

**TESTIMONY AND NOTES AS PRESENTED TO THE ZONING COMMISSION  
ZC CASE NO. 13-12: 1333 M STREET, SE LLC  
FIRST STAGE PUD & RELATED AMENDMENT  
@ SQUARES 1025-E AND 1048-S AND RESERVATIONS 129 AND 299  
DECEMBER 1, 2014**

Presented by:  
Karen Harris  
Homeowner  
1300 block of L Street SE, Washington, DC  
ANC 6B-07

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2014 DEC 10 PM 2:34

**Petition and Letter**

The homeowners and residents of the 1300 block of L Street, SE wish to express their concern surrounding aspects of the proposed development 1333 M Street SE. While the primary concern surrounds the proposed height of the 4 buildings, there are other issues associated with a development of this size. While these issues are addressed below, they are also briefly addressed in the attached letter signed by the homeowners and residents available at the time this petition of protest was circulated.

**The Height**

The community, as it is today, enjoys a lower level scenario of 2 story homes sprinkled with some 3-story units. The intended 11-story structure is not in alignment with the overall Capitol Hill community and is definitely not complementary to the existing homes particularly those in the 1300 block of L Street SE, immediately north of the planned development. We heard that same concern expressed by the Capitol Hill Restoration Society at the ANC meeting held on November 19, 2014 at Christ Church Washington Parish, 620 G Street, SE.

During the hearing before the Zoning Commission on December 1, 2014 the developer presented plans that included items not previously discussed at the ANC meetings. These include rooftop structures, trees, and other penthouse amenities that increase the overall height of the building(s).

We understand that the area for the proposed development is currently zoned for 90 feet for industrial use. The proposed housing plan for 1333 M Street SE is for 11 stories, plus penthouse construction, and higher ceilings on the lower level, which will include some retail. This plan clearly exceeds the 90 feet (which was on the books at the time people bought their homes

in this area) and most likely exceeds the additional 20 feet on the developer's drawings, which are marked for 110 feet.

It is our opinion and concern that the intended height of the 4 buildings in this development is excessive and inappropriate for our community. We respectfully request that the Zoning Commission limit the structure to 5- or 6-story buildings or, maintain a cap at 90 feet to include penthouse construction and electrical closets.

### **Light Impact**

Currently there is a 4 story building on the corner of 12<sup>th</sup> and M Streets SE (1201 M Street SE, housing CSC and General Dynamics). Using this building as a gauge it is apparent that homeowners on the 1300 block of L Street SE will lose considerable daylight if 4 buildings, including an 11 story structure almost 3 times the height of the existing building, is placed at 1333 M Street SE. The developer has provided a computer-generated chart that indicates the L Street area would become severely shaded. While the shading does not fall onto L street proper, it creates a dim environment. In addition, the computer-generated light study does not indicate the height of the building used for the study. Is this building 90 feet or 110 feet? In addition, there are no indications of a penthouse in the light study as seen in the drawings of the intended construction. It appears that all things are not equal. The drawing of the building in the light study does not appear as the drawing of the building in the final drawings of the proposed complex.

It seems that the discussed concern for light impact on existing area residents has been limited to only "direct sunlight". We submit that the intended construction will create excessive shading and severely diminish the overall amount of light in our lives and our homes, thus directly impacting our quality of life. A reduced height to 5-story buildings would offer the community some relief.

*Note: There are many studies on the impact of the absence of light on both the mental and physical health of select populations and communities in the United States.*

### **The Intended Residents**

It has been confirmed that the developer plans to offer these apartments as rental units as opposed to condominiums. The residents of this community are concerned about the transient environment this will create. Area homeowners are use to living in a stable environment and participating in creating community. There is a shared interest and concern in the care of property, the security of the neighborhood and the overall sense of stability.

In addition, homeowners and area residents were told by an ANC6B Commissioner that the people moving to the proposed development will most likely accept the terms of limited parking availability or the potential tenant will most likely not move there. The ANC Commissioner went on to state that most potential tenants will be attracted to public transportation and will not have a parking need.

This raises the question of the potential tenant age group. Is the Commissioner (and the developer) saying mature adults, perhaps age 50 plus, are not welcome? Given the extensive discussion surrounding bikeshare opportunities it should be noted that this mature age group will ride a bicycle for recreation purposes but not as a source of dependable transportation. In addition, this age group has different interests and commitments that take them throughout the DMV metropolitan area and an automobile is generally required to maintain their long developed lifestyle and relationships, both professional and social.

### **Transportation**

As mentioned at the local ANC meeting, 1333 M Street SE does not seem to be a transportation-friendly development.

- **Parking**

With 673 units and only 220 parking spaces there will be at least 450 individuals/families that do not have parking. The developer is providing more than code requires but it is unrealistic. On one side the developer talks about attracting families and then on the other side justifies the lack of parking with the use of bikeshare. Clearly families, or any adult with a child, will have a need for a car. In addition, consider the 1 bedroom units with 2 or more adults: A high percentage, if not the majority, are most likely to have at least one vehicle between them.

During this hearing satellite parking on the west side of 11<sup>th</sup> street was addressed as a possible option for consideration. This begs the question of looking for parking wherever it can be secured. The L Street group is concerned that the limited parking currently available for homeowners and L Street residents will perhaps be utilized by residents, visitors, or retail users at the new development.

- **Street Jams**

During the hearing concern was raised about the street jams and the traffic back-ups that are already being experienced around 11<sup>th</sup>, M and Water Streets SE. The response was rather cavalier implying that this situation is easily resolved and congestion relieved by adjusting the timing of the traffic lights. Unfortunately, that has not been our experience during the congestion caused by the 695, 295 and SE freeway construction.

Specifically, the traffic light at I and 11th Streets, SE was reduced from approximately 45 seconds to approximately 15 seconds allowing only 2-3 cars to move at a time. After several calls I was told this is not something easily rectified, as it is part of a larger plan. My request was eventually addressed and a small increase in time provided some relief for traffic on I Street, SE, which had severely backed up into K Street, SE and created a hostile, aggressive environment during the morning rush.

## **Retail Space**

The original concern of the homeowners included questioning the type of vendors who will lease space in the proposed development. During the hearing we heard the developer state that his team interviewed workers at the nearby Navy Yard who expressed interest in having more places to lunch. Thus, the drawings now reflect cafes and sidewalk tables. The lunch preferences of the Navy Yard employees should not be the deciding factor for a community.

While we anticipate that the developer will provide certain life-supporting services (such as a dry cleaner, pharmacy, etc.), area homeowners are interested in retail that supports a healthy life style for the larger community such as a Trader Joe's or MOM's (Organic Market), a baker, a butcher, a seafood market. As a point of reference, there is an example of such a mixed residential/retail community recently developed in Fairfax. Look at Merrifield, Glass Alley. Although that community was built on a much larger scale, they provide a good example of excellent retail supporting a residential community.

The Capitol Hill community, specifically the L Street Residents, is opposed to any additional fast food chains. In addition we are opposed to any vendor who might attract a rambunctious audience.

And again we note that any retail establishment will serve more than the immediate residents of this development, which means that people will come from other areas of the city or suburbs to utilize these services. Where will they park? They will not all come on public transportation nor will they all ride a bike. So here again we are faced with the parking shortage. (Note: If there were not so many units there would not be such a drastic shortage).

## **Construction**

The current proposal for this development spans 16 years. The developer's counsel stated that it could possibly be completed between 12-14 years. Consistent construction for 14 years is unacceptable. Any spring, summer or autumn day that is pleasant and a homeowner wants to throw open their

windows, is also a pleasant day for the developer and contractors to work. Between the dust, the noise and the incessant beeping of a truck in reverse, there will be little opportunity to open our windows for 14 years!

In addition, the developer has created a work schedule that includes 7:00am-7:00pm every day of the week except Sunday. An exception was made for Saturdays beginning one hour later at 8:00am ending at 7:00pm. At some point the family unit should have some quiet – starting their morning with their own thoughts, and in the evening dining in peace. We respectfully request construction should be limited to 8:00am – 5:00pm Monday through Friday and 9:00-5:00pm on Saturdays.

### **The Drawings and The Space**

For the record, the homeowners would like to express their concern about the density that is about to be created in our community. The drawings for 1333 M Street SE appear spacious on paper and the development spread out. However, the reality is that there does not appear to be as much actual land as it appears. The drawings do not appear to be to scale. A visit to the site, driving down Water Street, reinforces this concern. The area will quickly become a tight, dense sector reminiscent of a city housing development.

### **The Benefits**

While the developer boasts of providing a dog park for public use, this is not a universal benefit to the community. Many of us do not have a dog. Perhaps other benefits should be considered. Is there access to a swimming pool for area residents?

### **The Pedestrian Bridge/SE Boulevard**

During the ANC meetings we were told that the developer does not provide the pedestrian bridge to connect to the riverfront. This is a DOT project. Whenever we ask about the Southeast Boulevard project, which would allow for some connection to the riverfront, we are told that plans are being developed (see attachments). In the meantime, the former highway, which would be the Southeast Boulevard, is being restored to its almost original traffic pattern. New decorative teardrop pole street lights have been installed.

As this highway project unfolded, the retaining walls were demolished and a more level/flat roadway is the result. By all appearances this is in preparation for yet another project.

## **The Flood**

During the hearing the question was raised about a floodwall. While there was some discussion, the final answer from the developer was: At the lowest point of the proposed development, which appears to be in a retail area, the river is a mere 6 feet below property and there are no immediate plans for a floodwall.


The Commissioner was wise to ask about flooding and steps to prevent damage similar to what occurred in Georgetown and what continues to occur in Alexandria on a regular basis. This is not just about preventing property damage but also taking steps to prevent unhealthy environments of mold, mildew and rodents that come with unclean water, mud and other traits of river flooding and the health consequences that follow.

## **The Train**

It should be noted that the CSX tracks next to this development are leading toward a tunnel. The tracks are also near ground level and easily accessed by pedestrians, therefore there are loud and consistent horn warnings from the train's engineer without regard to time of day or night. This does not seem to be the same situation that was previously studied at Florida Avenue/Rhode Island Avenue within the past few years.

In closing we want to thank the Commission for the opportunity to testify and for providing us the opportunity to submit a written record.

Submitted Wednesday, December 10, 2014



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Karen Harris

### **Attachments:**

- 1. Petition/Letter of Protest**
- 2. Light Study**
- 3. SE Boulevard Proposals**

**HOMEOWNERS AND RESIDENTS  
1300 BLOCK OF L STREET SE  
WASHINGTON, DC 20003-4410**

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2014 DEC 10 PM 2:34

November 19, 2014

Re: ZC #13-12, 1333 M Street SE

Advisory Neighborhood Commission  
Hill Center at the Old Naval Hospital  
921 Pennsylvania Avenue, SE  
Washington, DC 20003

**Commissioners:**

We, the homeowners and residents of the 1300 block of L Street SE, are signing this letter to express our unified concern surrounding the development at 1333 M Street SE, Washington, DC.

As you heard in a previous meeting, our area was never approached, advised or considered as a stakeholder in this process. We are particularly concerned about the height of the 3 buildings in this development. Plans that we have seen indicate heights up to 110 feet (and perhaps beyond given utility and elevator mechanism storage on the rooftop level.) We believe this will severely alter the view, the daylight, increase the noise level tremendously and in general disrupt the quality of life as we know it.

In addition, we understand that this is a mixed retail/residential property. We have questions about the oversight of the retail implementation. While we realize that there is a need for life supporting services such as a Walgreen's or CVS, dry cleaners, etc., just as examples, we are opposed to any fast food vendors, or facilities that will attract a rambunctious audience.

This letter is not intended to be the final expression of concern but the first expression of support and protest. Your immediate attention is appreciated.

Name	Address	Email or telephone
Denise Lombard	1328 L St., SE 20003	deniselombard@comcast.net
Jason & Mary Trego	1320 L St., SE 20003	202-544-1597
Dave R. Moore	1318 L St SE 20003	davem2005@hotmail.com
Keiko Ohara	1318 L St. SE 20003	alargemeadow@hotmail.com
Phil Campbell	1322 L Street SE	philcampbellme.com
Elizabeth Eddie	1342 L St SE	elizabetheddie@yahoo.com
Rick Montpelier	1342 L St SE	
Brenda Young	1356 L St.	THEREALSTAR1@verizon.net

**HOMEOWNERS AND RESIDENTS  
1300 BLOCK OF L STREET SE  
WASHINGTON, DC 20003-4410**

Signatures Continued:

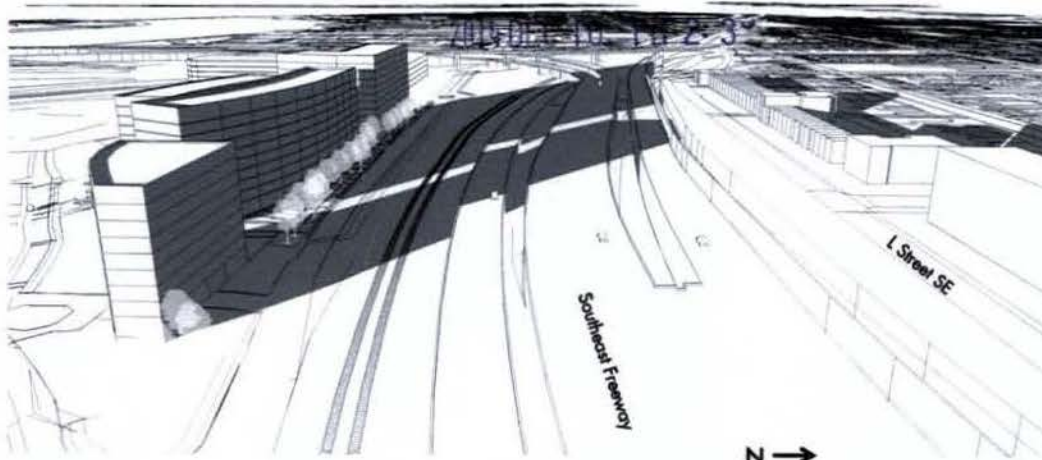
Name	Address	E-mail or Telephone
Peter BARTIS	1348 L ST SE 20003	202 544 0923 pfb11@verizon.net
Ben Zuras	1348 L St SE 20003	(202) 544-0923
<del>SMS</del> (Shannon M. Steene)	1352 L St SE 20003	(703) 624-8274
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KAREN HARRIS Karen Harris	1338 1/2 L St SE	202 543-1665 KHARRIS100@VERIZON.NET



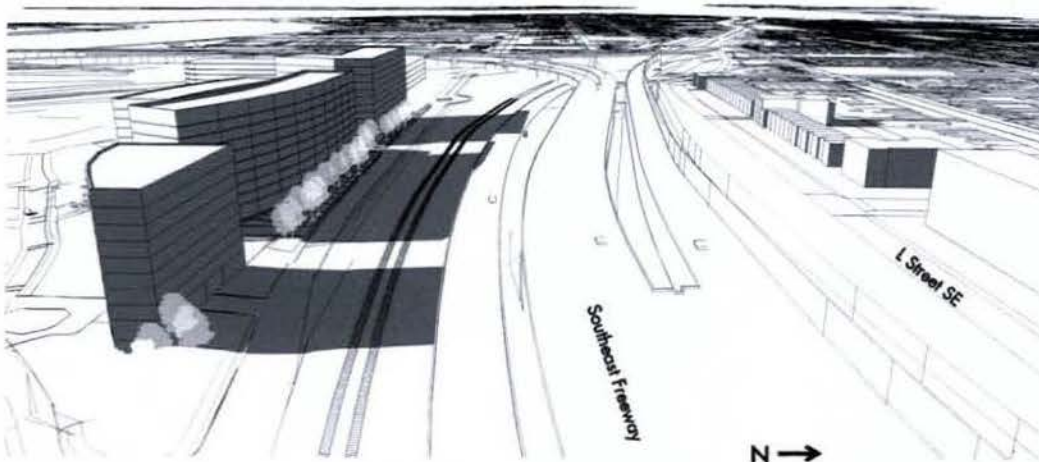
# 1333 M Street Solar Study

Winter Solstice, December 21<sup>st</sup>

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Sunrise 8:00 am



Mid-day 12:00 pm



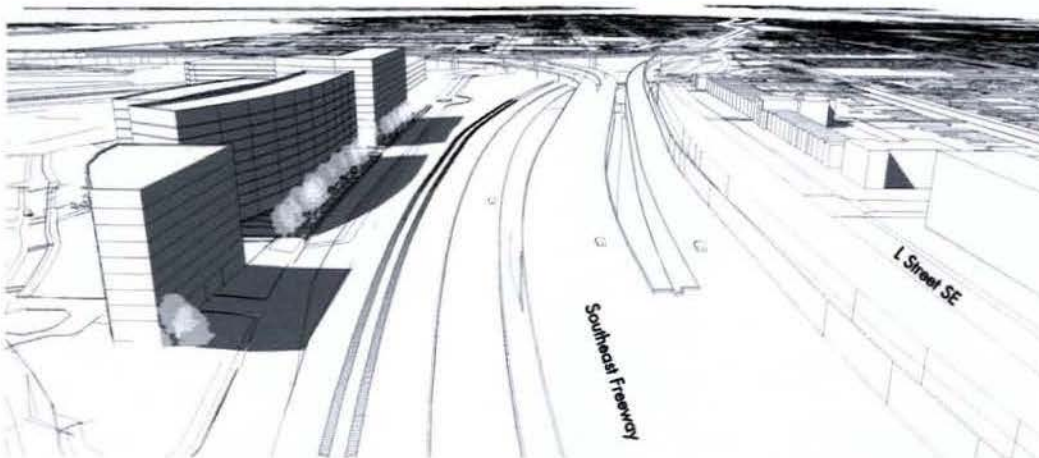
Sunset 4:00 pm

# 1333 M Street Solar Study

Spring & Autumn Equinoxes, March 20<sup>th</sup> & September 23<sup>rd</sup>



Sunrise 7:00 am



Mid-day 12:00 pm



Sunset 6:00 pm



# 1333 M Street Solar Study

Summer Solstice, June 21<sup>st</sup>



Mid-day 12:00 pm





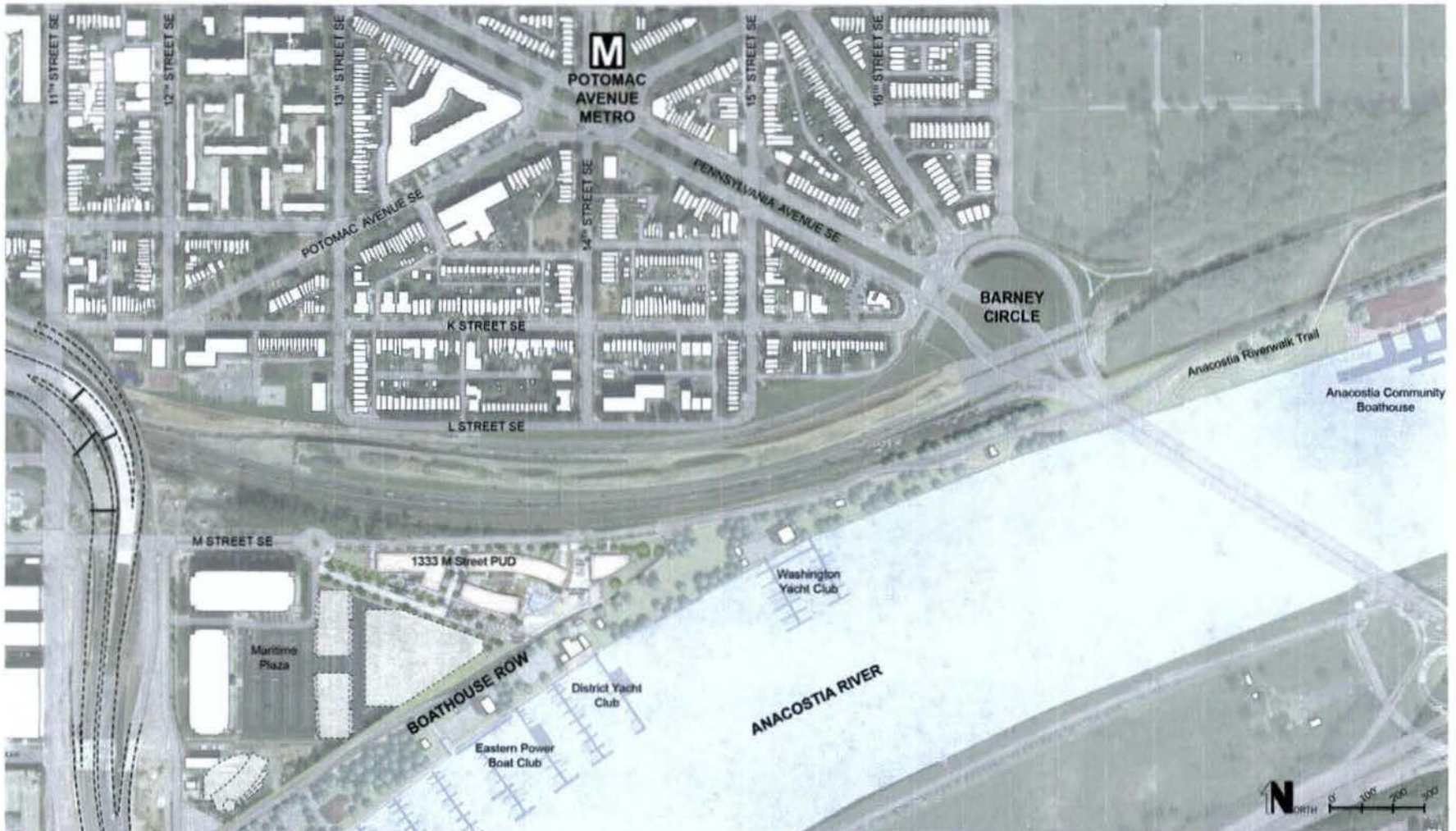
# SOUTHEAST BOULEVARD Planning Study

Washington, DC

Progress Drawings  
October 6, 2014

SMITHGROUP JIR





**SOUTHEAST BOULEVARD Planning Study**  
Washington, DC

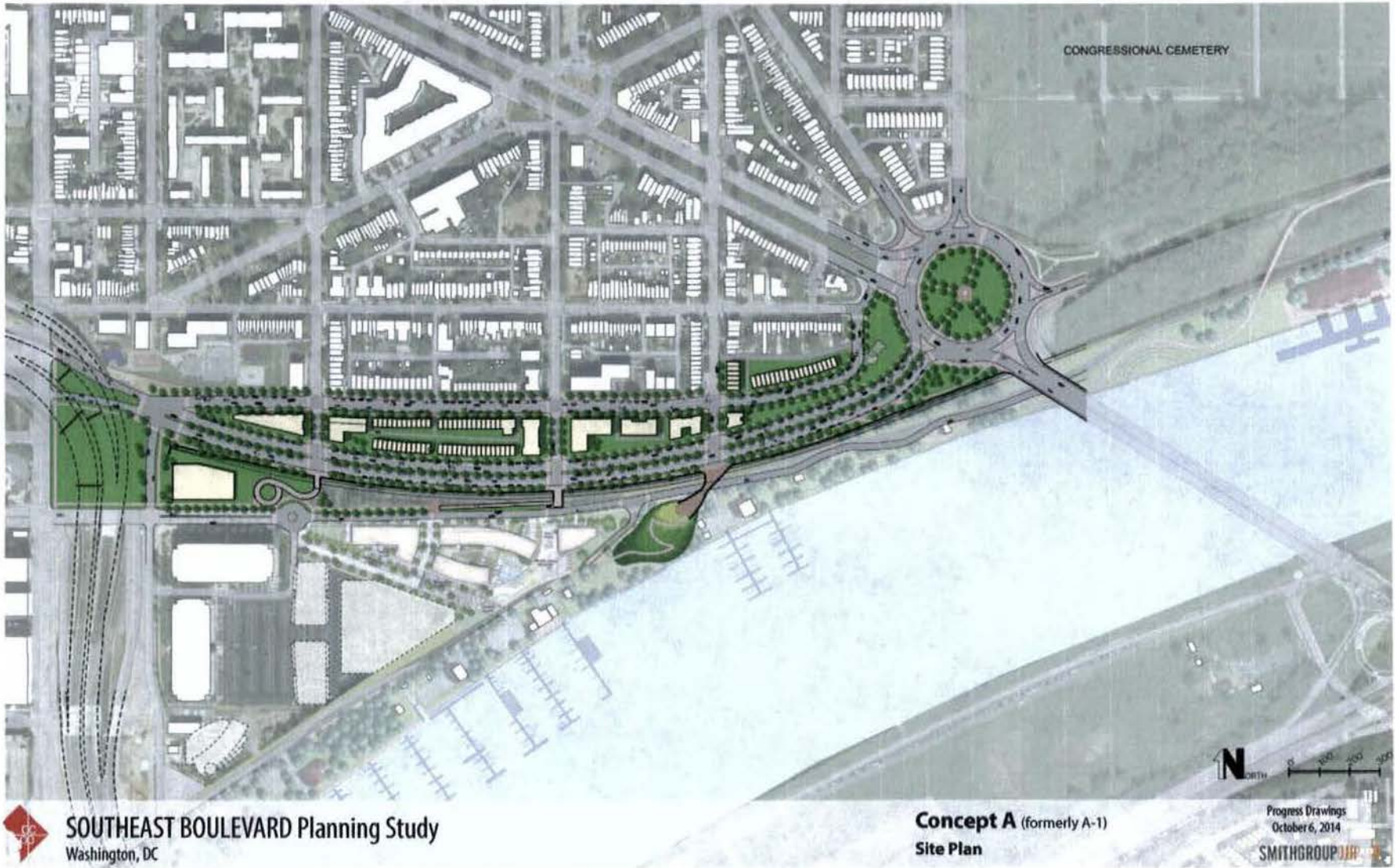
**Existing Conditions**  
**Site Plan**




Progress Drawings  
October 6, 2014







CONGRESSIONAL CEMETERY

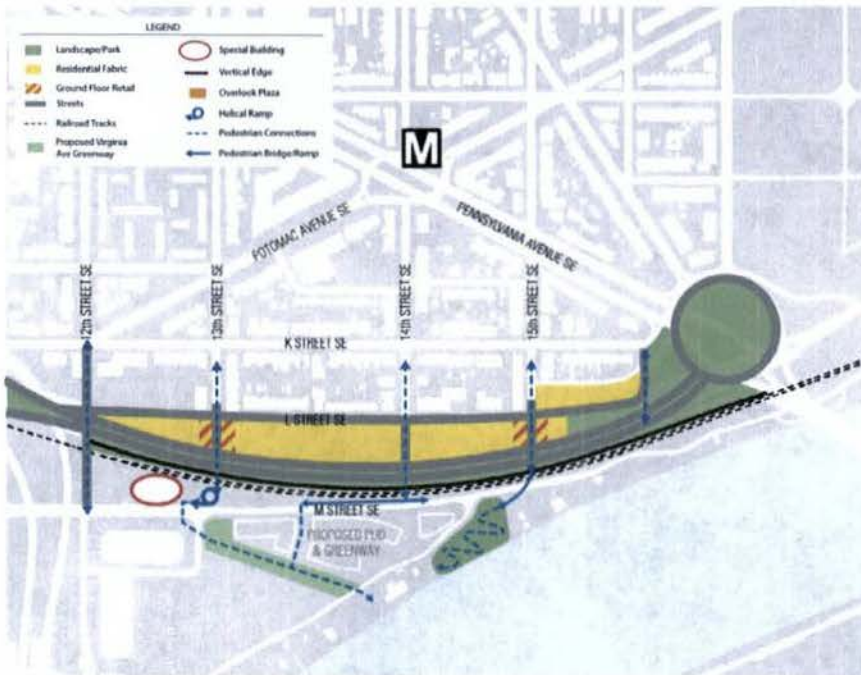
 **SOUTH EAST BOULEVARD Planning Study**  
Washington, DC

**Concept A** (formerly A-1)  
**Site Plan**



Progress Drawings  
October 6, 2014

**SMITHGROUPJJR**



### Concept A (formerly A-1)

Concept A proposes an expansion of the Capitol Hill neighborhood fabric, and street and block system. 13th, 14th, and 15th Streets SE are extended toward the Anacostia River, ending at a 4-lane boulevard north of the CSX right-of-way. Connections across the CSX tracks to the waterfront are provided for pedestrians and cyclists.

#### NEW STREETS

- New 4-lane boulevard at L-Street SE elevation extends from 11th Street to Barney Circle.
- New boulevard integrates bike lanes and on-street parking.
- Grid streets extend south and connect to the new boulevard.
- L Street SE becomes double-sided with residential on both sides of the street.

#### CONNECTIONS TO WATERFRONT

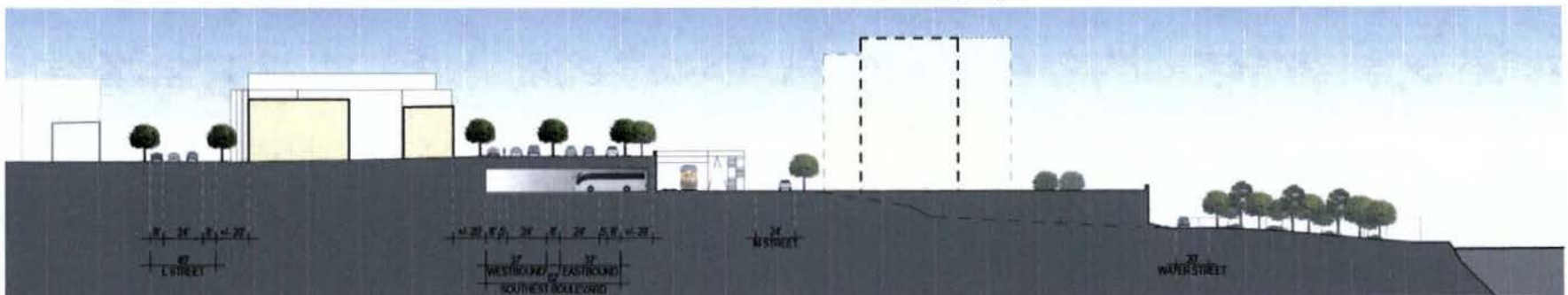
- Pedestrian connections across CSX tracks to Boathouse Row at 13th, 14th and 15th Streets SE.
- 13th Street SE connection could be a spiral ramp for pedestrians and cyclists. Allows connection across M Street to a future revitalized Virginia Avenue.
- 14th Street SE could connect to M Street SE and waterfront via pedestrian stairs and ramp.
- 15th Street SE could connect to a new park at Boathouse Row, implementing an element of the Boathouse Row Planning Study.

#### LAND USES

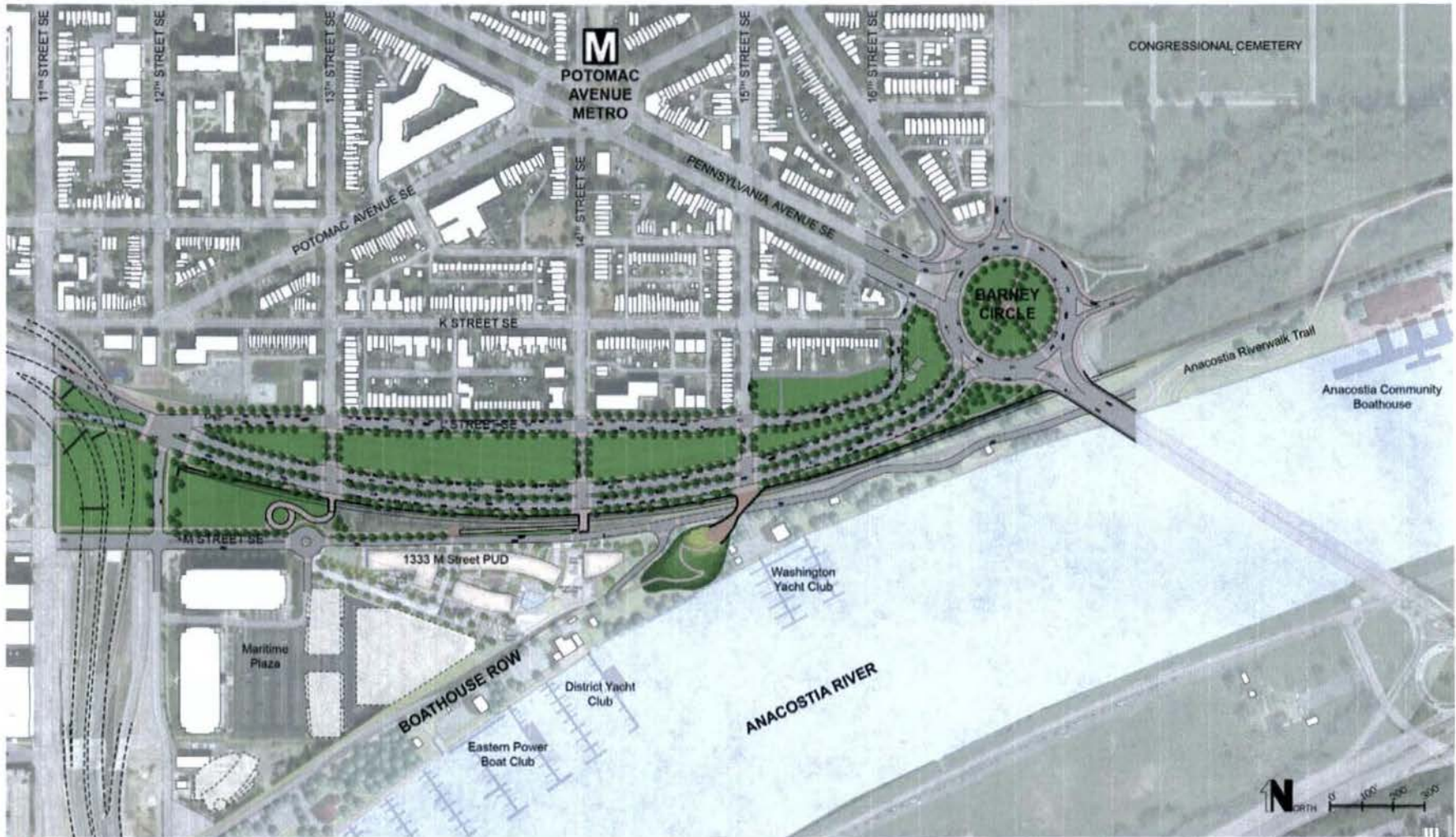
- Moderate to medium density residential - predominantly multifamily and/or rowhouse.
- Potential for a small amount of new neighborhood commercial at ground floors of buildings along extension of 13th Street, SE close to Potomac Avenue SE and future revitalize Virginia Avenue SE.
- Potential for a small amount of new neighborhood commercial at ground floors of buildings along extension of 15th Street SE, close to commercial near Barney Circle.
- Potential future new park at Boathouse Row, in keeping with the Boathouse Row Planning Study.
- Potential for a future commercial or recreational building along M Street between 12th and 13th Streets.

#### BUS PARKING

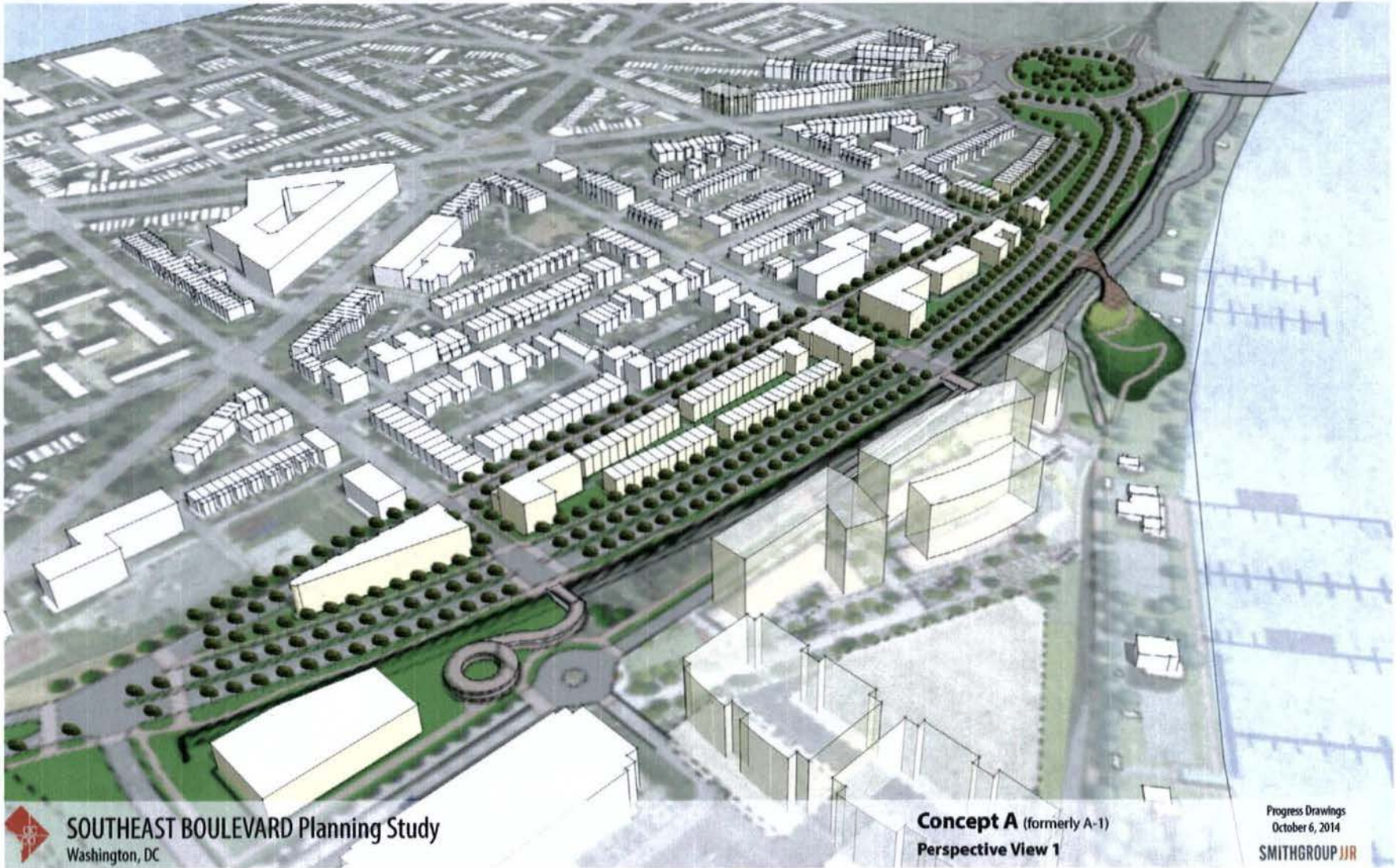
- Under-deck Commuter/ Tour Bus or Streetcar parking could potentially be located below the new boulevard right-of-way.
- Entry/ exit points for this parking area would be from 11th Street and/or Barney Circle only, ensuring vehicles do not circulate through the residential neighborhood.











**SOUTHEAST BOULEVARD Planning Study**  
Washington, DC

**Concept A** (formerly A-1)  
**Perspective View 1**

Progress Drawings  
October 6, 2014  
**SMITHGROUP JJR**





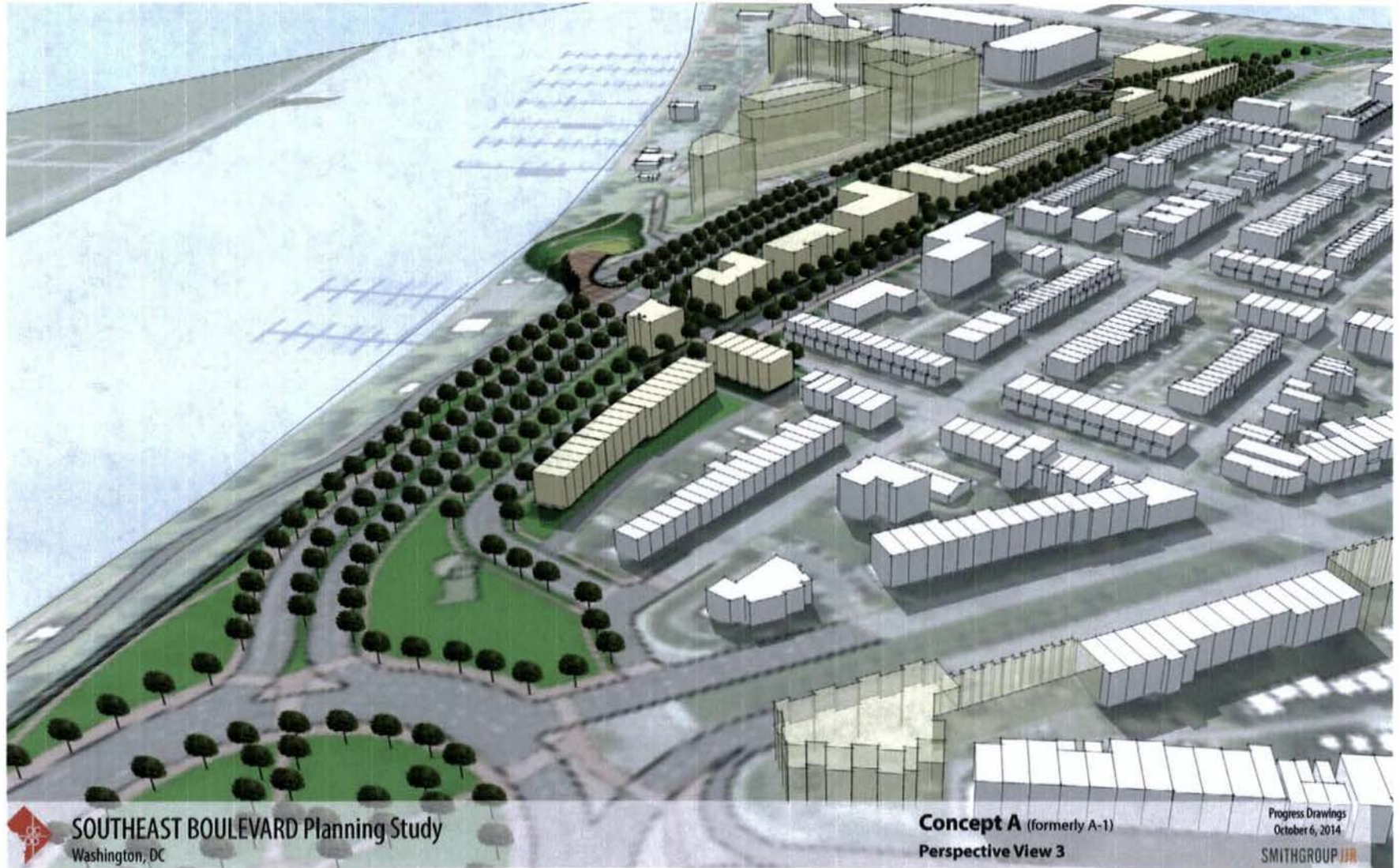
**SOUTHEAST BOULEVARD** Planning Study  
Washington, DC

**Concept A** (formerly A-1)  
Perspective View 2

Progress Drawings  
October 6, 2014

SMITHGROUP JJR



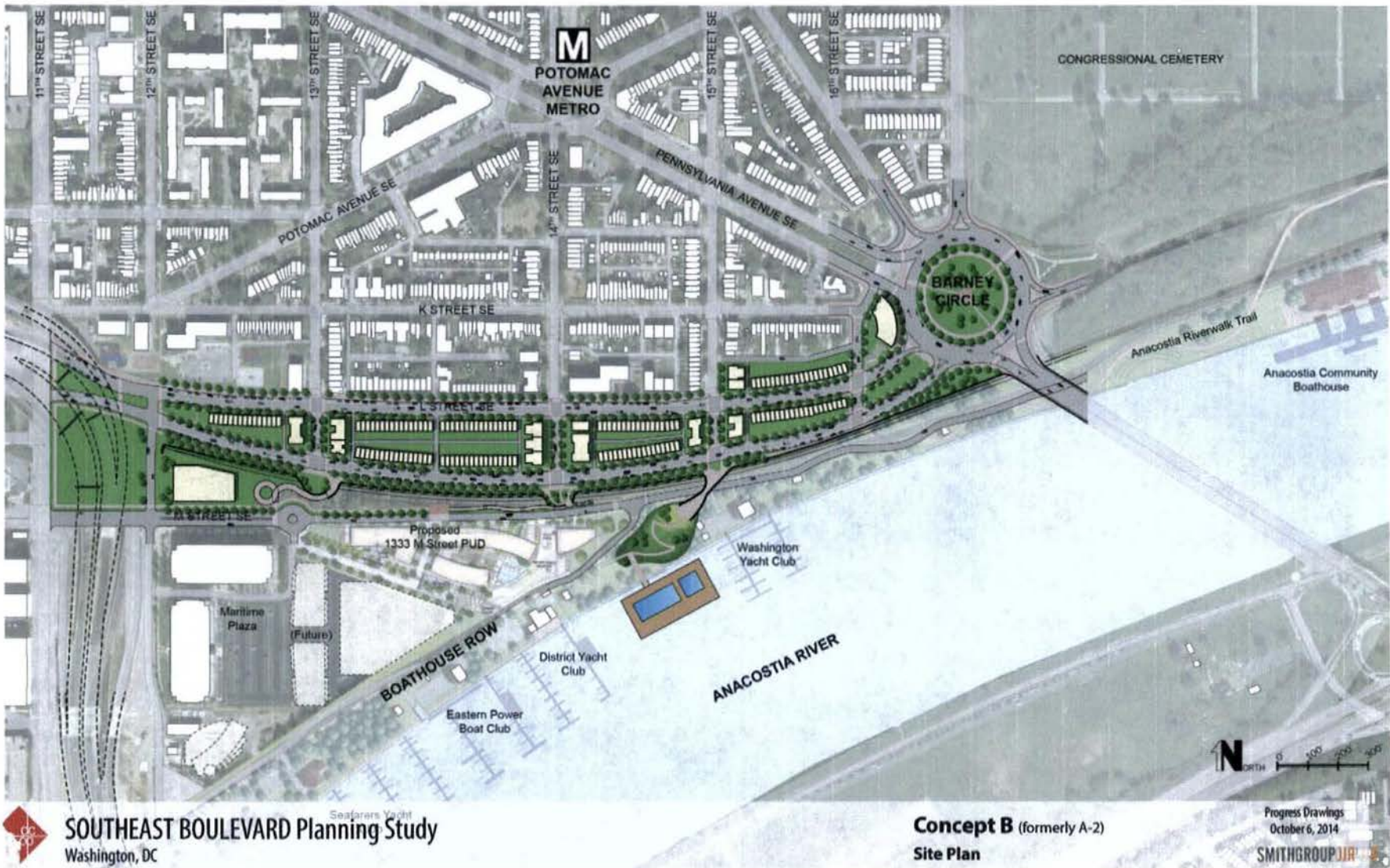


**SOUTHEAST BOULEVARD** Planning Study  
Washington, DC

**Concept A** (formerly A-1)  
Perspective View 3

Progress Drawings  
October 6, 2014  
SMITHGROUP JJR









**Concept B** (formerly A-2)

Concept B proposes an expansion of the Capitol Hill neighborhood fabric, and street and block system. 13th, 14th, and 15th and 16th Streets SE would be extended toward the Anacostia River, intersecting with a new 2-lane neighborhood street north of the CSX right-of-way. Connections across the CSX tracks to the waterfront would be provided for pedestrians and cyclists.

**NEW STREETS**

- 2-lane neighborhood street at L-Street elevation extends from 11th Street SE to Barney Circle.
- New neighborhood street integrates bike lanes and on-street parking.
- Grid streets extend south and connect to new neighborhood streets.
- L Street SE becomes double-sided with residential on both sides of the street.

**CONNECTIONS TO WATERFRONT**

- Pedestrian connections across CSX tracks to Boathouse Row at 13th, 14th and 15th Streets SE.
- 13th Street SE connection could be a spiral ramp for pedestrians and cyclists. Allows connection across M Street SE to future revitalized Virginia Avenue SE.
- 14th Street SE could connect to M Street SE and waterfront via pedestrian stairs and ramp.
- 15th Street SE could connect to a new park at

Boathouse Row, implementing an element of the Boathouse Row Planning Study.

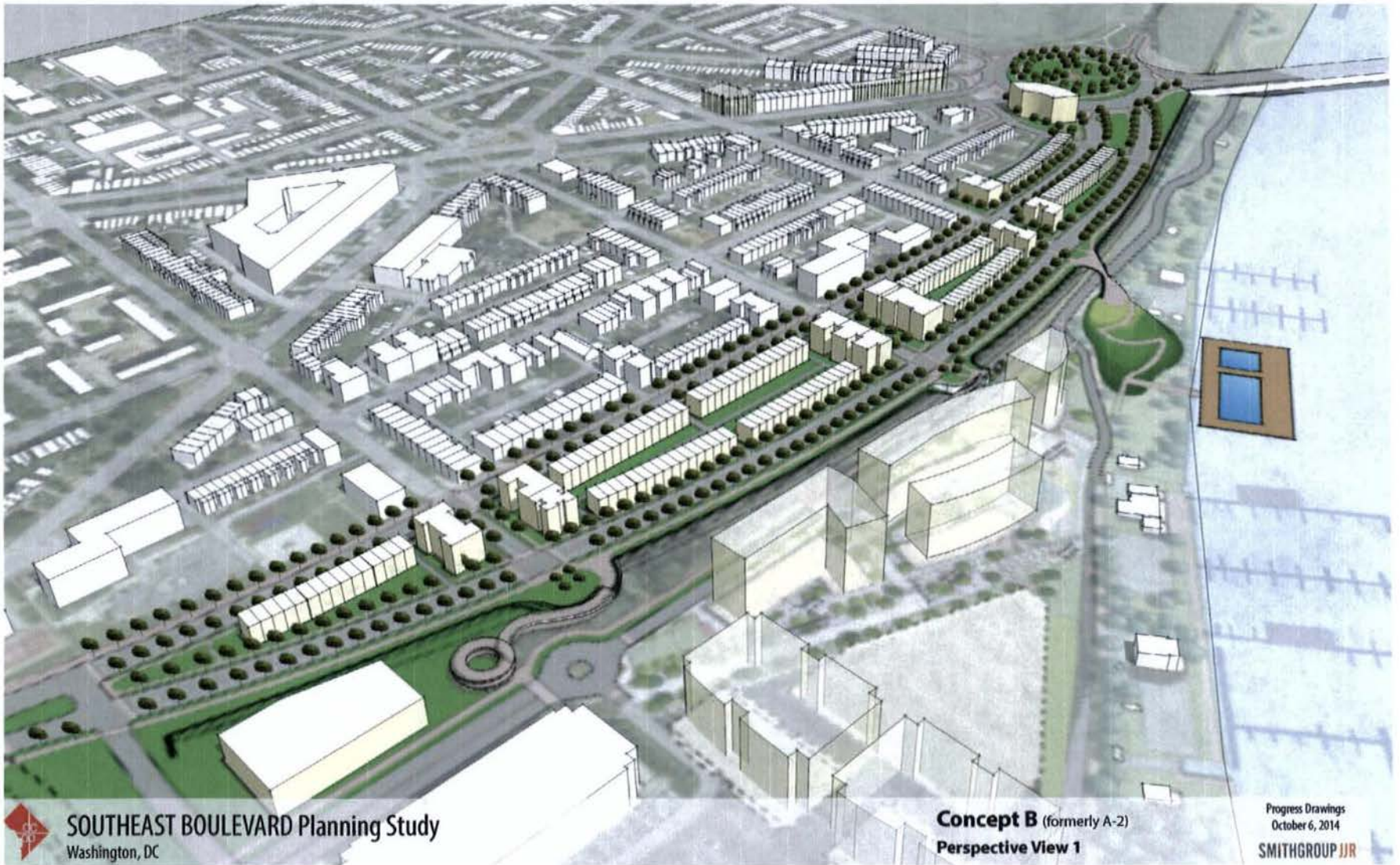
**LAND USES**

- Moderate to medium density residential - predominantly multifamily and/or rowhouse.
- Potential for a small amount of new neighborhood commercial at ground floors of buildings along extension of 13th Street SE, close to Potomac Avenue SE and future revitalized Virginia Avenue SE.
- Potential for a small amount of new neighborhood commercial at ground floors of buildings along extension of 15th Street SE, close to commercial near Barney Circle.
- Potential future new park at Boathouse Row, in keeping with the Boathouse Row Planning Study.
- Potential for a future building along M Street SE between 12th and 13th Streets SE.

**BUS PARKING**

- Under-deck Commuter/ Tour Bus or Streetcar parking may not be possible with this concept due to narrowness of street right-of-way.





**SOUTHEAST BOULEVARD** Planning Study  
Washington, DC

**Concept B** (formerly A-2)  
**Perspective View 1**

Progress Drawings  
October 6, 2014  
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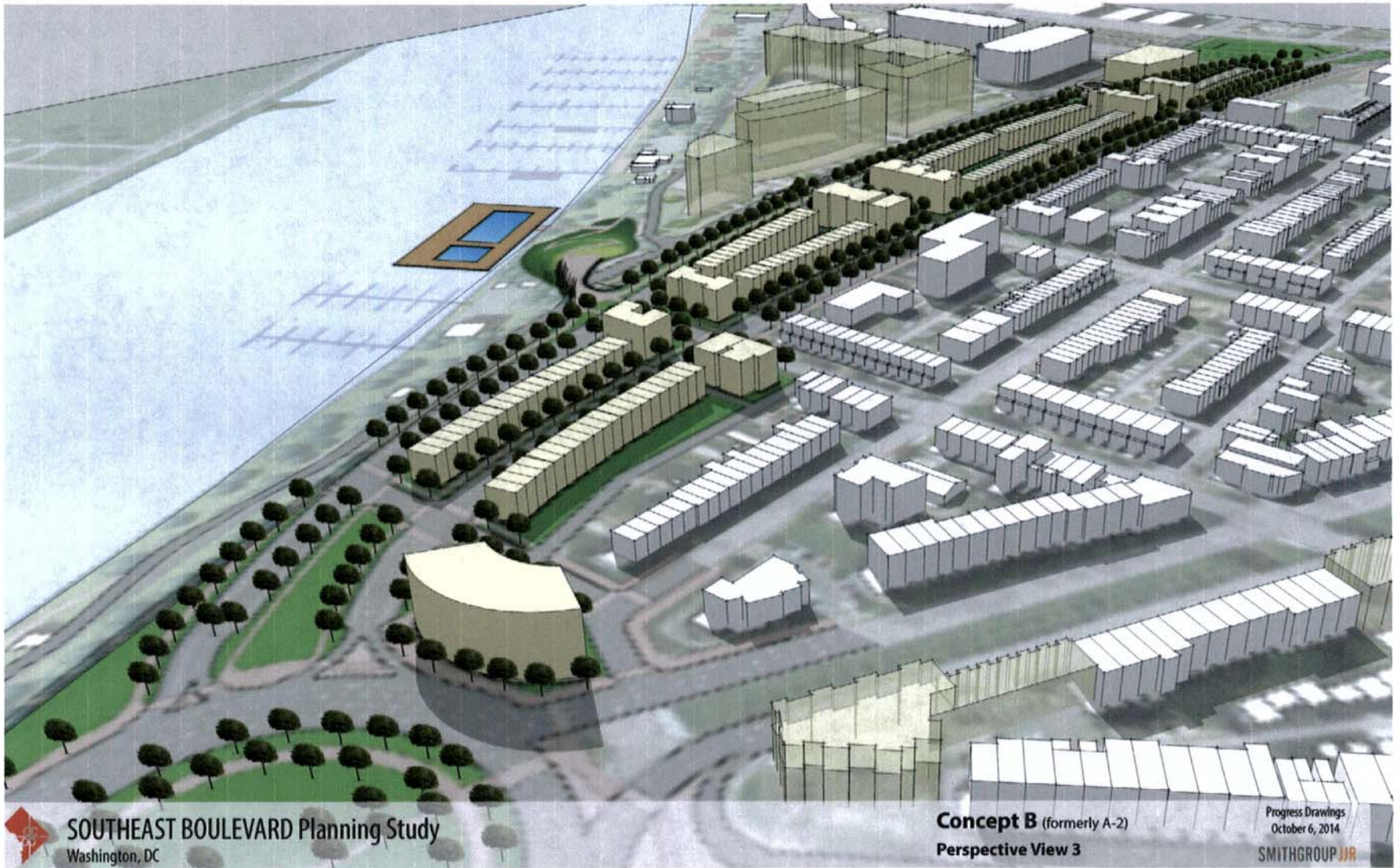


**SOUTHEAST BOULEVARD Planning Study**  
Washington, DC

**Concept B** (formerly A-2)  
Perspective View 2

Progress Drawings  
October 6, 2014  
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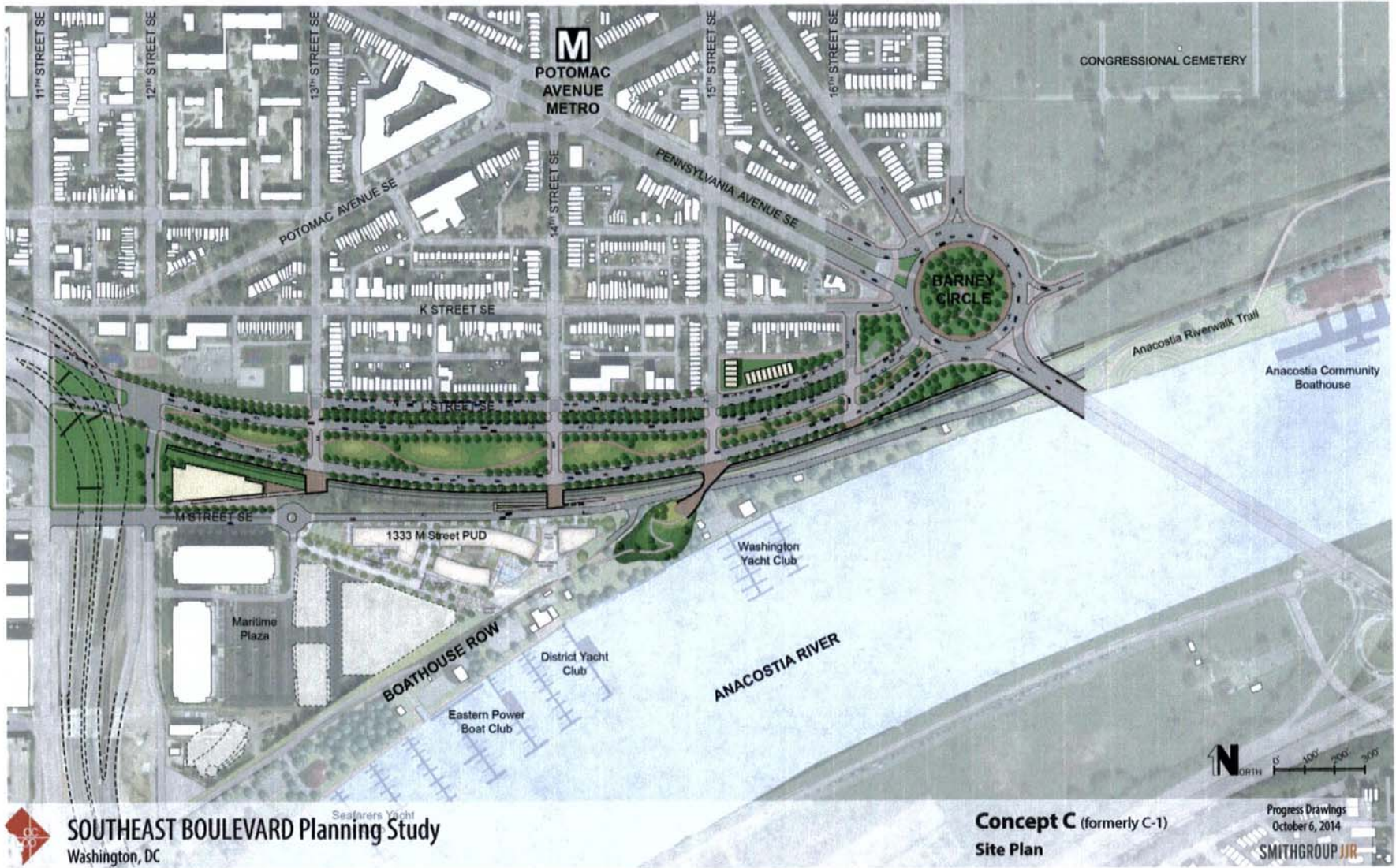


**SOUTHEAST BOULEVARD Planning Study**  
Washington, DC

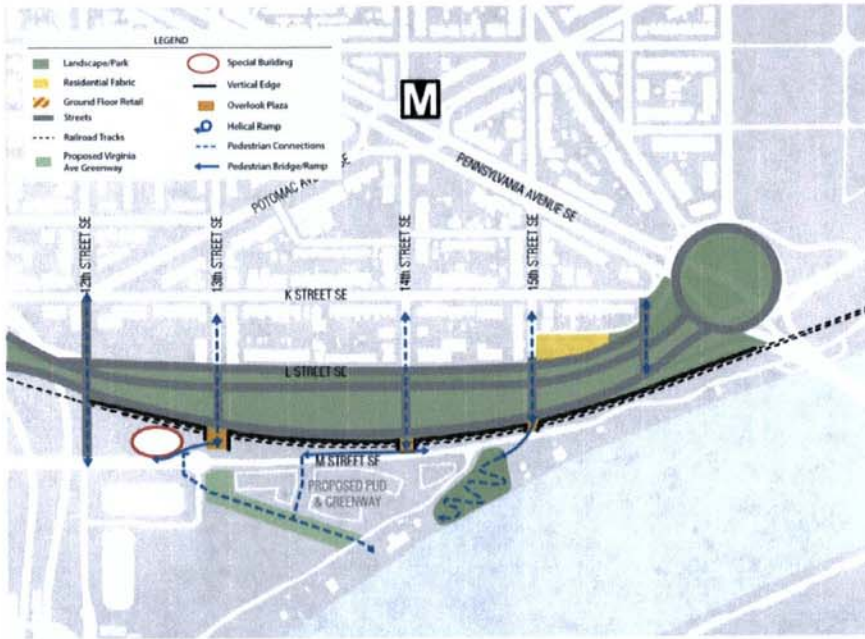
**Concept B** (formerly A-2)  
**Perspective View 3**

Progress Drawings  
October 6, 2014  
SMITHGROUP JJR









### Concept C (formerly C-1)

Concept C proposes a new neighborhood park between the Capitol Hill neighborhood to the north and the CSX right-of-way. The four-lane boulevard would split around the park with two westbound lanes north of the park and two eastbound lanes south of the park. 13th, 14th, 15th and 16th Streets SE would be extended toward the Anacostia River, intersecting with the park and new roadways north of the CSX right-of-way. Connections across the CSX tracks to the waterfront would be provided for pedestrians and cyclists.

### NEW STREETS

- 4-lane boulevard extends from 11th Street SE to Barney Circle and splits around the new park with two westbound lanes north of the park and two eastbound lanes south of the park.
- Grid streets extend south and connect to new park and split boulevard.
- L Street SE would be separated from the new roadways and park by a tree-lined promenade.

### CONNECTIONS TO WATERFRONT

- Pedestrian connections across CSX tracks to Boathouse Row at 13th, 14th and 15th Streets SE.
- 13th Street SE connection could be a spiral ramp for pedestrians and cyclists. Allows connection across M Street to future revitalized Virginia Avenue.

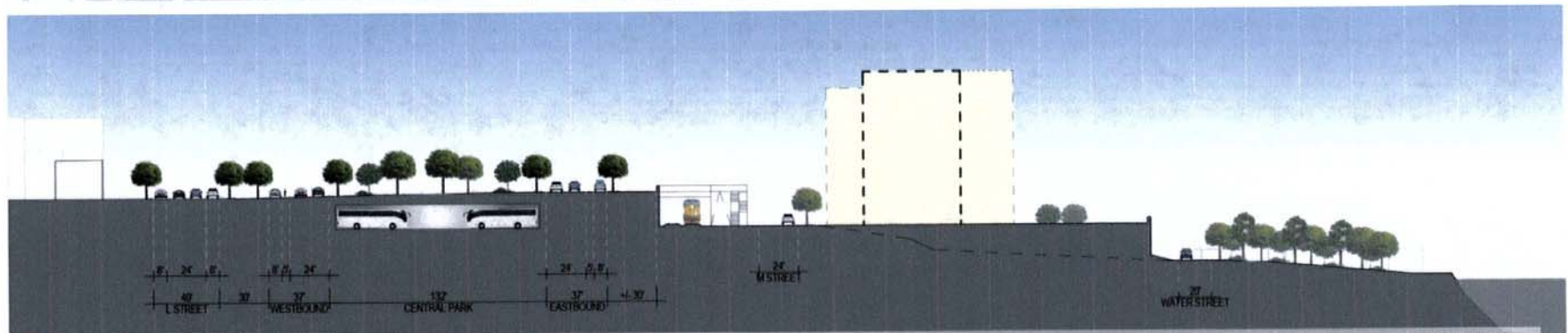
- 14th Street SE could connect to M Street SE via pedestrian stairs and ramp.
- 15th Street SE could connect to a new park at Boathouse Row, implementing an element of the Boathouse Row Planning Study.

### LAND USES

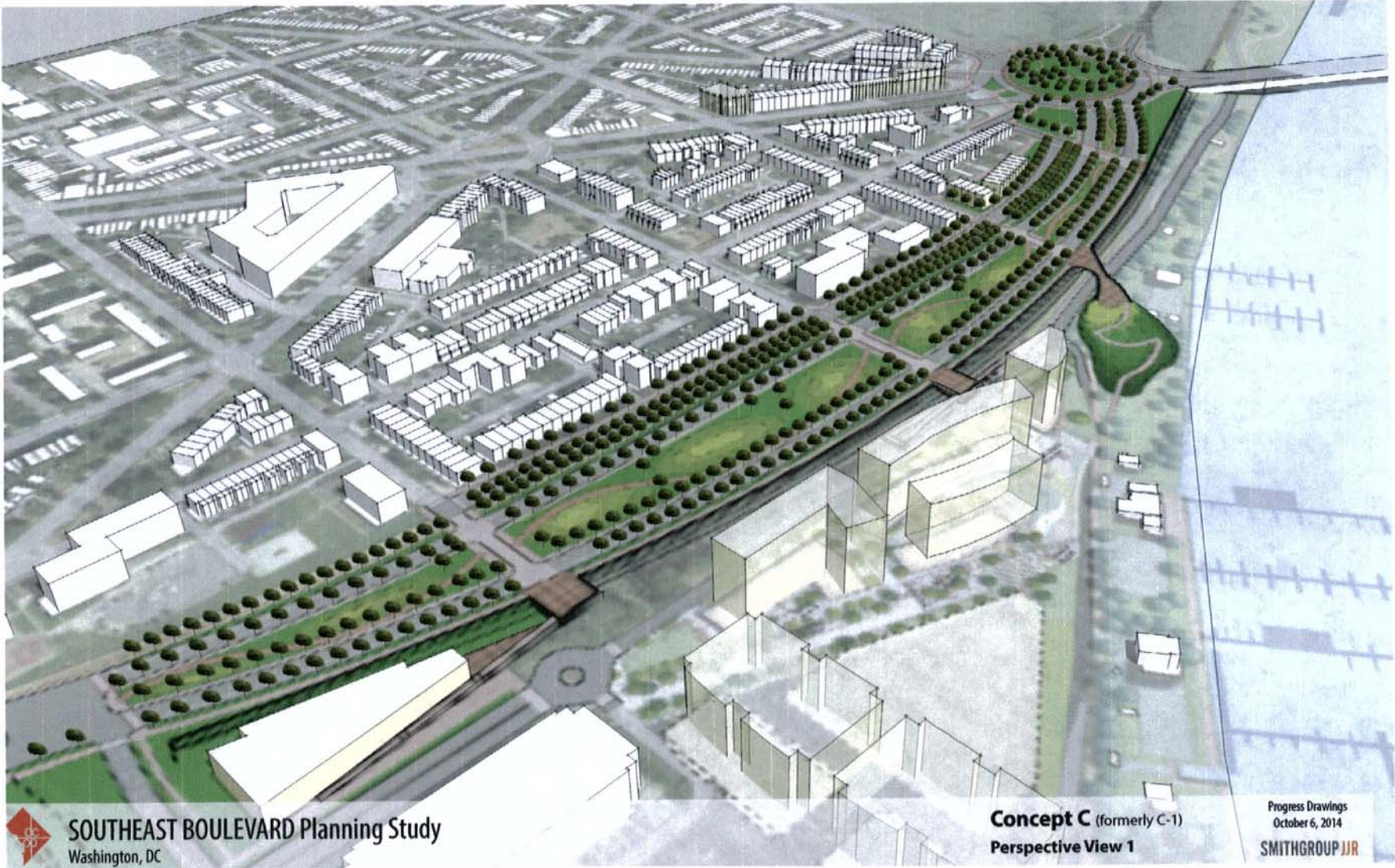
- Predominant land use is park space.
- A small amount of residential infill could be located at the extension of 15th and L Streets SE.
- Potential future new park at Boathouse Row, in keeping with the Boathouse Row Planning Study.
- Potential for a future building along M Street between 12th and 13th Streets.

### BUS PARKING

- Under-deck Commuter/ Tour Bus or Streetcar parking could potentially be located below the new park and boulevard rights-of-way.
- Entry/ exit points for this parking area would be from 11th Street and/or Barney Circle only, ensuring vehicles do not circulate through the residential neighborhood.







**SOUTHEAST BOULEVARD** Planning Study  
Washington, DC

**Concept C** (formerly C-1)  
Perspective View 1

Progress Drawings  
October 6, 2014  
**SMITHGROUP JJR**





**SOUTHEAST BOULEVARD** Planning Study  
Washington, DC

**Concept C** (formerly C-1)  
**Perspective View 2**

Progress Drawings  
October 6, 2014  
**SMITHGROUP JJR**





**SOUTHEAST BOULEVARD** Planning Study  
Washington, DC

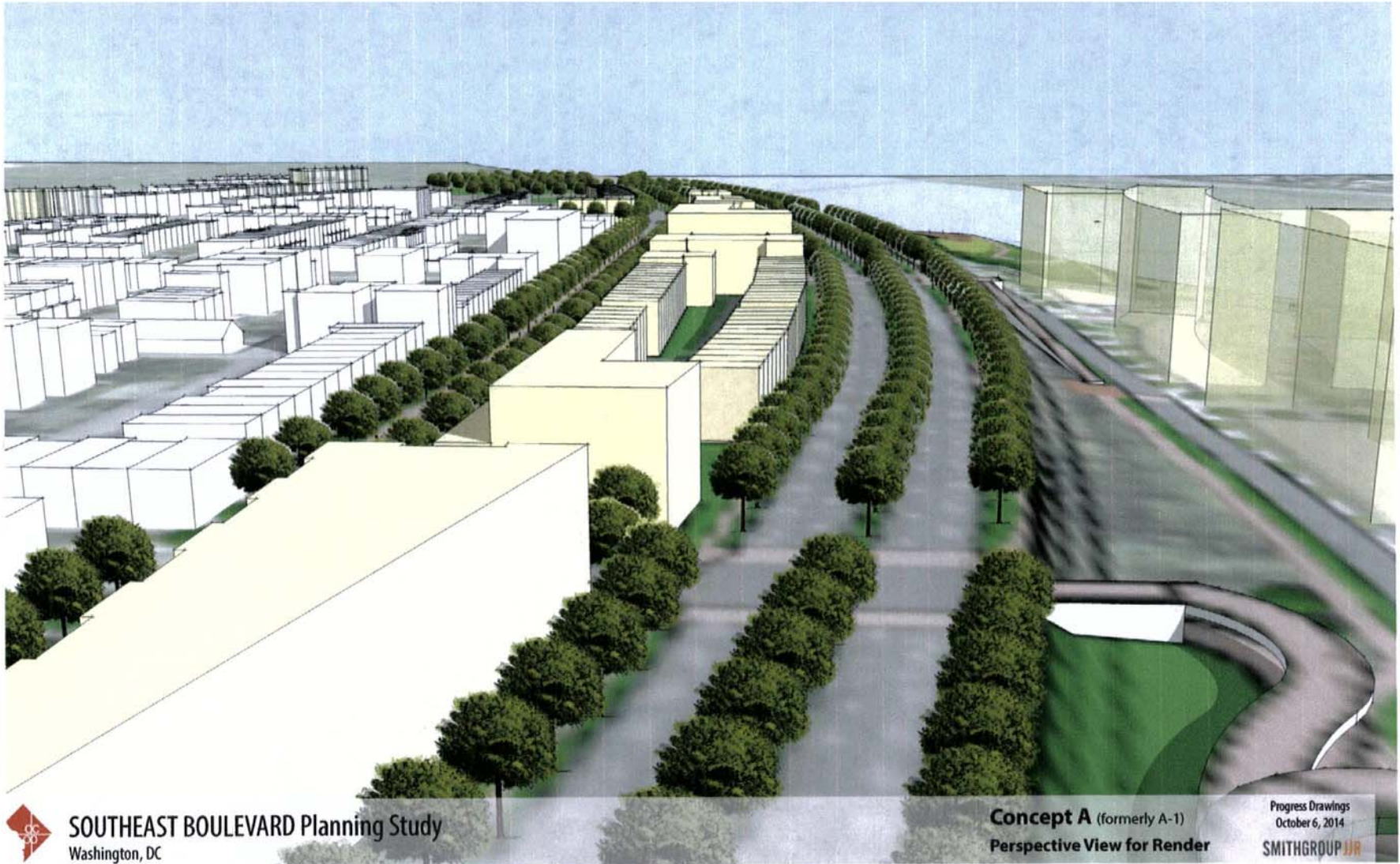
**Concept C** (formerly C-1)  
Perspective View 3

Progress Drawings  
October 6, 2014

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# Rendering Views





**SOUTHEAST BOULEVARD Planning Study**  
Washington, DC

**Concept A** (formerly A-1)  
Perspective View for Render

Progress Drawings  
October 6, 2014  
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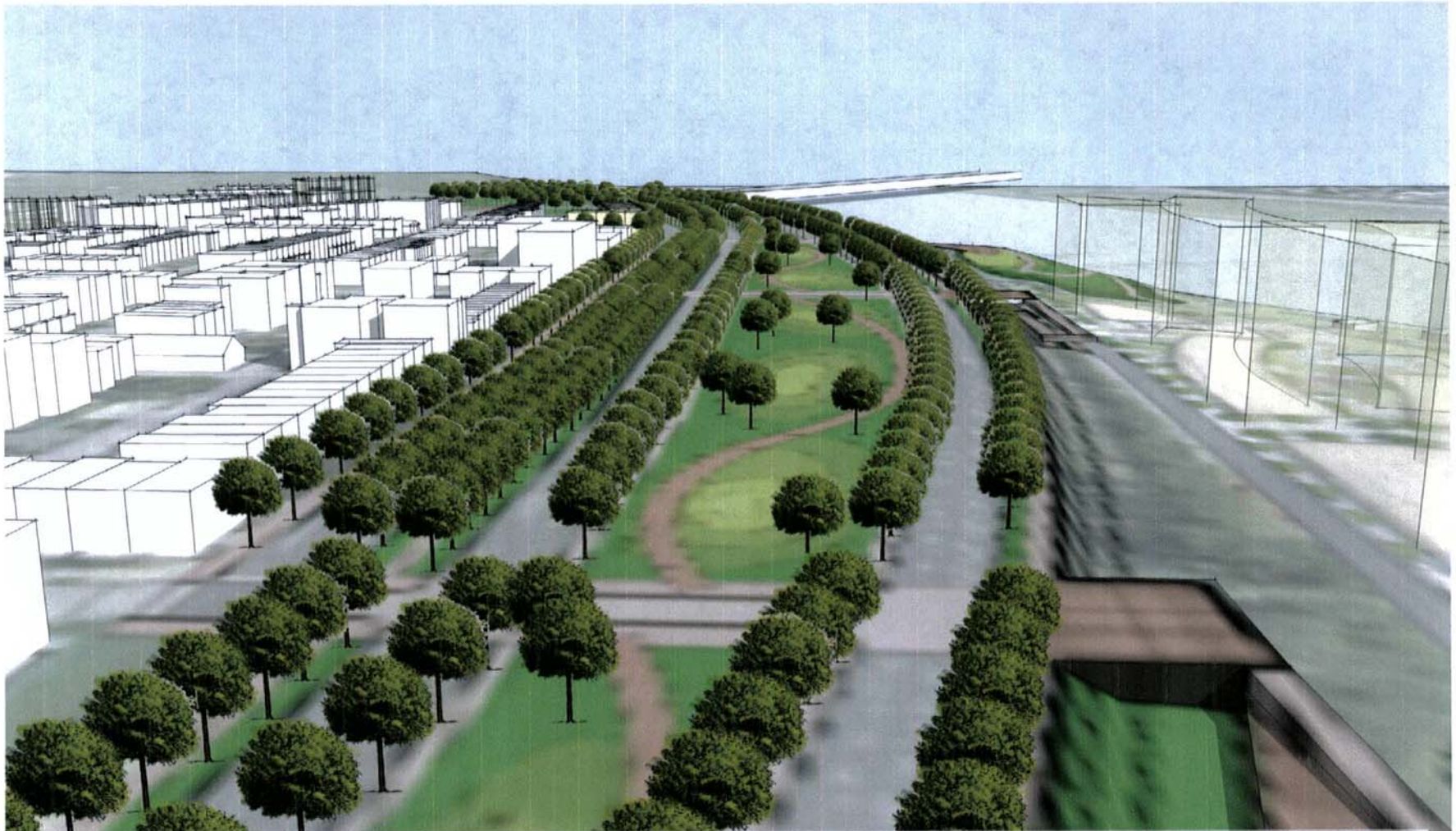


**SOUTHEAST BOULEVARD** Planning Study  
Washington, DC

**Concept B** (formerly A-2)  
Perspective View for Render

Progress Drawings  
October 6, 2014  
SMITHGROUPJJR





 **SOUTHEAST BOULEVARD Planning Study**  
Washington, DC

**Concept C** (formerly C-1)  
Perspective View for Render

Progress Drawings:  
October 6, 2014  
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