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VIA IZIS AND HAND DELIVERY

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

Re: Applicant's Supplemental Prehearing Submission – Z.C. Case No. 11-03C
Second-Stage Planned Unit Development for
Parcel 1 at the Southwest Waterfront
Southwest, Washington, DC

Dear Members of the Commission:

On behalf of the Applicant for the above-referenced application, and pursuant to Section 3013.8 of the Zoning Regulations, we hereby submit one original and seven copies of the following supplemental prehearing information in support of the above-referenced application.

Updated Architectural Plans and Drawings

The Applicant has prepared a full set of updated architectural plans and drawings which reflect information submitted as part of the prehearing statement filed on October 30, 2015, as well as design refinements made by the Applicant since the initial submission of the application. These refinements include:

- Changes to the entry vestibule and the addition of a canopy above the main lobby entrance along Maine Avenue;
- Building atrium facing the Wharf changed from four-stories to three-stories high;
- Modification of façade panel details to be more open at the building corners;
- Point supported glass facade module changed from 10' glass panes to 5' glass panes;
- Habitable penthouse height increased from 15'-0" to 16'-0";
- Penthouse cladding made darker and includes more metal and less glass; and
- Additional green roof added to penthouse roof.

In addition to the design refinements listed above, the Applicant has added a new, two-story water wall feature along the Maine Avenue façade. This was done in response to

comments made by the Office of Planning and the Commission regarding the need to evaluate ways to activate this portion of the façade that is adjacent to the proposed Parcel 1 Building loading facilities. In its prehearing statement, the Applicant noted several factors that could limit the ability to provide an active ground floor use in this portion of the building. These factors include the need for the trash room, fire control room, and loading facilities to be in proximity to Maine Avenue, and the undesirability of having these utilitarian uses located along Market Square and the Wharf. In addition, the location of the garage entrance ramp, which was approved as part of the Second-Stage PUD in Z.C. Case No. 11-03A and is currently under construction, is located along Blair Alley and cannot be moved to provide greater depth for an active use along Maine Avenue.

In light of the limitations noted above, the Applicant is proposing a two-story water wall feature along the Maine Avenue façade between the main building entrance and Blair Alley. As shown on Sheets 1.38 and 1.39 of the updated architectural plans and drawings, this feature will be composed of dark stone panels installed in a saw tooth pattern, which is the same pattern proposed along one of the walls of the main building lobby. The stone panels of the water wall will have a rough, exposed aggregate surface that will create an interesting visual effect.

Parcel 1 Transportation Study

Attached hereto is a Traffic Statement (the “Statement”) prepared by Gorove/Slade Associates and submitted to the District Department of Transportation (“DDOT”), as required by 11 DCMR §3013.8. The Statement reviews the transportation aspects of the Parcel 1 Building and concludes that the building will not have a detrimental impact on the surrounding transportation network for the following reasons:

- The overall development plan for Parcel 1 has decreased since the First-Stage PUD, thus resulting in a decrease in the expected number of AM and PM peak hour trips;
- The site will supply an appropriate amount of vehicular and bicycle parking, and will be designed to promote non-auto modes of transportation;
- The development will implement the Transportation Demand Management (TDM) plan included as part of the Statement; and
- New traffic generated by the Parcel 1 Building will have minimal impact on surrounding streets that can be mitigated through minor signal timing adjustments.

Along with utilizing the TDM plan prepared as part of the First-Stage PUD for the Southwest Waterfront, the following site-specific TDM strategies are being considered for the Parcel 1 Building:

- A member of the property management group will be a point of contact and will be responsible for coordinating, implementing, and monitoring the TDM strategies. This

would include the development and distribution of informational and promotional brochures to patrons and employees regarding transit facilities and services, walk and bicycle facilities and linkages, and car sharing;

- The Applicant will post all TDM commitments on-line, publicize availability, and allow the public to see what commitments have been proffered;
- The Applicant will install Transportation Information Center Displays (kiosks) within the office lobby containing printed materials related to local transportation alternatives and maintain a stock of materials at all times. The marketing program should also utilize existing resources such as www.goDCgo.com, which provides transportation information and options for getting around the District; and
- To encourage transit utilization by both Metrorail and Metrobus, employees may fund a SmarTrip or other transit account with pre-tax dollars from their paycheck.

With respect to loading, the Statement includes an assessment of the adequacy of the proposed loading facilities. This information was specifically requested by the Office of Planning and the Commission at the October 19, 2015, setdown meeting in response to the Applicant's request for loading flexibility. The Statement includes information related to truck maneuverability and anticipated loading demand. Regarding maneuverability, the Statement finds that 30-foot delivery trucks will be able to access the loading facilities proposed along Blair Alley directly from Maine Avenue, as shown on Sheet 3.2 of the attached updated architectural plans and drawings. According to the Statement, under the most conservative estimate, that being a scenario where all retail space is devoted to restaurant uses, the Parcel 1 Building is expected to have an average daily loading demand of approximately five van-sized deliveries and approximately four 30-foot truck deliveries. Based on this conservative estimate, the Statement concludes that the projected loading demand can be accommodated by the two proposed 30-foot berths if loading activities are spread evenly throughout the day. The Statement includes the following specific loading operation restrictions and guidance:

- A representative of the Operations Manager will supervise all deliveries to the loading dock. This dock manager will monitor vehicle, bicycle, and pedestrian traffic on the internal streets during loading ingress and egress and direct truck movements to minimize conflicts, especially when wide trucks are maneuvering down the alley in two-way traffic;
- Trucks using the loading dock will not be allowed to idle and must follow all District guidelines for heavy vehicle operation including but not limited to DCMR 20 – Chapter 9, Section 900 (Engine Idling), the regulations set forth in DDOT's Freight Management and Commercial Vehicle Operations document, and the primary access routes listed in the DDOT Truck and Bus Route System;
- Delivery trucks will not be permitted to maneuver during peak periods when traffic volumes are highest or at times that would conflict with trash collection. Peak periods are defined as weekdays (excluding holidays) from 7-9 AM and 4-6 PM; and
- High-turnover retail and restaurant delivery trucks will not be allowed to use the loading dock during times of high retail and restaurant traffic in The Wharf. Therefore, the dock

will close to these delivery vehicles at 4:00 pm on weekdays and at 11:00 am on weekends.

Areas of Flexibility

As a result of refinements made to the proposed Parcel 1 Building design, and in response to Commission comments provided at the October 19, 2015, setdown meeting, the areas of zoning and design flexibility requested for the project have been modified since the initial application. For the Commission's convenience, included below is an updated list of the areas of flexibility requested by the Applicant:

Penthouses

The Applicant continues to request flexibility for penthouse setbacks, enclosing walls with multiple heights, and, pursuant to Section 411.4(c) of the newly adopted penthouse regulations, to allow the habitable portion of the penthouse to contain a bar, restaurant, and/or cocktail lounge. With regard to penthouse setback, as discussed in the initial application, the Applicant has carefully designed the penthouse level of the building to ensure that the penthouse meets the 1:1 setback requirements along exterior walls that face public streets, which in this case is Maine Avenue. In addition, the penthouse also meets the setback requirements along the majority of the exterior walls that will face private streets and open spaces. However, as a result of constraints imposed on the building's column grid due to the ongoing construction of the parking garage, code requirements for separation of means of egress, and the unique articulation of the building, a small portion of the penthouse sits flush with the edge of the roof along the facade facing the Wharf and Washington Channel, with a setback provided at the tenth floor. In addition, a small section of the penthouse is not fully setback along the side of the building facing Market Square, where the façade is recessed to add articulation and breakdown the scale to better relate to Market Shed and the Fish Market. The extent of setback flexibility along this façade measures only 14 linear feet of a total 134 linear feet of penthouse. As noted in Exhibit A of the Applicant's prehearing statement, based on longstanding interpretations of the federal 1910 Height of Buildings Act (the "Act"), the requested flexibility from the roof structure setback requirement of the Zoning Regulations can be granted without violating the Act.

The Applicant requests flexibility to allow penthouse mechanical space with multiple heights. While the newly adopted penthouse regulations allow penthouse mechanical space, penthouse habitable space, and equipment screening to each have a different height, individually they must be designed to a uniform height. As proposed, the Parcel 1 Building's penthouse mechanical space will have two separate heights. The majority of the proposed mechanical space will have a height of 18'-6", with the remainder having a lower height of 16'-0". The two different heights are a result of the size and function of the mechanical equipment within these areas. The mechanical equipment within the portion of the penthouse that is 18'-6", will contain equipment intended to serve the entire building; and therefore is larger in size and has a higher height requirement. In contrast, the 16'-0" portion of the mechanical penthouse will only contain equipment that services the habitable penthouse; and therefore is smaller in size and does not

require the additional enclosure height. Thus, the Applicant has reduced the height of this portion of the mechanical penthouse to 16'-0", the same height as the adjacent habitable penthouse space.

Under the newly adopted penthouse regulations, buildings and structures within the C-3-C District, such as the Parcel 1 Building, will be permitted to have habitable space devoted to any use permitted within the C-3-C District, with the exception of a nightclub, bar, cocktail lounge, or restaurant which would only be permitted as a special exception if approved by the Board of Zoning Adjustment. Although the Applicant has not yet determined what the specific use(s) of the habitable portion of the penthouse will be, considering the mixed-use, entertainment type environment sought for the Southwest Waterfront, it is reasonably foreseeable that the Applicant may look to have an eating and drinking establishment in the Parcel 1 Building penthouse. Thus, the Applicant requests the necessary flexibility to allow a bar, restaurant and/or cocktail lounge use within the Parcel 1 Building penthouse, in addition to any other use that is permitted as a matter-of-right in the C-3-C District. As expressed in the prehearing statement submitted on October 30, 2015, a nightclub use is not included in this requested area of flexibility.

Loading

Finally, the Applicant is requesting flexibility from the prescribed loading requirement for the Parcel 1 Building. Section 2201.1 of the zoning regulations requires that the Parcel 1 Building provide three (3) 30'-0" loading berths, one (1) 20' service/delivery loading space, and three (3) loading platforms each measuring 100 square feet, 300 square feet total. The Applicant is proposing two (2) 30'-0" loading berths, and a 250 square foot loading platform. As demonstrated in the Applicant's transportation study, the proposed loading facilities will be sufficient to accommodate the loading demand generated by the Parcel 1 Building.

Other Minor Flexibility

The Applicant has made every effort to provide a level of detail that conveys the architectural design of the proposed building, and that does not require flexibility from the requirements of the Zoning Regulations. Nonetheless, some flexibility is necessary to address potential issues that arise during construction and other issues that cannot be anticipated at this time.

In addition to the technical areas of zoning flexibility described above, the Applicant requests additional flexibility in building design for the following areas:

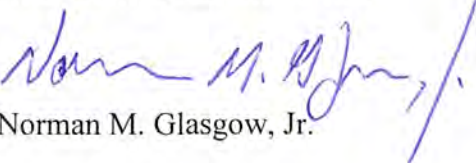
1. To adjust the total amount of office and retail gross floor area $\pm 5\%$;
2. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atria and mechanical rooms, provided that the variations do not change the exterior configuration of the building;

3. To make refinements to exterior building details and dimensions, including belt courses, sills, bases, cornices, railings, roof, skylight, architectural embellishments and trim, window mullions and spacing, or any other changes to comply with the District of Columbia Building Code or that are necessary to obtain a final building permit or any other applicable approvals;
4. To locate retail entrances and signage in accordance with the needs of the retail tenants and to vary the façades, as necessary;
5. To vary the design and location of building signage, including all retail signage, in accordance with the District of Columbia sign regulations in effect at the time of permit;
6. To permit the selection of either the terra cotta panel, metal panel, or combination terra cotta/metal panel exterior façade system, to vary the depth of the façade panels, and to vary the final color of the panels based on availability at the time of construction without reducing material quality;
7. To permit the selection of travertine or other similar stone used on the exterior building façade, based on availability at the time of construction without reducing the quality of materials, and provided the final selection is similar in color and texture to what is shown in the approved plans; and
8. To vary the final selection of the open space paving materials within the color ranges and material types as proposed, based on constructability and availability at the time of construction.

We look forward to the Commission's consideration of this application at the January 21, 2015, hearing. Should there be any questions or need for additional information I am available to respond to staff.

Sincerely,

HOLLAND & KNIGHT LLP



Norman M. Glasgow, Jr.

Enclosures

cc: Jennifer Steingasser, Office of Planning (w/encl., via hand delivery)
Joel Lawson, Office of Planning (w/encl., via hand delivery)
Sam Zimbabwe, District Department of Transportation (w/encl., via hand delivery)
Advisory Neighborhood Commission 6D (w/encl., via hand delivery)
Marjorie Lightman, ANC 6D01 (w/encl., via hand delivery)
Stacy Braverman Cloyd, ANC 6D02 (w/encl., via hand delivery)
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Southwest Library