without relying on the adjoining 20' active "shared area", while maintaining the ability to provide active vibrant uses along the waterfront including but not limited to café tables, trees, planters, push carts, kiosks, etc. that do not impede this flow.

# [ANC6D Accepts 8-22-11]

6. Pier 4 Residential Structures – ANC 6D does not favor townhouses to be built on Pier 4. However, should residential structures on Pier 4 be approved by the US Army Corps of Engineers, such structures will maintain a minimum 10 foot setback from the existing waterside edges of the Pier. There is great concern about the height of these structures (as depicted in Section (e-e) on Page 5.9 of the PUD) impacting the views of the Washington Channel not only from adjacent Waterfront residences but from the Waterfront Park itself. Should they be allowed, such structures will not exceed a height greater than 45 feet from current finished Pier surfaces, including all architectural elements, mechanicals, and/or equipment rooms. The developer will incorporate the existing brick head house at the entrance to the Pier as well as incorporate all parking and infrastructure support (trash pick-up, deliveries, etc.) internally within the design and not exposed to view, and maintain "front doors" on the North, West and South sides of the existing Pier. All lighting elements whether architectural or safety in manner will not in any season illuminate any portion of Harbour Square, Tiber Island or the Waterfront Park. Marina docking for small boats will be included on the three sides of the Pier. ANC motion 7-11-11

HMW response 7-15-11: HMW agrees with the above statements regarding Pier 4 residential design with the following clarifications. HMW will provide an approximately eight foot pedestrian walkway on both sides of the pier. The eight foot dimension is derived from the need to provide parking internal to the building obscured from view and corresponds with the existing structure on the pier today. Projections beyond the eight feet occur only for balconies, bays, architectural features or roof projections (which add to the quality of the town homes) and not at the pier level and are limited to four feet. All other restrictions as described above remain as stated.

HMW response at Discussion from 8-10-11

- HMW to mitigate light reflectivity, migration and pollution, consistent with agreement with Harbour Square and requirements of LEED ND Gold
- HMW to establish townhouse/condominium design covenant, consistent with existing covenants on all PN Hoffman developments
- o Limited Visitor/Tradespeople/Drop Off Off-site parking is essential for high quality level of units, as agreed with Harbour Square Condominium; such parking to be limited to eight spaces and to be attractively sited, with private-parking noticed, and strictly enforced
- HMW will work with ANC 6D during Stage 2 review on appropriate landscape design to properly buffer limited visitor parking area from Waterfront Park.

7. The Commercial Pier – As referenced on page 5.9, except for the two story office structure (as indicated by marking dd on the landside portion of the map), the height of the remaining buildings covering the extended Commercial Pier should not exceed the height of the similar existing structure on the current Pier 4. ANC motion 7-11-11

HMW response 7-15-11: HMW proposes keeping the Section shown on Page 5.9 as is for the new dinner boat support building/terminal but agrees to limit the length of this building to 150' long. The extension of Pier 3 is considerably narrower than Pier 4 and the entire first floor will be used by vessel operations, support, maintenance, and catering. The second floor of the pier is necessary to provide the embarking/disembarking zone and waiting area for dinner boat patrons. If all facilities were on a single story, the pier building would occupy nearly the entire pier and severely limit the amount of public access. HMW agrees to limit the rebuilt Odyssey/MSI office structure to approximately the same height of the existing buildings today.

HMW response at Discussion from 8-10-11

HMW to limit amount of enclosed space to minimum required by Entertainment
 Cruises for operations related directly to the dinner cruise boats, and will locate the
 enclosed space in a manner that least impact landside views of the water.
 Waiting areas to be covered but not enclosed to promote transparency.

HMW response at Discussion from 8-17-11

o HMW will optimize views from seawall promenade and Waterfront Park

[ANC6D Accepts, with the verbal clarification from HMW 8/19/2011 that in the following phrase, "If all facilities were on a single story, the pier building would occupy nearly the entire pier and severely limit the amount of public access," "public" specifically refers to the general public and not ticket-holding patrons of the excursion boats. ANC motion 8-22-11]

[ANC6D Accepts 8-22-11]

8. The Waterfront Park – The Waterfront Park, as depicted in the Open Space Plan indicated on page 4.20 of the Revised PUD, will be constructed in the first phase of the development so that an immediate benefit may be obtained for the existing residential community. The vending and food service pavilion as depicted on Section (H-H) on Page 5.9 needs to be lowered from the currently depicted 34.5 feet tall to no higher than 20 feet tall inclusive of architectural embellishments, mechanicals, and/or equipment rooms so as to preserve as much visual access to the waterfront as possible within and around the park. Further, HMW will work with neighboring properties to locate the pavilion on a site within the park closer to the private street that provides access to the Harbor Patrol and away from existing neighborhood residences. Maintenance and daily trash removal at the Waterfront Park including removal of any trash from

vendor will be the responsibility of HMW. ANC motion 7-11-11

HMW response 7-15-11: Agree

[ANC6D Accepts 8-22-11]

9. Massing - The massing shown in illustrations 2.10 and 4.16, which is also pictured in rendering 5.23, appears to dwarf pedestrians who are trying to access the site from Maine Avenue, particularly the route from Waterfront Southwest Metro station. According to OP's Comprehensive Plan Policies, "Development ... must be designed to respect the broader community context" and "should become part of the city's urban fabric through the continuation of street patterns, open space corridors, and compatible development patterns where they meet the existing neighborhood." While HMW has given verbal assurances about setbacks and pedestrian friendly access to the water side amenities, the massing shown in the PUD extends to the maximum heights and widths of the parcels giving an overwhelming impression from sidewalk level and suggesting that pedestrians might find it awkward getting to the promised amenities. ANC motion 7-11-11

HMW response 7-15-11: HMW believes the composition of proposed massing and open space optimizes views and access from public spaces in addition to extending the District's open space corridors and street patterns. The major public rights-of-way Banneker Overlook, 9th Street, 7th Street, and M Street are all celebrated with abundant civic spaces and ample view corridors. In fact the land use pattern of taller, skinnier buildings on small city blocks optimizes the access and views from Maine Ave and other existing public spaces allowing the creation of eleven pedestrian and vehicular access openings to the waterfront. These public openings are comprised of parks, streets, alleys, and sidewalks. In fact, this composition provides numerous pedestrian experiences throughout the waterfront with over 60% of the entire site having little to no massing. The referenced section on Page 4.16 is for the mews streets – these streets are special conditions that are purposefully built between the major view axis and are between 10 and 40 feet in width to allow for intimate pedestrian experiences and unique retail environments as depicted in these sections.

#### HMW response at Discussion from 8-10-11

- o 130' height required to achieve architectural creativity and flexibility, exceptional design, three-dimensionality, variety of building façade (balconies, bays, setbacks) and architectural features, building setbacks, and short blocks of approximately 245 feet.

  Overall development is porous and optimizes view corridors, rather than creating a wall between community and the water.
- 130' height required to open M Street Plaza and maximize water views from Arena Stage

#### HMW response at Discussion from 8-19-11

Set back from curb to building base is 30'. Additional setbacks from floors 2-5, with an average setback of 8'. (HMW response at Discussion from 8-10-11) Maine Avenue setbacks of 12 feet for café seating, retail displays related to commercial uses (i.e. florist, hardware store etc.) HMW response at Discussion from 8-10-11

- Need to spread out Common Area Maintenance charges among buildings; square footage shown in PUD is essential for economics of project
- o 130' allows for muse and alley streets, open space parks and public plazas
- o FAR certainty of all phases required for capital markets interest and commitment

#### HMW response at Discussion from 8-19-11

 Street-front activity such as flower displays, awnings, wheelbarrows (from hardware store), café tables, etc. and building variations such as signage, design and material changes, projections, lighting, etc., will enliven Maine Avenue and provide articulation of the building facades

# [ANC6D Accepts 8-22-11]

10. Parcel 11 - The redevelopment of Parcel 11 into a dense residential development is a concern. While ANC 6D is prepared to accept this change, the resultant development must not be inconsistent with the existing residential fabric. Preservation of the height limitations within the R-3 district is necessary to ensure Parcel 11 is sensitively integrated within the existing successful, well-knit fabric of low-rise townhouses that defer to the public space by exhibiting generous setbacks. In particular, setbacks on residential (South) side of M Street from Sixth Street to Second Street, SW share generous setbacks that the design on Parcel 11 does not appear to embrace. Further, the lack of setbacks within the design on Maine Avenue provides a stark counterpoint to the significant lush setbacks provided by the lawns on the Maine Avenue side of The Meade Center. {strikethrough ANC addition to motion of 8-22-11}. Note new ANC6D motion and accompanying illustration attached to this document as Exhibit E..}

HMW response 7-15-11: HMW recognizes the concern and has recently improved its plans to demonstrate that the proposed use and structure is compatible with the existing neighborhood. It should also be understood that the height limitations for a church in existing R-3 is sixty feet, and for other structures it is 40 feet. The effective height of the existing residential along 6th Street SW. the area of most impact, is +/- 40' with the grade change which makes the proposed residential development compatible with the existing Tiber 4 story townhomes and not significantly different than the existing zoning height requirements. The existing setback at Tiber Island from the curbline is approximately 22' to the garden wall and approximately another 20' to the building face of the four story townhomes for a total of 42'. The proposed development will allow a 12' setback from the curbline to the landscape fence (3' tall) and a total of approximately 30' to the building face of the proposed residential structure. The building separation between the face of closest Tiber townhomes and the face of the new residential building will be approximately 100'. The section along 6th Street SW looking south will be similar on the Tiber / HMW sides of the street making the development compatible with the existing fabric. (See Exhibit A). The proposed Church setback along Maine Avenue/M Street is similar to all existing structures along the south side of the street and will not significantly inhibit views along the view corridor and out to the water (See Exhibit B).

HMW response at Discussion from 8-10-11

- HMW to provide comparision of "of right" development versus that proposed by PUD.
- HMW to provide ANC 6D corrected plan view and elevation.

#### HMW response at Discussion from 8-19-11

o HMW has changed the requested zoning on Parcel 11 to residential zone R-5-B in order to provide surety to the surrounding community that the site would not be able to be developed for commercial uses in the future. R-5-B has been selected, in lieu of other zones such as R-5-A, because it is consistent with the Comprehensive Plan's Future Land Use Map. The Comprehensive Plan Future Land Use Map identifies the site as moderate density commercial. Moderate density commercial includes the following districts: C-2-A, C-2-B, and C-3-A with respective Floor Area Ratios of 2.5 FAR, 3.5 FAR, and 4.0 FAR. R-5-A is a 0.9 FAR by-right and 1.0 FAR for a PUD; this is not compatible or consistent with the Comprehensive Plan Future Land Use Map. R-5-B is a 1.8 FAR by-right and 3.0 FAR for a PUD; as such, it is a rough equivalent to the zones that are identified in the Comprehensive Plan as being moderate density commercial zones.

The redevelopment of Parcel 11 into a dense residential development remains a concern. We ask that the Zoning Commission ensure that the resulting development be consistent with the existing residential fabric and be particularly sensitive to the well-knit fabric of low-rise townhouses at Tiber Island that defer to public space by exhibiting generous setbacks. ANC6D wishes to ensure that the overall height limitations (including all architectural elements, mechanicals and/or equipment) on the residential units be constructed no taller than the Tiber Island residential townhouses located directly across Sixth Street, S.W., that all parking, and infrastructure support (including trash pick-up, deliveries, etc.) are incorporated internally within the design and not exposed to view. Further, ANC6D urges the Zoning Commission to assure that the design of the new St. Augustine's Episcopal Church is set back sufficiently on the site and not diminish the experience of arrival at the Waterfront traveling west along M Street, S.W. ANC addition to motion of 8-22-11.

# (ANC6D Approves 8-22-11)

11. M Street Landing – ANC 6D believes that Parcel 9 and 10 need to be brought down to 90 and 45 feet high, respectively, and that Parcel 11 be set back within the M Street corridor. This crucial area anchoring the waterfront development needs to more successfully exhibit sensitivity to the existing residential neighborhood. As proposed, these buildings create a jarring transition. ANC 6D needs to be assured that the height of the buildings on Parcel 11 will be no higher than 45 feet so that it fits within its waterside and low-rise residential context. The height of Parcel 9 should be tapered so that it's in line with buildings on the opposing side of the Landing and provides a transition to the taller buildings to the north. Most importantly, topping out Parcel 9 at 90 feet would ensure it doesn't diminish the landmark Meade Center for American Theater. **ANC motion 7-11-11** 

HMW response 7-15-11: The proposed Church setback along Maine Avenue/M Street is similar to all existing structures along the south side of the street and will not significantly inhibit views along the view corridor and out to the water (See Exhibit B). The height of Parcel 11 will be no higher than 45' for the residential and 49' fee for the church as indicated in the Updated PUD Submission Page 5.7. Parcel 9 and 10 have been carefully shaped and positioned in close coordination with the Arena stage and their architect Bing Thom. Arena Stage is our closest and most impacted neighbor (Tiber Island residences are approx. 550 feet away). The primary concern was not building heights but setbacks to allow for a grand Maine Avenue terminus at M Street landing and a framed view of the theater looking back. The setbacks were achieved by diminishing the building floor plate

significantly and reducing the square footage of program on Parcel 9and 10. The approved outcome, which was created in working closely with Bing Thom and Arena Stage, was very specific and is now reflected in our PUD application. This design won the support of Arena Stage. Additional reduction of program through height or additional setbacks is not acceptable. The Arena Stage letter of support and supporting diagrams is attached as Exhibit C and the Illustrative plan before the negotiations is attached as Exhibit D.

# HMW response at Discussion from 8-10-11

- PUD plan was modified significantly as a result of discussions with Arena Stage, and ANC 6D
- HMW responded to Arena Stage's visual relationship to the water and received full support of Arena Stage's leadership and architectural team.
- M Street Landing plaza was opened up and building massing of parcel 9 was curved to maximize Arena views.
- HMW has worked with ANC 6D and Arena Stage in reducing 150,000 square feet from FAR and further arched Parcel 9 to create improved view corridors and a more open M Street Landing.
- PUD pre-hearing submission package provision fully addresses Arena Stage's concerns
   Arena Stage has submitted a letter of full support of the PUD.
- Bus parking concerns previously addressed through redesign of Parcels 8/9 with ANC
   6D and Arena Stage.

# [ANC6D Accepts 8-22-11]

12. Construction Staging – Neither Parcel 10, Parcel 11, the Waterfront Park nor any area South of M Street from Sixth Street to the Titanic Memorial shall be used as a construction staging area during any portion of the build. **ANC motion 7-11-11** 

HMW response 7-15-11: HMW agrees that these parcels will not be used for construction staging until such time that they are under construction.

#### HMW response at Discussion from 8-10-11

- Parcel 11 will not be used for staging of other areas; Waterfront Park will be developed in Phase 1 and therefore will not be used as a staging area for other developments
- Parcels 8, 9 and 10 will be built out all at one time since parking garage extends under those parcels.

[ANC6D Accepts 8-22-11]

13. Street Cars – Overhead wires will not be allowed on the portion of the street car line that runs along the Washington Channel. Since HMW will be installing the tracks on the wharf and Maine Avenue, ANC-6D requests that flange fillers be put in place as a protective measure until such time as the street cars become operative. ANC motion 7-11-11

HMW response 7-15-11: Agree

[ANC6D Accepts 8-22-11]

14. Parking South of M Street and East of Sixth Street —Parking will not be allowed at the Waterfront Park nor along the private road leading to Pier 4. Parking in this area will be an eight-slot, screen [ANC motion 8-22-11], reserved small [strikethrough, ANC motion 8-22-11] visitor parking lot which may be located on Pier Four should that be approved for residential use and for the DC Harbor Patrol. ANC motion 7-11-11

HMW response 7-15-11: HMW agrees to the above statement with the following clarification. The referenced visitor parking will not be located on Pier 4 but will be located landside in a location similar to the existing smaller Spirit lot and will not impede pedestrian flow to and from the Titanic Memorial (as prescribed in the agreement with Harbor Square).

HMW response at Discussion from 8-10-11

Intention is to limit Police and Fire Pier parking to 18 spaces or fewer.

HMW response at Discussion from 8-19-11

Off-site visitor/trades-people/drop-off parking for Pier 4 to be limited to 8 spaces and to be attractively sited and buffered, with private parking noticed and strictly enforced

[ANC6D Accepts 8-22-11]

15. Transportation embellishments – While the PUD has a variety of multi-modal transit options, there is no space set aside for car sharing. It must be added. As well, ANC 6D requests that HMW provide an appropriate number of electric car recharging stations throughout the development. ANC motion 7-11-11

HMW response 7-15-11: Agree

[ANC6D Accepts 8-22-11]

16. Maintaining Existing Tree Canopy – There is no clearly articulated plan to preserve and maintain the extensive and lush tree canopy that is a hallmark of the Near Southwest. ANC 6D is keenly aware that when the Southwest was redeveloped fifty years ago, a great number and variety of trees were lost never to return. In particular, we are concerned about the majestic stands of 50 year old pin oaks along Maine Avenue and on either side of the pedestrian walkway between the Washington Channel and Tiber Island and Harbour Square. They must be maintained. ANC 6D requests that a dedicated arborist be hired to provide a detailed plan for preservation and plantings.

While plantings are usually a function of a Stage Two PUD, if the massing is such that our tree canopy is greatly affected, it needs to be addressed now. **ANC motion 7-11-11** 

HMW response 7-15-11: HMW will use commercially reasonable efforts to save existing trees along Maine Avenue. Buildings have been set back twelve feet from the property line to make this possible. HMW also agrees to maintain the allee of trees between Tiber Island/Harbour Square and Spirit Cruise lines. HMW agrees to hire an arborist as a consultant to the project to create a survey of existing trees,

HMW response at Discussion from 8-17-11 and work in cooperation with the DC Arborist and ANC 6D as plans progress.

HMW response at Discussion from 8-19-11: HMW will use commercially reasonable efforts to preserve existing trees along Maine Avenue and the allee of trees between Tiber Island/Harbour Square and Spirit Cruise lines. On Maine Avenue, buildings have been set back twelve feet from the property line to make the preservation of the trees along Maine Avenue more feasible. More specifically, HMW agrees to:

- 1) Hire an arborist as a consultant to the project to create a survey of existing trees.
- 2) Identify the health of existing trees and a create a tree protection/preservation plan for those trees that will be impacted by construction.
- 3) Limit the deliberate removal of trees to those that are in poor health or are interior to the site and necessary for redevelopment,
- 4) Use construction means and methods that increase the likelihood of tree preservation including:
  - a. Identify tree preservation zones and employ tree fencing to mitigate soil compaction and adverse impacts from construction machinery and equipment
  - b. Employ techniques to limit root severance during excavation & trenching
  - c. Work with contractor to ensure that proper erosion control has been installed, tree pruning has been completed and a tree maintenance schedule has been established.
- 5) Specify accepted industry standards for the planting of new trees to maximize health and lifespan potential including providing adequate soil depth, correct species selection, adequate tree spacing, and separation from above/below ground obstructions

#### [ANC6D Accepts 8-22-11]

17. Internet gaming — Within the boundaries of the PUD, internet gaming shall be prohibited in any spaces other than private residences. ANC 6D and the Southwest neighborhood has been opposed to gambling on the Waterfront and is on record going back more than 16 years. We feel that gambling is totally incompatible and inconsistent with the kind of wholesome and welcoming development that has been promised at this site. ANC motion 7-11-11

HMW response 7-15-11: Agree

[ANC6D Accepts 8-22-11]

18. Liquor Licenses – HMW will abide by current and customary practices as regards the licensing of alcoholic beverages and neither seek nor endorse the creation of a zone under which new or existing licenses may be (re)issued or amended without the involvement of the ANC. ANC motion 7-11-11

HMW response 7-15-11: Agree

[ANC6D Accepts 8-22-11]

19. Office Space – For a period of twenty years commencing in January of 2019, HMW or its assigns will provide free and equipped office and shared conference space for Advisory Neighborhood Commission 6D and the neighborhood civic association, the Southwest Neighborhood Assembly, comparable to that which is being currently provided at 1101 Fourth Street, SW. ANC motion 7-11-11

HMW response 7-15-11: Agree

[ANC6D Accepts 8-22-11]

**20. Parks within the Development** – ANC 6D urges that kinetic, programmable recreational spaces for people of all ages be maximized within the development, particularly toward the western end and the many mews and passageways. **ANC motion 7-11-11** 

HMW response 7-15-11: HMW agrees to provide kinetic programmable recreational spaces for people of all ages and will conduct a design charrette for the east end park as part of the Stage 2 design. The 7th Street Landing will be generally passive in nature and City Square and Market Square are urban plaza with limited recreational opportunities given their civic prominence and high level of active programming. The project will have a variety of public spaces and experiences that are available to be used by a broad group of residents and visitors alike.

# [ANC6D Accepts 8-22-11]

21. Environmental Issues – ANC 6D requests clarification regarding information that, even though the project is to be LEED Gold, that there appears to be an exception within the PUD that HMW will not have to abide fully by federal and District environmental regulations regarding storm water runoff. We encourage the developer to explore with the DC Department of the Environment alternative ways that this can be mitigated. ANC motion 7-11-11 [strike through ANC motion 8-22-11]

HMW response 7-15-11: The size and location of the development site make complete compliance with the standards required by the NCRC/AWC Reorganization Act of 2008 difficult to comply with and the mayor has yet to finish rulemaking on the stormwater requirements. A waiver from certain of these requirements was requested to be consistent with the Land Disposition Agreement. HMW is working closely with DDOE, and met most recently on July 5th, to discuss the rationale for such request. HMW and DDOE will work closely before stage 2 PUD submissions to

ensure the SW Waterfront project is a landmark project for sustainable development and is consistent with the goals intended by the Anacostia Waterfront Initiative.

HMW response at Discussion from 8-10-11

o HMW will comply with final District environmental legislation

[ANC6D urges the Zoning Commission to make no exemptions or exceptions at this point to the current environmental requirements under District law, especially any regarding storm water management and other riparian concerns. While we understand that specific regulations have not been opened for public comment nor promulgated, a green project at the confluence of two rivers must be held to the highest standards possible.

The ANC would like to commend HMW for its current discussions with the District's Department of the Environment and request that they continue as part of their preparations for the second stage of the PUD documents. ANC motion 8-22-11 ] {ANC6D Accepts that this will be covered in the Phase 2 submission. ANC addition to motion of 8-22-11}

# [ANC6D Accepts 8-22-11]

22. Parcels 6, 7 and 8 - HMW wishes to retain flexibility of future use yet at this time ensure height and massing for three buildings without determining what those uses will be. ANC 6D is opposed to this flexibility for the following reasons: The community has stated for twenty years that we support a mixed use development. While future flexibility is vastly beneficial for HMW as real estate markets change, the Southwest community needs a more complete understanding of precisely how this development will be configured in its entirety. Clearly, what services, retail and parking are required for commercial and office use are inconsistent with that of residential. ANC 6D is concerned that if buildings constructed on Parcels 6, 7 and 8 are predominantly offices that the ground floor retail will reflect the needs of the daytime user and not provide the community serving retail that has been severely lacking in Southwest for two generations. We are a retail desert. Moreover, this flexibility would occur in very buildings planned closest to existing residential complexes where no retail whatsoever now exists. Further, office structures will empty after hours creating population deserts and potential safety concerns between existing residential complexes and the western end of the development. After office hours, parking spaces will turn over emptying automobiles onto Maine Avenue in the middle of rush hour. Such spaces will, no doubt, be replaced with dinner and theater traffic shortly thereafter causing additional challenges along Maine Avenue which the transportation plan simply does not address. ANC 6D requests that the discussion needs to be held now about how - under different scenarios -- space will be used on these three parcels. ANC motion 7-11-11

HMW response 7-15-11: Parcels 6, 7, 8 and 9 have clearly defined maximum and minimum limitations of residential vs. office in the PUD application. While flexibility remains for fluctuating market conditions, this flexibility was reduced in response to the community and zoning commission concerns. The office use in these parcels was reduced in response to neighborhood concerns. Residential is the prominent use in these parcels. The maximum density in this area is 1,105,000sf of which residential will be between 530,000sf (48%) and 975,000sf (88%) of the development. The maximum office space is only 445,000sf and the minimum is zero. The balance of the space is utilized for retail. The residential and office buildings will both be required to comply with the retail merchandising plan laid out by HMW with a focus on neighborhood serving

retail facing Maine Avenue. The intent with the plan is that no matter what the development above the first 2 floors, the retail and pedestrian environment is a high quality, animated, 18-hour environment. The parking demand is similar for both residential (about 0.7 spaces per unit) and office (about 0.7 spaces/1000sf).

#### HMW response at Discussion from 8-19-11:

HMW commits to a minimum of 30,000 square feet of office south of 7th Street.

#### [ANC6D Accepts 8-22-11]

23. Parcel 7 – On the north side of Maine Avenue at the Waterside Towers Townhouses, there is a 37 foot set back. In order to preserve a visual balance, ANC 6D requests a similar setback along the Maine Avenue side of Parcel 7 directly opposite the above referenced property. ANC motion 7-11-11

HMW response 7-15-11: This is not possible given the setback already provided at the Gangplank Marina (necessary to maintain the continuous pedestrian flow along the promenade). Additionally, the intent along Maine Avenue is to create a grand urban boulevard with a consistent street edge. The condition at Waterside Towers is actually at odds with good urban planning in that the building does not hold the street edge of a prominent urban boulevard and the townhouses turn their back to the street.

HMW response at Discussion from 8-17-11

HMW agrees to a minor setback at the Southeast Corner of Parcel 7.

HMW response at Discussion from 8-19-11

HMW agrees to a minor setback at the north side of Parcel 7, adjacent to Maine Avenue.

[ANC6D Accepts 8-22-11, noting the illustration below for reference.]



24. The Titanic Memorial and the Maine Lobsterman – ANC 6D wishes the Titanic Memorial and the Maine Lobsterman to remain where they are within the footprint of the development. In particular, the Titanic Memorial is a draw to the southern end of site where is presently located. In addition, ANC 6D

recognizes that these two areas, among others, are owned by the National Park Service and at least in the eyes of the public will be incorporated within the new Southwest Waterfront. ANC 6D encourages that HMW and the National Park Service of National Capitol Area to work collaboratively to create a welcoming, integrated and well-maintained park space along this wonderful Waterfront. ANC motion 7-11-11

HMW response 7-15-11: Agree except that the Maine Lobsterman statue may be moved within the overall Project Site to a suitable location that is acceptable to the National Park Service.

HMW response at Discussion from 8-10-11: Land that the Maine Lobsterman statue currently resides will remain National Park Service land and HMW intends to re-landscape area

# [ANC6D Accepts 8-22-11]

25. Ward Six - ANC 6D requests that the Applicant memorialize its commitment to the residents of Ward 6, particularly the low and moderate income residents, who were not among those named in the LDA as targets of community benefits. ANC motion 7-11-11

#### HMW response 7-15-11:

- The LDA includes Exhibit F- a First Source Agreement executed by DOES and the developer on July 8, 2008. Page 2 of this document states "Subject to the terms of this agreement, EMPLOYER shall cause at least 51% of all new jobs created in connection with the Project to be filled by District of Columbia residents with at least 20% of those jobs filled by residents of Ward 8... and shall use good faith diligent efforts to hire residents of Southwest Washington, DC for such new jobs."
- HMW has funded \$250,000 to District for establishment of Workforce Intermediary Program and will fund a total of \$1,000,000. HMW is working with District and the new administration on the establishment of a workforce program and intends for this program to benefit residents of Ward 6, as well as others in the District.
- HMW is collaborating with DCHA to focus jobs/training efforts on public housing residents in Ward 6, specifically in Greenleaf, Syphax, and James Creek and intends to develop a program modeled on Mandarin/DCHA jobs program
- The approved Master Development Plan with DC dated October 13, 2010 indicates that in contracting and procurement on the project, "preference is to be given to certified businesses located in Wards 5, 6, 7, and 8"

[ANC6D Accepts 8-22-11]

26. Implementing and Monitoring of Benefits – ANC 6D requests that the Applicant agree to ongoing collaboration with at least three SW neighborhood-oriented committees or sub-committees including to focus on implementation of the community benefits as they can relate to the immediate SW and Near SE neighborhood in the areas of 1) workforce development, 2) CBEs and 3) affordable housing. ANC motion 7-11-11

HMW response 7-15-11: Outreach with community has been ongoing and is anticipated to continue through Stage 2 PUD process and through construction of the project. HMW will continue to work with ANC 6D and other Southwest neighborhood oriented committees that are acknowledged by the ANC in the areas of workforce development, certified business enterprise hiring, and affordable housing.

# [ANC6D Accepts 8-22-11]

27. District/Developer/Community Partnership – ANC 6D requests that the Applicant agree to be one of the developer partners that will join District and community partners in planning and implementing the establishment of a long-needed community center in SW to address the many needs for community enrichment and services to support the world-class neighborhood envisioned.

HMW response 7-15-11: Outreach with community has been ongoing and is anticipated to continue through Stage 2 PUD process and through construction of the project. HMW agrees to forge an ongoing relationship with ANC 6D and the community to realize the vision for a long needed community center.

# [ANC6D Accepts 8-22-11]

28. {ANC6D Housing Preference: ANC6D asks the developer to give preference in affordable housing to ANC6D residents as defined by the 2011 configuration of ANC6D. ANC addition to motion of 8-22-11}

{ANC6D Approves 8-22-11}

#### **EXHIBITS**

- Exhibit A 6th Street Section looking SW (submitted by HMW)
- Exhibit B Plan Section of Parcel 10/11 (submitted by HMW)
- Exhibit C Arena Stage Letter of Support and supporting diagrams (submitted by HMW)
- Exhibit D Illustrative Plan October 2010 before Arena Stage (submitted by HMW)
- **Exhibit E** Site Plan for St. Augustine's Church showing 21"11" set back from Maine Avenue SE curb to front fascia of church.

Exhibit  $A - 6^{th}$  Street Section – looking SW





# Exhibit B – Plan Section of Parcel 10/11

# PARCEL SECTION THROUGH 10&11





SECTION THROUGH PARCELS 10 & 11

HOFFMAN - MADISON WATERFRONT

SOUTHWEST WATERFRONT

JULY 18, 2011

# Exhibit C – Arena Stage Letter of Support and supporting diagrams



Molly Smith Artistic Director Edgar Doble Managing Director Zelda Fichandler Founding Director

April 1, 2011 Case # 11-03

Anthony J. Hood, Chairman Zoning Commission for the District of Columbia 441 4th Street, NW, Suite 200 S Washington, DC 20001

Dear Chairman Hood and Members of the Commission:

Arena Stage is pleased to submit this letter of support for the planned unit development (PUD) application for the redevelopment of the Southwest Waterfront by the Hoffman-Madison Waterfront development team ("Developer").

The Developer has been an ardent supporter of the new Arena Stage at the Mead Center for American Theater, and our newly completed \$130 million redevelopment. The Developer's team has met with Arena Stage, and our architect, Bing Thom, on numerous occasions to discuss the Southwest Waterfront project, pursue synergies with the Arena Stage redevelopment, and to review the Developer's specific project plans. As part of those discussions, the Developer has been willing to consider a broad range of topics. When we expressed concerns about protecting and enhancing the views from our new facility, especially from the public areas designed to provide water views for our patrons, the Developer responded with changes to their plans to accommodate those concerns.

Since last August, we have engaged in productive discussions to ensure mutual success, compatibility, and interaction between the Arena Stage and the redevelopment of the Southwest Waterfront. Issues of great importance to Arena Stage, which have been addressed by the developer in the plans, include view corridors, the size and locations of open space and public areas, prescribed uses and amenities, scale and location of buildings, water features and safe pedestrian movement across Maine Avenue. We hope that the Zoning Commission will be mindful of the contributions of these elements to the synergistic relationship between the waterfront redevelopment and Arena Stage. Accordingly, Arena Stage provides this letter in support of the Developer's plans as reflected in the PUD application.

Finally, in our discussions with the Developer, Arena Stage has expressed a strong desire that the public benefits to be approved by the Commission as part of the PUD include access for our patrons to off-street parking within the Southwest Waterfront project, a set-aside of a portion of the proposed affordable housing for Arena Stage artists/fellows/interns, provision of convenient dining options, a bus lay-by, and potential periodic programming in public space, all in a safe and welcoming environment. The Developer has expressed a commitment to Arena Stage to work with us on these benefits in the second stage PUD application; we consider these features, particularly the parking and artist housing, to be critical to achieving the highest degree of success for the redevelopment of this important section of Washington, DC.

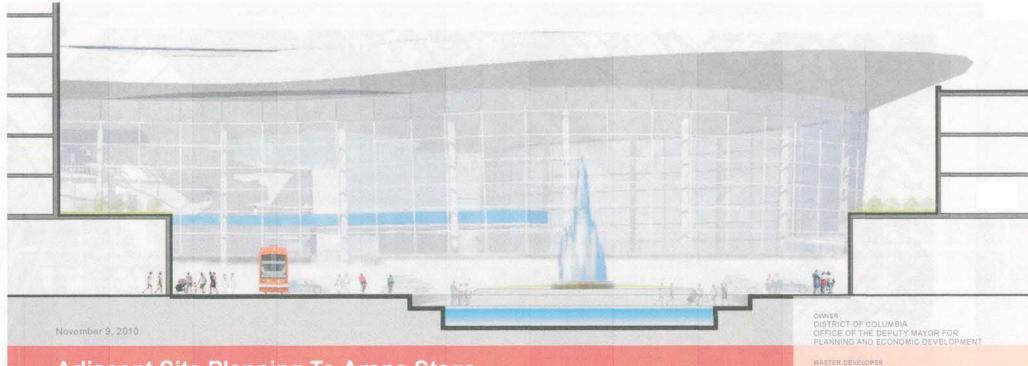
Thank you for the opportunity to express our support for this innovative and ambitious project. We believe that the Developer's plans will enhance Arena Stage's visibility and prominence as the very best in performing arts and create the kind of lively, attractive waterfront that will benefit not only Arena Stage, but the entire city.

Sincerely,

Molly Smith
Artistic Director

Edgar Dobie
Managing Director

David Shiffrin Board Chair



# Adjacent Site Planning To Arena Stage

HOFFMAN-STRUEVER WATERFRONT LLC

SOUTHWEST WATERFRONT

HOFFMAN-STRUEVER WATERFRONT, LLC

HOLLAND & KNIGHT, LLP

ARCHITECT & MASTER PLANNER EHRENKRANTZ ECKSTUT & KUHN ARCHITECTS

LANDSCAPE ARCHITECT MATTHEWS NIELSEN

MARINE ENGINEER MOFFATT & NICHOL

CIVIL ENGINEER AND SURVEYOR A. MORTON THOMAS & ASSOCIATES, INC.

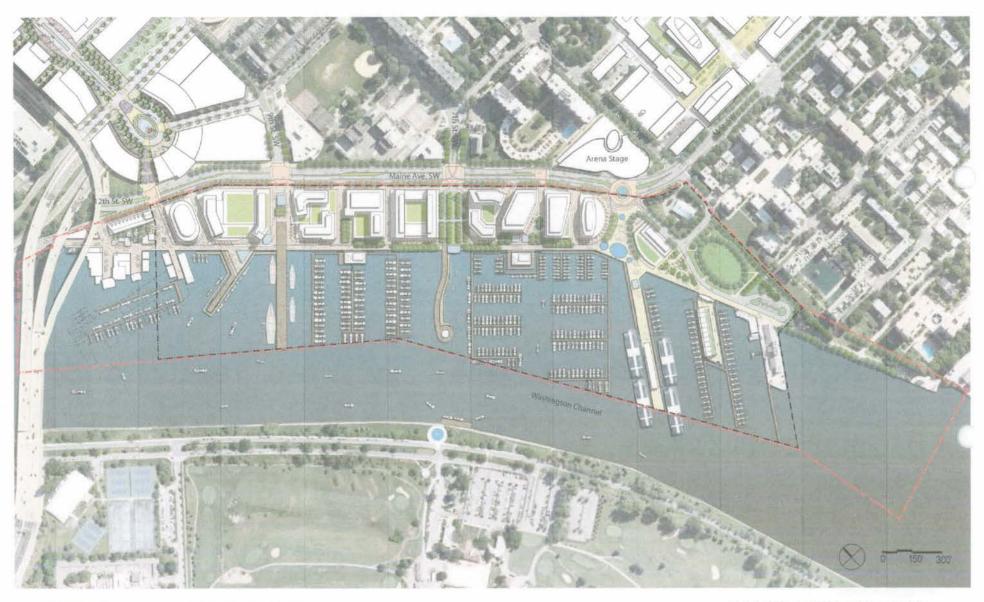
TRAFFIC AND TRANSPORTATION GOROVE / SLADE ASSOCIATES

ENVIRONMENTAL CONSULTANT

STRUCTURAL ENGINEER RESTL DESIGNERS, INC.

MEP ENGINEER SETTY & ASSOCIATES INTERNATIONAL, LTD.

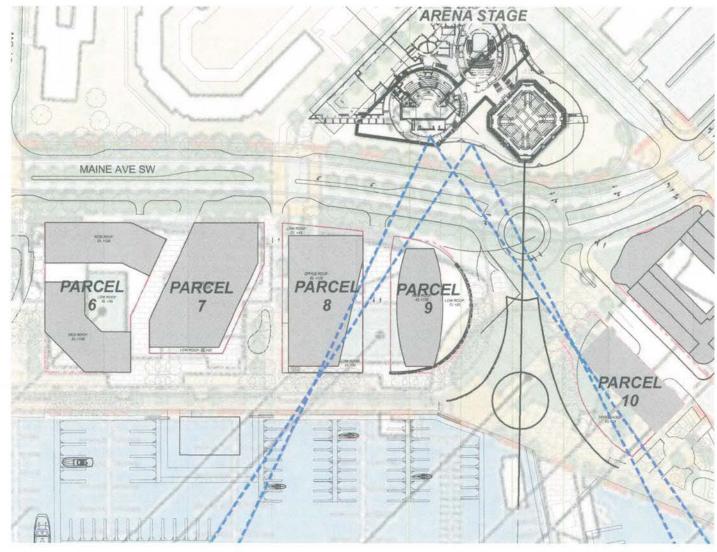






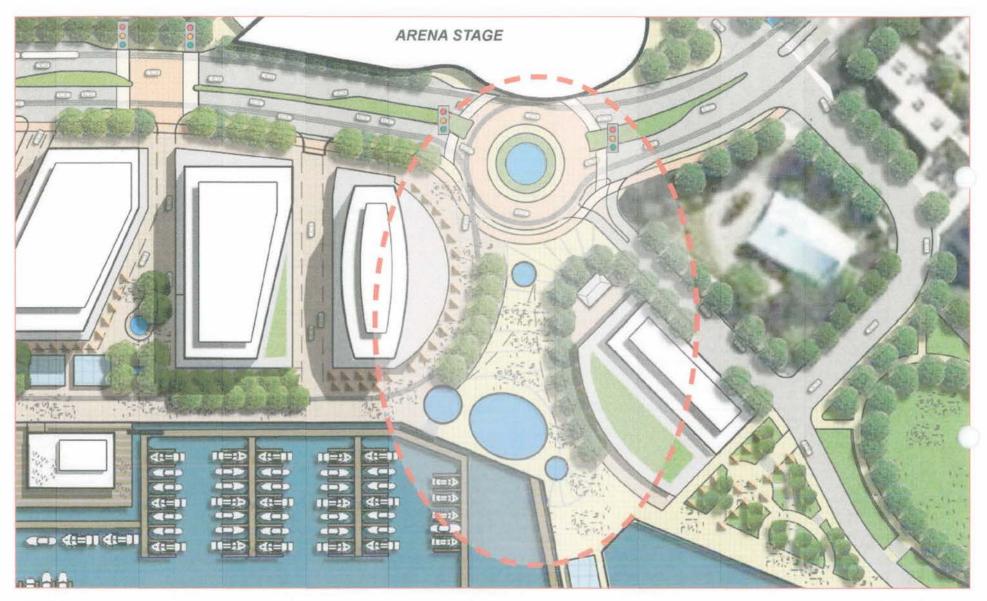
SOUTHWEST WATERFRONT

ILLUSTRATIVE SITE PLAN NOVEMBER 9, 2010

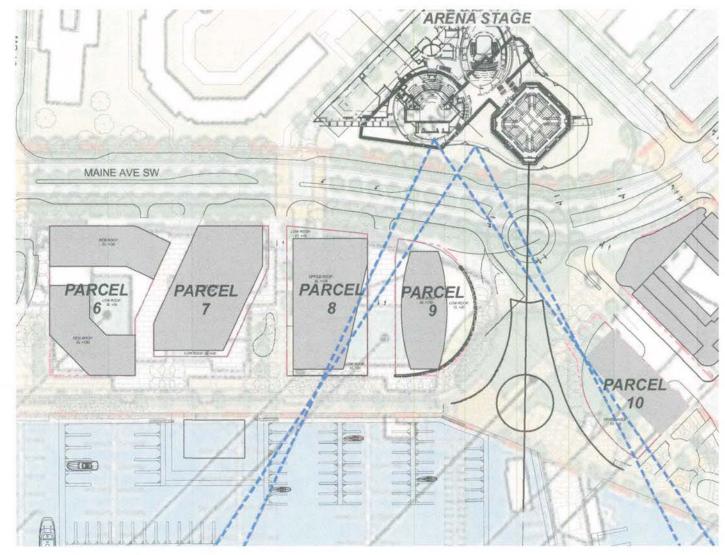






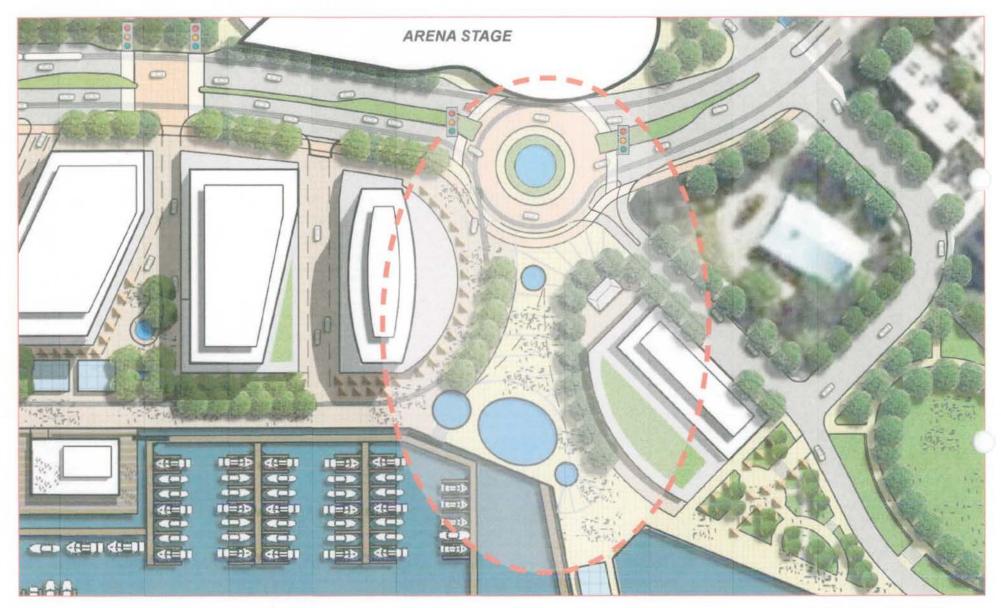














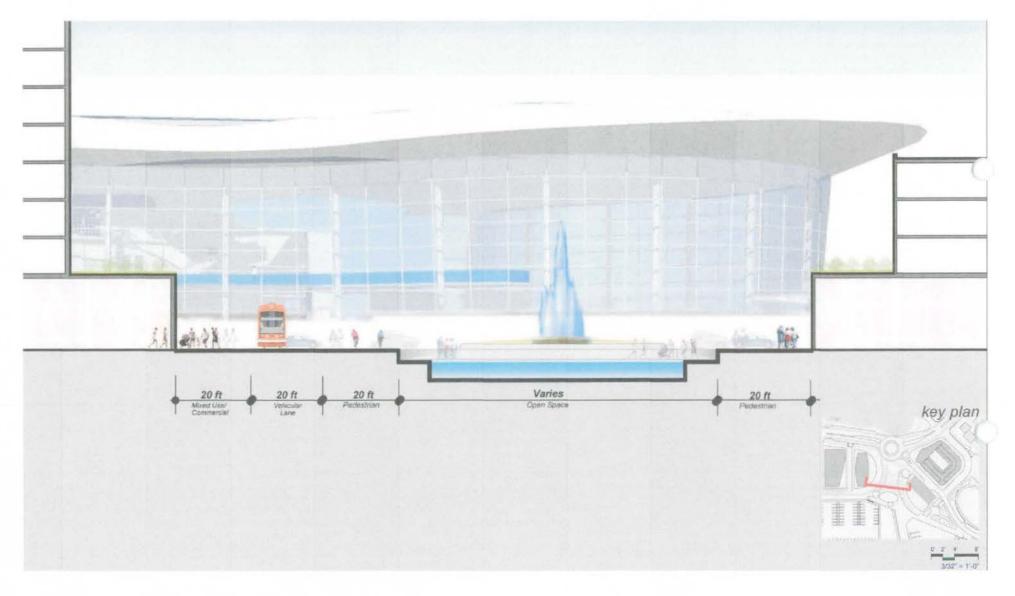




Exhibit D – Illustrative Plan October 2010 before Arena Stage



Ehrenkrantz Eckstut & Kuhn Architects

Hoffman-Struever Waterfront LLC

Southwest Waterfront Illustrative Plan

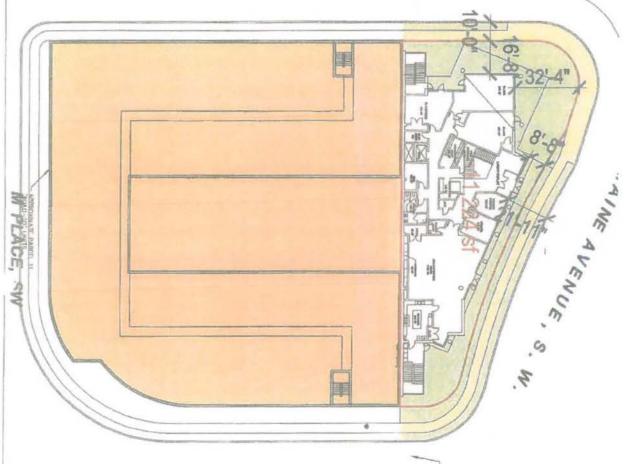
November 20 2009





Exhibit E – Site Plan for St. Augustine's Church showing 21"11" set back from Maine Avenue SE curb to front fascia of church.

WATER STREET, S. W.



6TH STREET, S.W.

3HU BRUD X3





EAST PARK (PARCEL 11)

typical floor plan scheme 8 pnhoffman

