

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DISTRICT DEPARTMENT OF TRANSPORTATION**



Transportation Policy and Planning Administration

**MEMORANDUM**

**To:** Carol Mitten  
Chair of the DC Zoning Commission

**From:** Ken Laden *[Signature]*  
Associate Director, TPPA

**Date:** June 1, 2007

**Subject:** **DC Zoning Commission Case No. 02-38A  
Modification to First Stage PUD Approval and  
Application for Second Stage PUD**

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**I. Executive Summary**

The District of Columbia Department of Transportation (DDOT) has reviewed the PUD application and associated documentation for the Waterfront Associates, LLC development at the existing Waterside Mall. DDOT supports both the development concept and the operational framework for the site, but a handful of serious issues remain that require resolution. DDOT can support the PUD application subject to the following conditions:

1. The Applicant shall make a formal commitment to construct Fourth Street SW between Eye Street and M Street and provide an easement for a 110-foot wide Right of Way to the District of Columbia. The Easement Agreement must be approved in writing by DDOT prior to the applicant obtaining any demolition or building permits associated with this PUD. Through this Easement Agreement, the Applicant and the appropriate District agencies shall define the roles and responsibilities for Fourth Street SW ownership, maintenance, and approval processes.
2. The Applicant and appropriate District government agencies shall complete a written agreement regarding the terms and amount of funds transfer for the construction of Fourth Street SW.
3. The Applicant shall develop a Transportation Demand Management Plan to be reviewed and approved by DDOT prior to obtaining a Certificate of Occupancy.
4. The Applicant shall undergo a public space permitting review and approval process for all private surface and subsurface uses of the 110' easement area provided to the

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*(FAV)*

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District of Columbia to ensure that Fourth Street SW and site design details comply with DDOT safety and streetscape standards.

## II. Fourth Street Design and Land Dedication

In accordance with the *Fourth Street SW Transportation Study* performed by DDOT in November 2002 and earlier development efforts, DDOT has prepared a complete set of engineering design plans for the reconnection of Fourth Street between Eye Street and M Street SW. DDOT is now concluding its internal review of these final design plans. Once this process is complete, DDOT expects to provide biddable plans and specification documents to the Applicant so that the roadway can be built in conjunction with Waterfront's surrounding construction.

DDOT believes that it is in the best interest of the District of Columbia to reclaim the Fourth Street Right of Way (ROW) as public land. Owning the Fourth Street ROW outright provides the District with more flexibility in terms of accessing and maintaining public infrastructure and utilities both above and below ground. Further, incorporating the Fourth Street ROW into the "National Highway System" would make the ROW eligible for the use of federal funds, therefore eliminating the need to rely entirely on local tax dollars to pay for the maintenance of the street. However, we understand that through prior agreement with the District government, the Applicant will be allowed to develop the roadway and provide the District limited control through an easement. DDOT reluctantly concurs with this approach provided that DDOT may review and approve the Easement Agreement as described in Point # 1 of the Executive Summary.

DDOT would also like to point out that Fourth Street is part of the original L'Enfant Plan street system with a historic Right of Way width comprising 110 feet. In response to S.O. Case No. 04-13183, DDOT objected to the proposed 90-foot width of Fourth Street in favor of 110 feet. DDOT continues to uphold its position that a 110-foot ROW is appropriate for this context and location.

At this time, the District of Columbia is in negotiation with the Applicant to finalize the terms of an Easement Agreement / Memorandum of Understanding, which will define the control and management of the Fourth Street ROW. This arrangement will involve the transfer of District monies to the Applicant for the construction of Fourth Street SW.

After coordination with DDOT and other government agencies, the Applicant has included the Fourth Street SW reconnection in the proposed roadway grid and has done a sound job in incorporating the alignment of DDOT's current design plans. The circulation plan in the PUD Application utilizes Fourth Street SW as an important multi-modal link and realizes the intended benefits of having Fourth Street SW serve the needs of both the local network and specific site access.

The Applicant has made it known to DDOT that it would like to make adjustments to DDOT's design plans for Fourth Street, SW including the addition of bulb-outs, a raised crosswalk, streetscape upgrades, and curb cuts for building access. DDOT does not

nccessarily object to these modifications; however all changes to the DDOT-prepared design plans must be reviewed and approved through the Public Space Review and Permitting process, described in more detail below (Section VII).

### **III. Pedestrian Safety Improvements**

Several private drives are proposed throughout the Waterfront development site, many of which intersect with Fourth Street SW. While these drives fall within private property, their relationship to Fourth Street SW, the civic plazas, and the K Street alignment make it important to address public safety at these locations.

The intersection of the private drives and Fourth Street SW adjacent to the metro station entrance must integrate stronger safety improvements to manage pedestrian and vehicle conflicts including crosswalks at all four legs, high visibility pavement markings, and appropriate warning signage. Traffic signals and/or warning beacons will also be necessary unless the Applicant can demonstrate there is no need for these controls. Furthermore, since the private drives pass directly through public plaza spaces, it is highly recommended that the Applicant utilize roadway surface treatments (such as textured pavers) on the drives that indicate a preference for pedestrian passage.

DDOT would also like to see more detail for the crosswalks at Fourth Street and the private drive along the K Street alignment. Crosswalks must be located on all four legs and must adhere to DDOT / MUTCD (Manual on Uniform Traffic Control Devices) safety standards. All curb cut widths and radii must also be specified during the Public Space Review process.

DDOT supports the pedestrian links between the Waterfront Development and the neighboring Marina View site to the west, and believes these amenities for pedestrian access will help to break down the "super-block" effect of the previous Waterside Mall. While this interface is described by a private drive (Makemie Place) and will not be subject to public space permitting review, DDOT would recommend that the site plans include additional signage and markings that manage potential pedestrian and vehicle conflicts. Because these links cut across a service roadway – where truck and auto drivers may not typically be looking for pedestrians – it is important that sufficient warning measures are installed.

### **IV. Traffic Impact Study and Trip Generation**

Earlier this year, DDOT reviewed the October 31, 2006 *Traffic Impact Study (TIS)* submitted by transportation consultant Gorove Slade on behalf of the Applicant. DDOT requested that Gorove Slade revise the study to match earlier evaluation performed for the neighboring Marina View Towers development. The revised report dated May 9, 2007 has incorporated more specific trip generation data for nearby planned developments for both the 2010 and 2020 time horizons as requested.

The Traffic Impact Study report indicates that the various destinations on the Waterfront development site will generate a significant number of vehicles trips – specifically an average daily total of 1,746 trips by 2010 (Stage II PUD) and 2,166 by 2020 (Stage I PUD). It is important to note that these numbers assume an alternative mode reduction of 80 percent, meaning that a large majority of people is anticipated to reach destinations via public transportation, on foot, or by bicycle. This assumption is not unreasonable given the direct proximity of the Waterfront Metrorail Station, several WMATA bus routes, and the recently established Washington DC Circulator. Further, the Applicant has proposed the minimum number of parking spaces for both commercial and residential uses on the site per zoning ordinance DCMR 11, thereby limiting demand on the local network created by vehicles coming to park at the site. Finally the mix of uses – commercial, residential, and retail on site - will provide opportunities for people in the immediate vicinity to access amenities without automobile travel.

Nonetheless, an 80 percent trip reduction rate is still on the high end of the spectrum. It is yet to be seen whether the Waterfront area will present a similar ridership distribution as established downtown areas referenced in the *WMATA Rideshare Survey Study*. In order to ensure the TIS analysis is viable and stands the test of time, DDOT highly recommends that the Applicant develop a Transportation Demand Management Plan, specifying meaningful and effective strategies that promote public transit and alternative modes of travel. Please see section (VI) below for more information.

Finally, the TIS states, “The flexibility to increase the number of parking spaces provided to respond to market conditions is requested, along with the flexibility to allocate commercial spaces between Retail and Office use should the distribution of gross floor area between the retail and office uses as submitted in the PUD application change.” DDOT recommends that any flexibility to increase parking space only be granted after separate review and approval by the Board of Zoning Adjustment and relevant District agencies.

## **V. Site Access and Loading Facilities**

In general, the proposed access points for parking, loading, and service delivery make safe and efficient use of public space and coincide with the demonstrated traffic circulation plan. DDOT particularly commends the Applicant for collaborating with the Marina View development to share loading facilities along Makemie Place and to minimize curb cuts on M Street. However, some aspects of the proposed office buildings along M Street will require improvement and/or revision.

First, the proposed loading dock on the southeast corner of the site (the east office building on M Street) has been oriented to receive trucks backing in from M Street. This arrangement is not acceptable because the resulting movement will increase the probability of accidents and impede traffic progression on M Street. Therefore, trucks would have to access the loading dock for this office building via Fourth Street and the east private drive. Because this private drive runs through the proposed public plaza, loading access must be prohibited between the hours of 7AM to 8PM to minimize truck and pedestrian conflicts.

If trucks are not permitted to back into the east private drive at M Street, then the bottom segment of the "L-shaped" drive can be made one-way out and the curb cut on M Street can be narrowed. DDOT does not support the median break along M Street where safety and traffic flow would be compromised by left turns at this location. The intersection of M Street and the east private drive should be regulated by right turns in and out only.

Lastly, DDOT believes that the entrances for commercial parking at both the east and west office buildings along M Street could be moved to the rear of the buildings. In particular, by moving the east building entrance to the back, the Applicant could create a four way intersection comprised of the east private drive, the residential parking entrance to the north and the commercial parking entrance to the south. However, DDOT recognizes that shifting the parking entrances to the rear of the office buildings introduces a tradeoff: by removing curb cuts on M Street and protecting pedestrian and vehicle progression along this corridor, a higher volume of traffic would pass through Fourth Street and the private drive / public plaza areas. These options can be further discussed with the DC Office of Planning and the Applicant team.

## **VI. Transportation Demand Management**

As explained above, a Transportation Demand Management (TDM) Plan is an integral component for maintaining the effective functioning of the local transportation network. Transportation Demand Management involves the application of various measures to influence travel behavior by mode, frequency, time, route, or trip length, in order to achieve maximally efficient use of transportation facilities. For example, these measures may include incentives to increase the use of mass transit, amenities to promote walking or bicycling, information to augment shared ride or carpool activity, or strategies that encourage flex time and telecommuting.

DDOT would prefer that the Applicant develop its own TDM Plan and work with DDOT to finalize commitments. The hope is that this approach will encourage creativity and result in the most mutual benefit for the city and the developer. However, if the Applicant is unwilling to participate or the Zoning Commission prefers, DDOT can apply a prescribed formula to the site.

## **VII. Public Realm and Streetscape Plans**

The Waterfront development falls within the geographic area designated for the Anacostia Waterfront Initiative Architecture and Design Standards. Accordingly, DDOT requires that all infrastructure built in the Fourth Street SW Right of Way (ROW) easement comply with these standards. Any specialized materials or treatments that do not conform to the AWI palette of options must be approved by DDOT in advance and in writing and be maintained by the property owner through a formalized Covenant of Maintenance. DDOT further recommends that aspects of the civic plazas that fall within private space be consistent with the materials and design intent of the larger AWI public realm vision.

Several features shown in the Applicant's conceptual streetscape plans must be examined more closely to ensure compliance with DDOT standards. For example, the plaza areas situated within the Fourth Street ROW, raised crosswalks, bulb-outs, landscaped benches, trash receptacles, and curbside carriageway will all require further review and approval through the Public Space Review Process. Special paving, water features, modular seating and other such customized items shown in the plans must be located in private space or maintained in public space by the property owner.

### **VIII. Public Space Review Process and Maintenance Responsibilities**

As a matter of course, DDOT conducts thorough review of all development site plans to monitor and guide how the development's private space joins with District public space. During this process, a team of DDOT staff evaluates many specific design items from the dimension of tree boxes to paving specifications to the width of curb cuts before ultimately granting permits to occupy public space. As the Waterfront, LLC design plans advance to greater levels of specificity, it will be necessary to review and approve these details through the public space permit process.

Regardless of whether the Fourth Street Right of Way (ROW) becomes District public land or is operated as an easement area, it is imperative that the Applicant obtains public space permits for *all* features within the Fourth Street ROW -- including all intersections with private drives. The District shall not accept responsibility for the maintenance of easement area(s) that have not been properly reviewed, approved, and permitted through the Public Space Permitting process. Further, the District shall not accept maintenance responsibility of the Fourth Street ROW or liability until DDOT engineers have reviewed and approved the structural integrity of the roadway as constructed to District standards.

The Applicant shall be responsible for the cost and execution of correcting any elements constructed in public space and/or within the Fourth Street ROW that have not been permitted by the District Department of Transportation Public Space Permitting Office. The Applicant shall be responsible for the maintenance of all infrastructure that lies within the private property lines of the development site, including all elements of the plaza and private drives.

In conclusion, DDOT supports the proposed PUD provided that the Easement Agreement is reviewed and approved by DDOT; that the Applicant prepares an effective Transportation Demand Management Plan; and that the Applicant obtains public space permits for all above ground and underground uses on property transferred to the District under the Easement Agreement. Finally, the Applicant is responsible for the construction of all improvements within the Fourth Street ROW subject to the Easement Agreement, consistent with District design standards or with the written approval of DDOT.