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April 4, 2008

Mr. Anthony Hood
Chairman
Zoning Commission of the District of Columbia
One Judiciary Square
441 4th Street, NW
Suite 210 S
Washington, DC 20001

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Re: Notice of Proposed Rulemaking, Z.C. Case No. 07-11 (Text and Map Amendments – 11 DCMR – Southeast Federal Center Overlay District)

Dear Chairman Hood and Members of the Zoning Commission:

This letter is submitted in response to the Notice of Proposed Rulemaking in Z.C. Case No. 07-11 published in the D.C. Register on March 7, 2008 (“Notice”).

You will recall that I testified at the public hearing on Z.C. Case No. 07-11 on January 10, 2008 in support of the proposed map and text amendments. These map and text amendments were developed by Forest City, as the master developer of the 42 acre Southeast Federal Center site that we refer to as “The Yards,” in conjunction with the General Services Administration, the Office of Planning (O.P.) and other stakeholders. You may also recall that I indicated in my testimony that Forest City and O.P. were in agreement with respect to all of the proposed map amendments and the overwhelming majority of proposed text amendments.

I am now pleased to report that Forest City is fully and enthusiastically supportive of the text and map amendments set forth in the Notice and requests and recommends that the Zoning Commission adopt such amendments. We recommend adoption of these proposed amendments with one technical clarification and by agreeing to the “second alternative” to § 1804.3(a)(i). A brief discussion of our recommendations is as follows:

1. § 1803.13 should be revised to refer to “a building containing residential uses” rather than “a residential building” because the use of the

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“residential building” could be interpreted by the Zoning Administrator to exclude mixed-use buildings that contain a variety of uses, including residential uses. The development of mixed-use buildings is particularly likely in the Southeast Federal Center because of the large sizes of all of the parcels and to ensure compatibility of scale and massing with the large sizes of the existing historic buildings. We believe this requested revision is essentially a clarification, not a substantive revision.

2. The final version of § 1804.3 should contain the provision proposed in the “second alternative” set forth in the Notice. [The Notice specifically requests comments on the proposal of two alternatives for this section.] The text language of the second alternative would require the concentration of preferred uses at and near the southeast corner of Tingey Street, S.E. and 4th Street, S.E., rather than along the length of Tingey Street east of 4th Street, because of flood plain, retaining wall and other issues discussed at the public hearing (and as specifically noted in the Notice). This is a substantive revision but one that is clearly set forth in the Notice and fully justified by testimony at the public hearing and supported by the Office of Planning.

We appreciate the Commission’s careful attention to this matter and hope our comments will be of assistance to the Commission as it deliberates on the matters set forth in the Notice. Thank you.

Yours sincerely,



Ramsey D. Meiser
Senior Vice President of Development

cc: Mr. Joel Lawson
Allison Prince, Esquire
Jacques B. DePuy, Esquire