

BEFORE THE  
ZONING COMMISSION  
FOR THE DISTRICT OF COLUMBIA

PHASE 2  
SOUTHWEST WATERFRONT / THE WHARF  
(SQUARE 0473, LOT 878, 881, 821, 887, 888)  
SOUTHWEST WASHINGTON, D.C.

Z.C. CASE NO. 11-03J

PREHEARING STATEMENT OF THE APPLICANT  
FOR A  
FIRST-STAGE PLANNED UNIT DEVELOPMENT MODIFICATION AND  
SECOND-STAGE PLANNED UNIT DEVELOPMENT

August 4, 2017

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## DEVELOPMENT TEAM

<b>Applicant &amp; Developer</b>	Wharf Phase 3 REIT Leaseholder LLC 690 Water Street, SW Washington, DC 20024
<b>Property Owner</b>	District of Columbia Office of the Deputy Mayor for Planning and Economic Development 1350 Pennsylvania Avenue, NW, Suite 307 Washington, DC 20001
<b>Architect (Horizontal) &amp; Master Planner</b>	Perkins Eastman DC, PLLC 1250 23rd Street, Suite 475 Washington, DC 20037
<b>Architect (Parcel 6 &amp; 7)</b>	Design Architect: SHoP Architects PC 233 Broadway 11 <sup>th</sup> Floor New York, NY 10279  Architect of Record: WDG Architecture 1025 Connecticut Avenue, NW Washington, DC 20036
<b>Architect (Parcel 8)</b>	ODA 250 Park Avenue South Third Floor New York, NY 10003
<b>Architect (Parcel 9)</b>	Rafael Vinoly Architects PC 50 Vandam Street New York, NY 10013
<b>Architect (Parcel 10)</b>	Morris Adjmi Architects 60 Broad Street 32nd Floor New York, NY 10004
<b>Architect (WB1)</b>	Hollwich+Kushner 1 Whitehall Street 14th Floor New York, NY 10004

**Architect (WB2)**

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New York, NY 10003

**Architect (WB3)**

STUDIOS Architecture  
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Washington DC 20036

**Landscape Architect**

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11th Floor  
Brooklyn, NY 11241

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Suite F  
Charlottesville, VA 22902

**Marine Engineer**

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Baltimore, MD 21224

**Civil Engineer and Surveyor**

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Washington, DC 20002

**Traffic and Transportation**

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Washington, DC 20036

**Land Use Counsel**

Holland & Knight LLP  
800 17<sup>th</sup> Street, NW, Suite 1100  
Washington, DC 20006

## **LIST OF EXHIBITS**

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
A	Responses to Zoning Commission and Office of Planning comments
B	List of the Applicant's Witnesses, Outline of Testimony, and Estimated Time Required For Presentation of Applicant's Case
C	List of Maps, Plans or Other Documents Readily Available To The Public, Which May Be Offered Into Evidence
D	List of Names and Addresses of All Property Owners Within 200 Feet of the Subject Property

**CERTIFICATION OF COMPLIANCE**  
**WITH SUBTITLE Z § 401 OF THE ZONING REGULATIONS**

The undersigned hereby certifies that, in accordance with Subtitle Z § 401 of the Zoning Regulations, two (2) copies of the information listed below were filed with the Zoning Commission on August 4, 2017; and, in accordance with Subtitle Z §401.5, the application shall not be modified less than twenty (20) days prior to the public hearing.

<b><u>Subsection</u></b>	<b><u>Description</u></b>	<b><u>Page</u></b>
401.1(a)	Responses to comments by Zoning Commission and Office of Planning	Exhibit A
401.1(b)	List of witnesses	Exhibit B
401.1(c)	Outline of Applicant's testimony	Exhibit B
401.1(c)	Resumes of expert witnesses	To be submitted no later than 20 days prior to the initial public hearing (11-Z DCMR § 401.5)
401.1(d)	Additional information introduced by the Applicant	N/A
401.1(e)	Supplemental and revised architectural plans and drawings	To be submitted no later than 20 days prior to the initial public hearing (11-Z DCMR § 401.5)
401.1(f)	List of maps, plans or other documents readily available To the public that may be offered into evidence	Exhibit C
401.1(g)	Estimated time required for presentation of Applicant's case	Exhibit B

401.3(a)

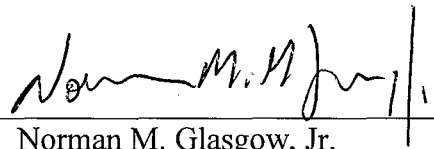
List of names and addresses of all property owners within 200 Feet of the subject property

Exhibit D

401.8

Report by Traffic Consultant

To be submitted no later than 30 days prior to the initial public hearing  
(11-Z DCMR § 401.8)

By:   
Norman M. Glasgow, Jr.

## I. INTRODUCTION

This Prehearing Statement and the attached documents are submitted by Wharf Phase 3 REIT Leaseholder LLC (the “Applicant”), on behalf of the District of Columbia Office of the Deputy Mayor for Planning and Economic Development (“DMPED”), in support of its application for a Second-Stage planned unit development (the “Second-Stage PUD”) and a modification to an approved First-Stage PUD (“First-Stage PUD”) for Phase 2 of the Southwest Waterfront redevelopment project, collectively referred to herein as the “Phase 2 PUD.”

Pursuant to Order No. 11-03 (dated October 17, 2011 and effective December 16, 2011), the Commission approved a First-Stage PUD and a zoning map amendment for the Southwest Waterfront redevelopment project. The approved map amendment rezoned the PUD Site from W-1 and R-3 to C-3-C, with the exception of Parcel 11, which was rezoned to R-5-B, and Parcel 10, which maintained its existing W-1 zoning. In addition, the W-1 zone was extended into the Washington Channel to new pierhead lines.

The First-Stage PUD divides the landside portion of the PUD Site into 11 principal building parcels, a number of smaller landside and waterside structures, four major plazas, one large park, a waterfront promenade/shared space, as well as public and private piers. The waterside development includes club buildings for the marinas, buildings on existing Piers 3 & 4, and other minor waterside buildings and facilities. In addition, the parks included in the redevelopment project include smaller retail structures and pavilions.

The area comprising the Phase 2 PUD contains the principal landside buildings and structures located on Parcels 6 – 10 of the Southwest Waterfront redevelopment project, two below-grade parking structures, three principal waterside buildings known as WB1, WB2, and WB3, and the completion of the Wharf Marina. The Phase 2 PUD also includes various landside

and waterside accessory structures and kiosks; public areas and open spaces, and several improvements to public and private streets and alleys. The landside portion of the Phase 2 PUD is located in Record Lot 89 of Square 473, and includes Assessment & Taxation (“A&T”) Lots 878, 881, and 921, which collectively comprise approximately 322,738 square feet of land area. The waterside portion of the Phase 2 PUD includes A&T Lots 887 and 888, which collectively comprise approximately 666,683 square feet of riparian area.

Regarding the landside portion of the Second-Stage PUD, on Parcels 6 and 7, the Applicant proposes a mixed-use building containing approximately 523,770 square feet of gross floor area (“GFA”) of office and retail/service uses (“Parcel 6/7 Building”). The Parcel 6/7 Building will have a maximum height of approximately 130 feet and a penthouse with a maximum height of 20 feet. On Parcel 8, the Applicant proposes a mixed-use building containing approximately 370,859 GFA of mixed-income residential, hotel, and retail/service uses (“Parcel 8 Building”). The Parcel 8 Building will have a maximum height of approximately 130 feet and a penthouse with a maximum height of 20 feet.

On Parcel 9, the Applicant proposes a mixed-use building containing approximately 227,962 GFA of residential and retail/service uses (“Parcel 9 Building”). The Parcel 9 Building will have a maximum height of approximately 130 feet and a penthouse with a maximum height of 20 feet. On Parcel 10, the Applicant proposes a mixed-use building containing approximately 76,314 GFA of office and retail/service uses (“Parcel 10 Building”). The Parcel 10 Building will have a maximum height of approximately 60 feet, and a penthouse with a maximum height of approximately 18’-6”. The Applicant will also construct two parking garages below Parcels 6 - 10 that will collectively contain approximately 846 vehicle parking spaces and approximately



610 long-term bicycle parking spaces. In addition, approximately 129 short-term bicycle parking spaces will be provided on the surface and within the parking garages.

For the waterside portion of the Phase 2 PUD, the Applicant will construct three principal buildings and complete the Wharf Marina. The first building, referred to as Water Building 1 (“WB1”), will contain approximately 11,886 GFA of maritime service/retail uses and be constructed to a maximum height of approximately 35 feet, not including penthouse. The second building, Water Building 2 (“WB2”), will contain approximately 16,150 GFA of maritime service/retail uses and will be constructed on a fixed pier to a maximum height of approximately 35 feet, not including penthouse. Finally, the third waterside building, Water Building 3 (“WB3”), will contain approximately 5,175 GFA of marina services and support for use primarily by the liveaboard slip license holders and non-profit groups located within the Wharf Marina. The WB3 will be constructed on a floating platform to a maximum height of approximately 38 feet.

The Phase 2 PUD application also includes the development of various accessory structures and kiosks; public areas and open spaces including M Street Landing, the Grove, and Café Terrace; and several improvements to public and private streets and alleys.

As noted above, the Phase 2 PUD application includes a request to modify the First-Stage PUD to change the mix of uses for the building proposed on Parcel 8. As approved under the First-Stage PUD, the mix of uses on Parcel 8 is to include either residential or office use above ground-floor retail. The proposed Parcel 8 building includes residential and hotel uses above ground-floor retail, thus the Applicant is requesting to modify the First-Stage PUD to add hotel use as an approved use on Parcel 8. Notwithstanding the requested change of use, the Parcel 8 building will be consistent with the previous approval by the Zoning Commission, as set forth in Order No. 11-

03. As discussed below, in response to comments from the Office of Planning, the Applicant will also include in its request to modify the First-Stage PUD changes made to the size and location of the waterside buildings contained within the Phase 2 PUD, and to the configuration of the docks and piers within Wharf Marina.

The Applicant initially filed its application statement and supporting documents with the Commission on May 12, 2017. The initial application sets forth in detail the proposed development, project design, initial requested areas of zoning and design flexibility, and a discussion of how the project meets the applicable review and approval requirements.

By report dated July 14, 2017, the Office of Planning (“OP”) recommended that the Commission schedule a public hearing on the application. At the public meeting on July 24, 2017, the Commission voted to set down the application as a contested case. As summarized below, the Commission and OP both requested additional detail and information on certain aspects of the Phase 2 PUD be submitted prior to the public hearing. This Prehearing Statement includes responses to the Commission and OP comments and requests for additional information within a narrative attached hereto as Exhibit A.

## **II. ISSUES/CONCERNS RAISED BY THE COMMISSION AND THE OFFICE OF PLANNING**

At its public meeting of July 24, 2017, the Commission voted to schedule a public hearing for the subject application. During its deliberations, the Commission expressed a preference to schedule multiple public hearings on the subject application given the number of buildings and other development components contained in the subject application and the breadth of information contained in the case record. The Commission suggested that the scope of the hearings generally

follow the organization of the separate volumes of plans that were submitted by the Applicant, as follows:

<b>HEARING #1</b>	<b>HEARING #2</b>	<b>HEARING #3</b>
<b>Overall Plan Elements / Volume C</b>	<b>Volume B</b>	<b>Volume A</b>
<ul style="list-style-type: none"> <li>· Master Plan</li> <li>· Parcel 10</li> <li>· Water Building 3</li> <li>· M Street Landing</li> <li>· The Terrace, Wharf Marina</li> </ul>	<ul style="list-style-type: none"> <li>· Parcel 8</li> <li>· Parcel 9</li> <li>· Water Building 2</li> <li>· The Grove</li> <li>· Marina Way</li> </ul>	<ul style="list-style-type: none"> <li>· Parcel 6</li> <li>· Parcel 7</li> <li>· Water Building 1</li> <li>· The Oculus</li> </ul>

Regarding the Applicant’s request to modify the First-Stage PUD, OP recommended that the Applicant also include a request to modify the approved layout of the piers, docks, and water buildings to ensure that the First-Stage PUD is consistent with what is proposed in the Phase 2 PUD. The Commission agreed with OP as to the need to include this in the Applicant’s First-Stage PUD modification request. As such, to the extent the changes made to the configuration of piers, docks, and water buildings requires a modification of the First-Stage PUD, the Applicant respectfully requests that these changes be included in the scope of its First-Stage PUD modification, and will address these changes during the first scheduled hearing as part of its presentation on the Wharf project master plan and Wharf Marina.

The Commission and OP provided several comments and requested additional information on various design components of the Phase 2 PUD, including: (i) additional information on upper level building signage, (ii) clarification on specific components of the Parcel 6/7 Building, (iii) greater detail on the renewable energy and other sustainability strategies being employed and the LEED ratings being sought, (iv) detail regarding penthouse-generated affordable housing requirements, (v) and overall greater detail on the façade / wall designs of the various buildings within the Phase 2 PUD. OP also requested the Applicant to increase the number of balconies on

the Parcel 8 Building, and consider the location of the parking entrance for the Parcel 9 Building and its relationship to the public environment. Finally, OP and the Commission requested further evaluation of the configuration of the water buildings to ensure that these structures minimize impacts on views through the site to the waterfront. As part of this evaluation, OP and Commission requested renderings showing the views toward the water from Maine Avenue and M Street, and specifically ground level renderings from Maine Avenue for all openings between buildings, including a rendering along the M Street corridor through M Street Landing.

In its report, OP also requested additional information on certain areas of the flexibility requested by the Applicant. Specifically, OP asked the Applicant to provide a rationale for why the locations and number of affordable dwelling units within the Parcel 8 Building could change from what is shown in the plans. OP also requested the Applicant to narrow the scope of building and landscape elements that could be varied as part of the Applicant's request for exterior design flexibility. Finally, OP requested additional detail on the Applicant's request for flexibility to construct the Phase 2 PUD in multiple stages, including information/plans that describe what interim site conditions would be for those buildings that were not constructed immediately.

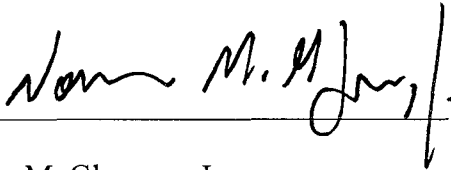
A detailed list of all comments and requests made by the Commission and OP, as well as the Applicant's response such comments and requests is attached as Exhibit A.

### III. CONCLUSION

This Prehearing Statement along with the Applicant's initial application meets the filing requirements for a Second-Stage PUD and a modification to an approved First-Stage PUD, as required under Subtitle Z, Chapters 3 and 4 of the 2016 Zoning Regulations of the District of Columbia. For the foregoing reasons, the Applicant respectfully requests that the Commission schedule the public hearings on the subject application.

Respectfully submitted:

HOLLAND & KNIGHT LLP

By:  \_\_\_\_\_

Norman M. Glasgow, Jr.