



Near Southeast/Southwest

Advisory Neighborhood Commission 6D

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July 12, 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 regularly scheduled and publicly called (via website, flyers, and constituent emailing list) meeting on Monday, July 11, 2011, at which a quorum (4 being a quorum) of ANC Commissioners attending, ANC 6D voted 7-0-0 to support the Resolution supporting ZC 11-03 (Hoffman Madison-Marquette Southwest Waterfront First Phase PUD).

At that same meeting with a quorum (4 being a quorum) of ANC Commissioners attending, ANC 6D voted 7-0-0 to authorize Commissioners Litsky and McBee to represent ANC 6D regarding this issue before the Board, and to authorize Commissioner Litsky to direct the cross examination of the case.

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

Sincerely,

Ron McBee
Chairman 6D

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ZONING COMMISSION
District of Columbia
CASE NO. 11-03
EXHIBIT NO. 45

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

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:

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 within residential areas. HMW will provide a more precise diagram to demonstrate how tour busses will arrive 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.

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ZONING COMMISSION
District of Columbia

CASE NO. 11-03

Transportation – 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 to 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. This is a blatant abrogation of their responsibilities as a District department.

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.

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.

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.

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.

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.

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.

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.

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.

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. The St. Augustine Episcopal Church bulges out on Parcel 11 eliminating views on the southern half of the grand boulevard leading to the Southwest Waterfront from points east. This violation of the L’Enfant Plan is inconsistent with existing and proposed buildings lining M Street and should be brought in line to successfully create a sense of arrival at the Waterfront – as promised in plans for the Waterfront going back more than eight years -- among other urban design objectives. 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.

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.

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.

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 reserved a small visitor parking lot which may be located on Pier Four should that be approved for residential use and for the DC Harbor Patrol.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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;

Implementing and Monitoring of Benefits – ANC 6D requests that the Applicant agree to on-going collaboration with at least three SW neighborhood-oriented committees or sub-committees 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.

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.

Signed and Dated

A handwritten signature in black ink, appearing to read "Ron McBee". The signature is fluid and cursive, with the first name "Ron" and last name "McBee" clearly distinguishable.

Ron McBee
Chairman 6D

July 12, 2011