November 12, 1996

'96 NOV 14 P2:15
OFFICE OF PLANNING
DISTRICT OF COLUMBIA

Ms. Jerrily R. Kress
Chairperson
Zoning Commission of the
District of Columbia
Office of Zoning
441 4th Street, N.W., Suite 210
Washington, D. C. 20001

RE: Case No. 96-3/89-1 (Map Amendment & Overlay District for Buzzard Point-Capitol Gateway)

Dear Ms. Kress:

This letter is to convey the comments of the Washington Metropolitan Area Transit Authority (WMATA) on the referenced zoning case. WMATA owns property in Squares 700, 701 and N743 and leases property in Square 703 at the Navy Yard Station on the Green Line of the Metrorail system. All of these properties will be affected by the proposed zoning action. The properties in Squares 700 and 701 on the south side of M Street, S.E. are improved with the west entrance to the Navy Yard Metrorail Station and the Southeastern Division Metrobus Garage. The WMATA property in Square N743 on the north side of M Street, S.E. is improved with the east entrance to the Navy Yard Station. The property leased by WMATA in Square 703 on the north side of O Street, S.E. is presently used for the storage of buses assigned to the Southeastern Division.

Buses from the division provide service to the Far Northeast, Anacostia, Far Southeast and several inner Beltway neighborhoods in Prince George's County, Maryland. Residents in these areas are some of the most transit-dependent in the Washington metropolitan area. For several years, WMATA and the City have considered plans to replace this garage with a more modern and spacious facility. However, we have been unable to identify a replacement scenario or site which could garner community support and accommodate the garage without increasing the operating costs to the City.

Washington
Metropolitan Area
Transit Authority

600 Fifth Street, NW
Washington, D.C. 20001
202/962-1234

By Metrorail:
Judiciary Square-Red Line
Gallery Place-Chinatown
Red, Green and
Yellow Lines

A District of Columbia,
Maryland and Virginia
Transit Partnership

ZONING COMMISSION
CASE No. 96-3/89-1
EXHIBIT No. 38

ZONING COMMISSION
District of Columbia
CASE NO.96-3
EXHIBIT NO.38

11/14/96

The Washington metropolitan area has invested over $11 billion dollars in developing a first-rate transit system. In order to fully capitalize on this investment, WMATA has created a credible, responsive and reliable joint development process to attract private sector development around its transit stations. The joint development process permits WMATA to take advantage of the economic opportunities created by the region's transit investments. Revenues from this program are used to reduce the operating subsidy paid to the Authority by local governments. However, the rezoning as proposed will unacceptably constrain the redevelopment of our parcels. Therefore, for the reasons stated in this letter, I urge the Commission not to take any zoning actions which would preclude WMATA from fully optimizing the investment of public funds in the transit system.

Under the advertised action, the WMATA properties would be rezoned from the current C-M-2 Zoning District to a newly created BP/CR Zoning District. According to the advertisement, this change is based on a planning study published by the District of Columbia Office of Planning in 1992. However, in our review of this study, we were unable to discern any policy linking it to the zoning action under consideration by the Commission. For example, we are unable to determine the City's policies on transit-supportive land uses from the study. Therefore, we remain uncertain as to the rationale for this zoning action.

The proposed BP/CR zoning category would effectively reduce the allowable commercial FAR of 4.0 to 3.0. WMATA believes that this would result in a significant loss in the market value of its property, as well as its potential for public/private development. As an alternative, WMATA proposes that Squares 700 and 701 be zoned to BP/C-3-C for the following reasons:

- This zoning category supports the planning goals of the Comprehensive Plan and other small area studies of the Buzzard Point/Near Southeast area by concentrating high density mixed-use development near the Navy Yard Metrorail Station and the major vehicular thoroughfares of South Capitol Street and M Street, S.E.

- This zoning category would enable the District to capitalize on the presence of Metro and the economic benefits that accrue from high density transit-oriented development.

- This zoning category would permit the same development densities and types of uses on both sides of M Street, a designated "special street" in the adopted Comprehensive Plan.

- This zoning category, with higher density than would be allowed under the CR designation, would partially offset the valuable developable WMATA land in Square 700 that would be taken under the proposed widening of South Capitol Street under the current NCPC Monumental Core Vision Plan.

The proposed BP/CR zoning category allows for the continuation and expansion of existing commercial and industrial uses "as a matter-of-right up to the commercial floor area ratio and height limits of the underlying zone district; provided, that the performance standards of sections 804 and 805 of the CM district or sections 825 and 826 of the M district applicable to the use shall apply to any expansion." In addition, under section 1605.1, certain new heavy commercial and light industrial uses are allowed as conforming special exceptions. However, this section does not specifically mention transit-related uses. Therefore, in order to ensure that WMATA's interests and rights in continuing the operation of the bus garage are protected, we also request the expansion of the acceptable special exception uses (existing and new) to include all pertinent transit-related uses for Squares 700 and 701.

In conclusion, we believe that our proposed BP/C-3-C zoning of Squares 700 and 701 and the proposed expansion of acceptable special exception uses in section 1605.1 to include transit-related uses would address problems inherent with the plan as presently proposed and ensure consistency with the goals of the proposed package for the Buzzard Point/Capitol Gateway area. We shall be offering testimony at the public hearing on November 21, 1996 and I am hereby requesting that WMATA be placed on the witness list.

We look forward to our continued collaboration with the District of Columbia in the renaissance of this area.

Sincerely,

Richard A. White
General Manager