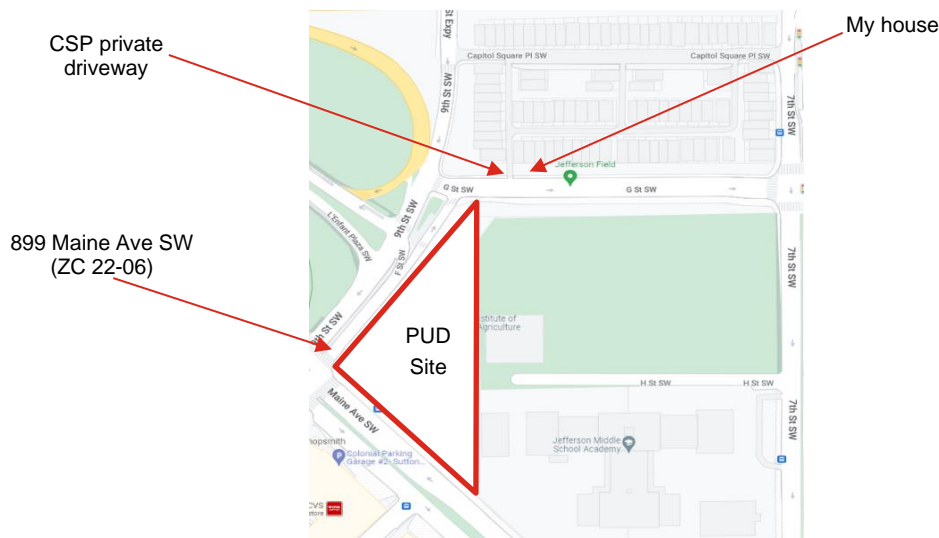


Traffic Impact Witness Testimony
Z.C. Case No. 22-06

My name is Gustavo Pinto, I have been a resident of Capitol Square at the Waterfront (Capitol Square Place, or CSP) since 2017. My house is located at 817 G St SW, across the street from the site of the proposed development on 899 Maine Ave SW (ZC 22-06), and adjacent to the private driveway entrance into CSP on G St SW.

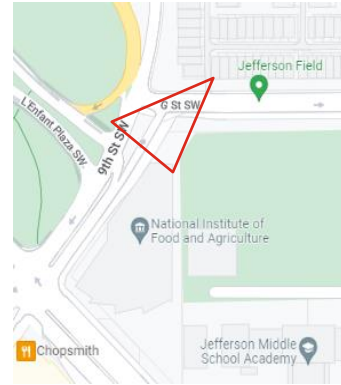
- I have requested Party Status in this case and prepared this testimony because of the location of my house, which allows me to experience firsthand the challenges brought on by the new developments in the SW Waterfront area to the traffic on our neighborhood, particularly on G St SW, and within our CSP community.



- Since the conclusion of phase I of The Wharf, it has become routine to have traffic on G St SW not only on weekends, but also during weekdays. I frequently see traffic jams on G St SW stretching all the way from 7th St SW to 9th St SW, effectively blocking the whole street. These traffic problems are aggravated when there are events at the Wharf or shows at The Anthem, which occur almost on a weekly basis.
- We are now facing the possibility of having this situation deteriorate even further by ZC 22-06. The development envisages a mixed-use building consisting of two towers, with heights ranging from 90-130 feet, excluding penthouses. This is almost triple the height limit of 45 feet allowed under the existing MU-12 zoning. The development would have approximately 500 dwelling units, and approximate floor area ratio (FAR) of 7.99, which is more than triple the maximum FAR of 2.5 under the existing MU-12 zoning. This high-density development, which far exceeds what is allowed under current zoning regulations, is expected to exacerbate the already chaotic traffic situation on G St SW and surrounding areas.
- In order to better illustrate the gravity of the current traffic situation in the vicinity of the site for 899 Maine Ave SW (ZC 22-06), I would like to show a few pictures from the past few months.



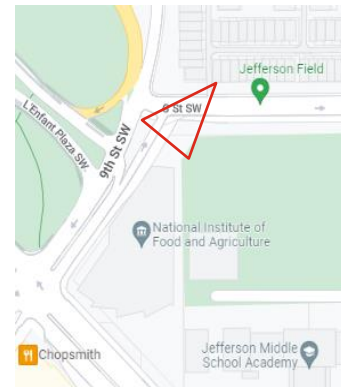
Saturday, April 2, 2022



Camera Angle



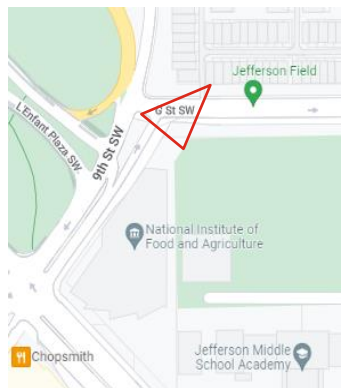
Thursday, May 26, 2022



Camera Angle



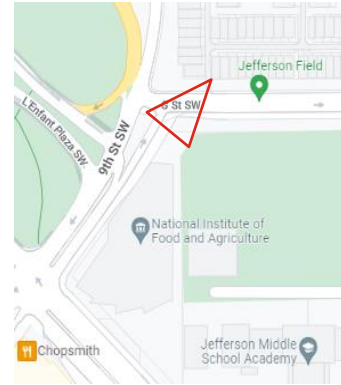
Saturday, July 9, 2022



Camera Angle



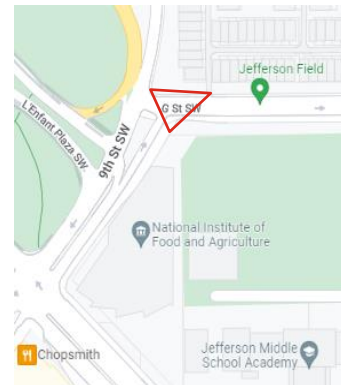
Friday, July 16, 2022



Camera Angle



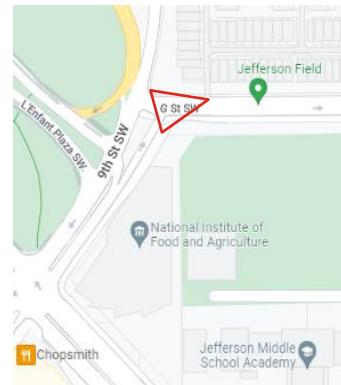
Wednesday, August 17, 2022



Camera Angle

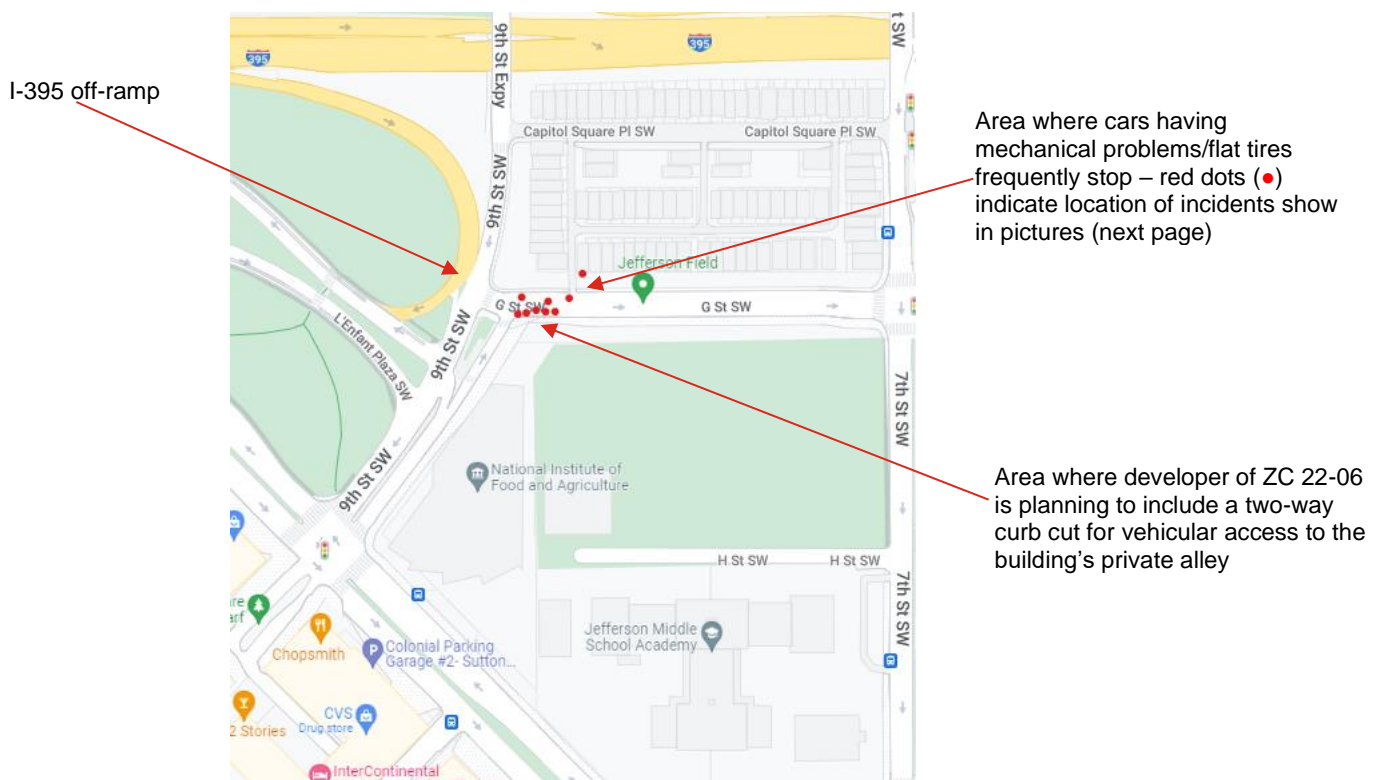


Thursday, September 1, 2022



Camera Angle

- The proposed development is particularly problematic because of its location, which is prone to accidents. The area envisaged for the project is located at the intersection of 9th St SW, G St SW, and the I-395 off-ramp. Having lived in the area for 5 years, I have witnessed several traffic accidents caused by cars coming off the tunnel on 9th St SW heading down to Maine Ave SW, and cars exiting I-395 trying to enter G St SW. There have also been traffic incidents involving cyclists and pedestrians crossing G St SW or 9th St SW, particularly those going to events at the Anthem or The Wharf, or coming back, sometimes intoxicated, from those events. I immediately know when these accidents happen, as I can see the lights from emergency vehicles and police cars flashing against my wall. These accidents often require blocking the entrance of G St SW, which quickly leads to a chaotic situation, as cars heading north on 9th St SW have no way to go, causing a traffic standstill.
- It is also important to mention that the I-395 off-ramp is frequently used by cars having mechanical issues, such as overheating or flat tires. These cars will often stop as soon as they enter G St SW and sometimes have to be towed, blocking the street and causing traffic jams. One of these cars caught on fire right across the street from my house last year and the blazes were so intense that we can still see scorch marks from the fire in a street tree.
- It is exactly in this chaotic area that the developer of ZC 22-06 proposes to include a right-in/right-out curb cut for vehicular access to the building's private alley. By adding more traffic, including from large supply trucks for the proposed grocery store tenant on 899 Maine Ave (ZC 22-06), in an area that is frequently used by vehicles with mechanical problems, the developer risks creating mayhem on G St SW, right next to the CSP community, a public park (Jefferson Field), and a public school (Jefferson Middle School).





Saturday, July 16, 2022 – traffic accident



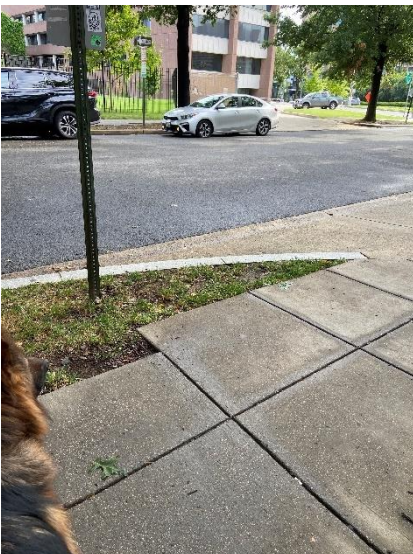
Sunday, September 4, 2022 – traffic accident



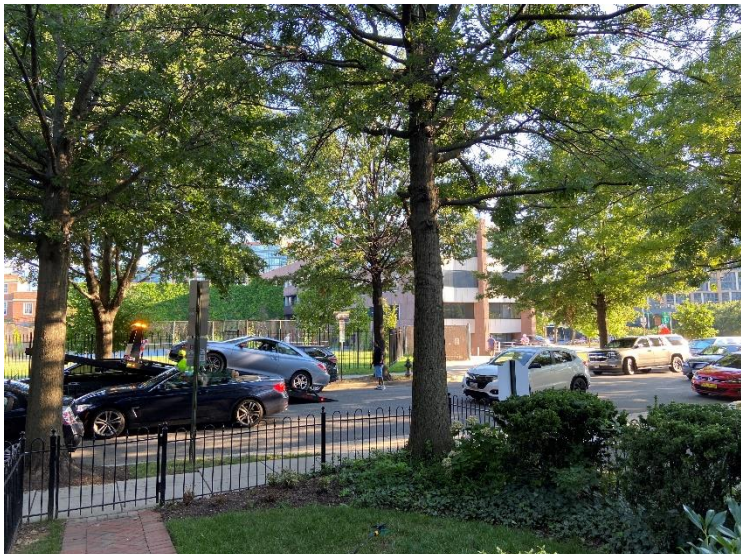
Thursday, June 30, 2022 – mechanical problems



Thursday, July 9, 2022 – flat tire



Monday, July 25, 2022 – flat tire



Monday, July 11, 2022 – mechanical problems



Wednesday, August 24, 2022 – fender bender



Thursday, September 8, 2022 – mechanical problems



2021 - Scorch marks from car that caught on fire after exiting I-395 off ramp, still visible even one year after the occurrence



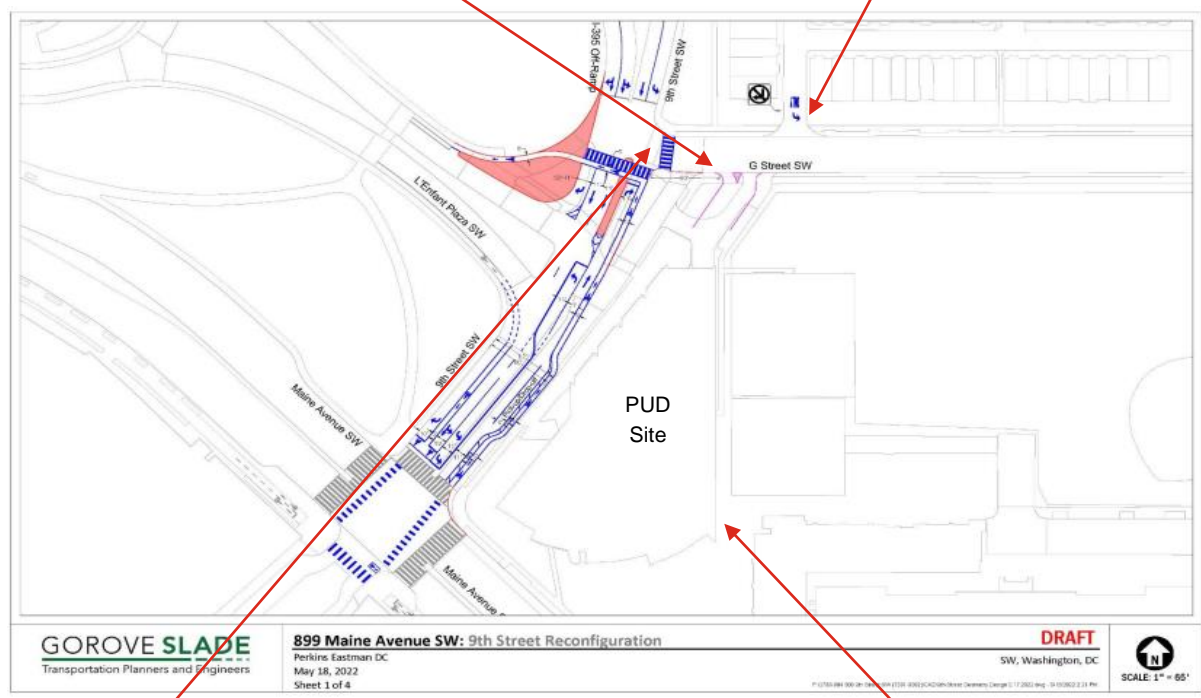
Thursday, June 30, 2022 – driver trespassed on my property to access my garden hose and get water for his car because it was overheating (snapshot from Ring camera recording)

- Please note that the pictures shown above represent just a limited sample from my records. For the past couple of months I was able to record several other occasions of traffic and/or incidents on G St SW and would be happy to share my full records with the Zoning Commission upon request. These records are also limited to times of the day/week when I was at home, so while already showing the chaotic traffic situation in the vicinity of the project, they underestimate the reality of the situation, as they do not capture other incidents occurring when I was not at home.
- In addition to the concern about traffic, the location of the project also raises significant concerns for CSP residents. The proposed two-way curb cut for vehicular access to the building's private alley on G St SW is almost directly across the street from CSP's driveway on G St SW. In the past, we saw employees from the US Department of Agriculture (USDA), which used to be situated in the building currently located in the PUD site, cut through our community to access the building. Likewise, it was also not uncommon for cars to cut through CSP's private driveways from 7th St SW to park inside the community, or access the USDA building by using the CSP driveway exit on G St SW. Since the USDA vacated the building, the issue has subsided, but once 899 Maine Ave (ZC 22-06) is finished, we can expect the issue to come back, and probably in greater magnitude than before given the high density of the proposed project, supply trucks for the building's planned grocery store tenant, and the delivery drivers and other service providers for the building's residents. The increased traffic of outside vehicles in our community is cause of great concern to CSP residents, as they are often not mindful of speed limits within the private driveways, posing a safety risk to residents, particularly children and pets.
- It is also worth noting that the existing building on 800 9th St SW is currently mostly unoccupied, and its garage is used for public parking. Therefore, the area is already prone to traffic and accidents even with the existing building being mostly empty. By adding a high-density building to the area, in combination with other developments currently under construction and/or planned, we can expect increased traffic flow in the area, and the worsening of the already difficult traffic situation. In addition, once the building is demolished the public parking space that it currently offers will be gone. Nowadays it is already difficult to find parking spaces on G St SW, particularly during weekends, and if this project comes to fruition, it will be almost impossible to find parking on G St SW. This is a major concern for the CSP community, because experience has shown that if people cannot park on G St SW, they will try to park inside our CSP private driveways.

**Developer's Proposed Reconfiguration of 9th St SW and
Right-In/Right-Out Driveway on G St SW (Exhibit 38 ZC 22-06)**

Developer's proposed location for a right-in/right-out driveway on G Street SW, providing access to underground parking garage and large loading dock that can accommodate large trucks for proposed grocery store tenant

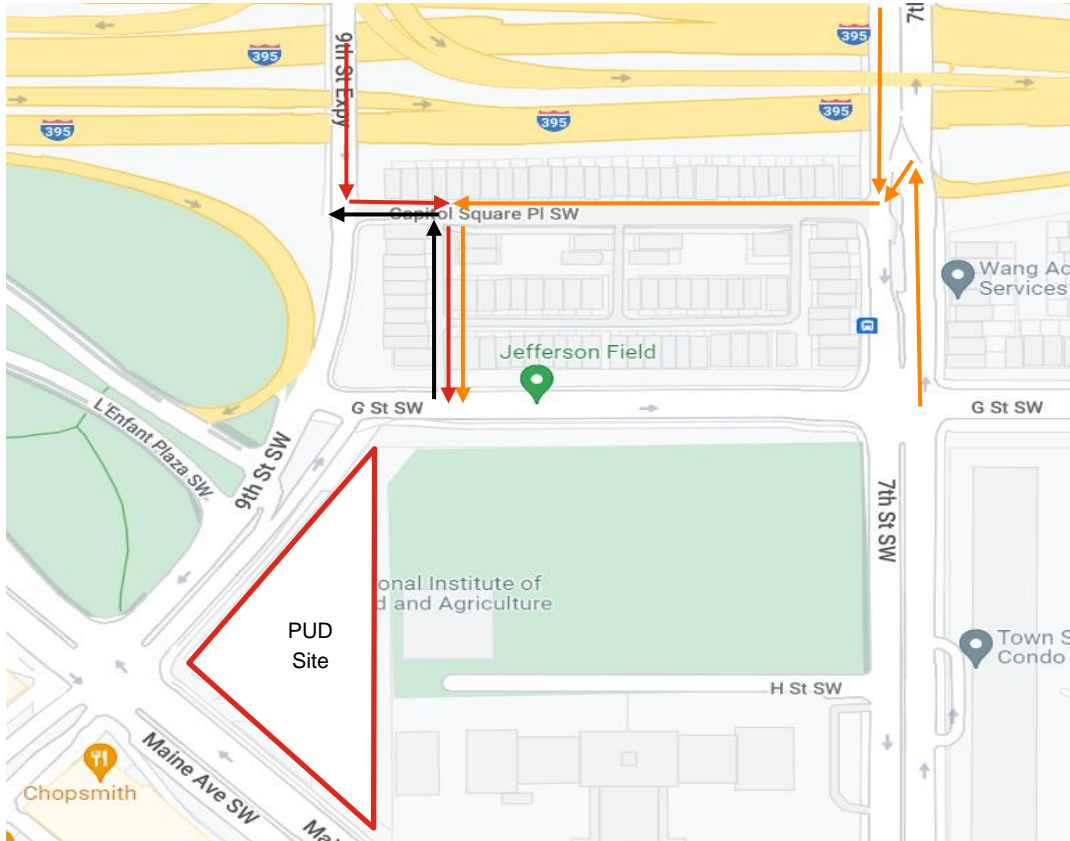
CSP private driveway



The developer is exploring the concept of installing a traffic signal at the intersection of 9th and G St SW. This is concerning given that this intersection includes the off-ramp from the I-395, which is often used by vehicles having mechanical problems/flat tires and may disregard the traffic signal (see pictures on pages 5 and 6)

899 Maine Ave SW's alley is proposed to operate with a right-in only driveway on Maine Avenue SW, and a right-in/right-out driveway on G Street SW

Expected Traffic Impact of ZC 22-06 Within CSP's Private Driveways



- ➔ Since the building's alleyway access on Maine Ave SW is right-in only, drivers exiting the building on G St SW who need to go to Maine Ave SW will have a strong incentive to cut through CSP driveways instead of going around the block (G St SW, 7th St SW, Maine Ave SW), particularly if G St SW has traffic.
- ➔ Vehicles exiting the 9th St SW tunnel facing traffic as they approach intersection will have a strong incentive to cut through CSP driveways to access the building. This is even more likely to be the case if a traffic signal is installed at the intersection of 9th and G St SW, as the developer is suggesting.
- ➔ Vehicles coming from 7th St SW and heading to the building will have a strong incentive to cut through CSP driveways instead of going all the way around 7th St SW and Maine Ave SW.

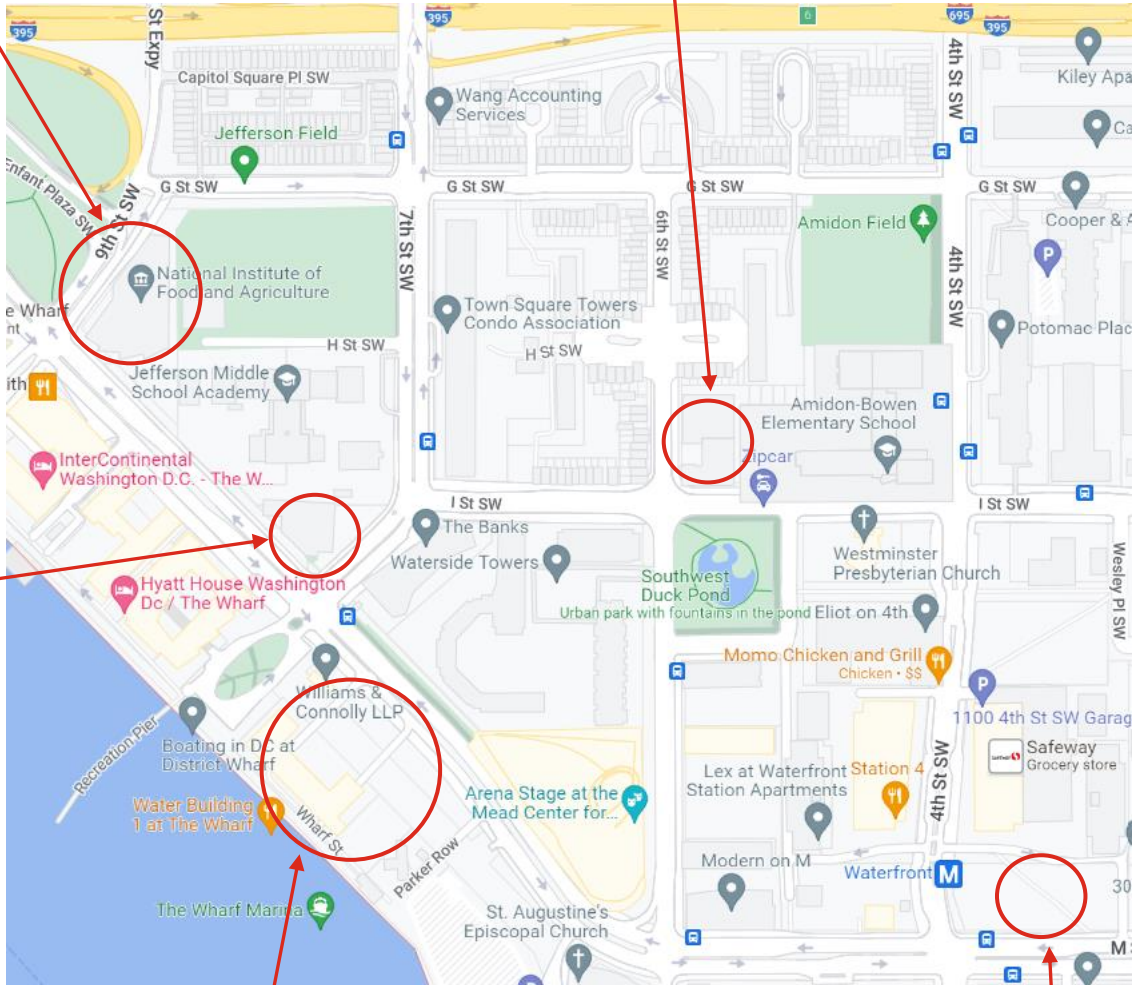
- One could argue that this problem could be addressed by making CSP a gated community, but unfortunately this is not a feasible option. The CSP community has long debated the possibility of turning CSP into a gated community, but after extensive consideration we had to accept the fact that the community design and plans make it extremely difficult, if not impossible, to add gates to our driveways. Besides, even if it were possible, gating the community would be prohibitively expensive, impose recurring maintenance costs, and create other logistical problems for CSP residents and visitors or service providers that need to access the community.
- We have had some opportunities to interact with the developer's legal and technical advisors to express our concerns. We have explained our concerns regarding traffic impact on G St SW and asked about their plans to mitigate these issues. The advisors took note of our concerns and said that they would aim to address them in an amendment of the PUD. However, the amended PUD did not address our concerns, particularly the location of the right-in/right-out driveway access on G St SW, which is still located almost directly across from the CSP driveway. The proposed reconfiguration of 9th St SW also does not address the increased traffic on G St SW, nor the related risks, particularly those arising from vehicles experiencing mechanical issues exiting the I-395 off-ramp.
- While the 899 Maine Ave (ZC 22-06) project raises significant concerns by itself, it is important to note that there are additional projects under development and/or close to completion in the vicinity that are also expected to exacerbate the already chaotic traffic situation in the area, as follows:
 - Phase II of the Wharf is scheduled to open during Fall 2022 and includes seven (7) buildings with a total of approximately 547,504 square feet of office space, 317 residential dwelling units, 119,059 square feet of retail, 116 hotel rooms, and 250 boat splits.
 - Project 807 Maine Ave (ZC 22-11), located in the same block as 899 Maine Ave (ZC 22-06), is pending Zoning Commission approval. Like ZC 22-06, the developer is also seeking the rezoning of the area to increase the maximum height and FAR. If approved, it will be another mixed-use building surrounding Jefferson Middle School and Jefferson Field, with 207 new dwelling units, maximum height of 110 feet and FAR of 8.64.
 - The 425 & 375 M St SW project consists of two buildings, an east building (375 M Street SW) with 309 dwelling units, 21,930 square feet of retail, and 18,660 square feet of commercial space; and a west building (425 M Street SW), with 296 dwelling units, 19,940 square feet of retail, and 19,450 square feet of commercial space.
 - The Bard is a planned residential building with 134 dwelling units at 501 I Street SW.
- It is critical that the traffic issues mentioned here be assessed in tandem with these other significant developments in the SW Waterfront area.

Other Planned Developments in the Vicinity of 899 Maine Ave SW (ZC 22-06)

899 Maine Ave
(ZC 22-06)

The Bard
(501 I St SW)

807 Maine Ave
(ZC 22-11)



The Wharf
Phase II

425 & 375 M St SW

- The situation becomes even more egregious when we consider that 899 Maine Ave SW (ZC 22-06) and 807 Maine Ave SW (ZC 22-11) will be adjacent to Jefferson Middle School and Jefferson Field. It is astonishing that the developers want to build these high-rise/high-density buildings right next to a public school and a public park. Schools and parks should be surrounded by open space and tranquility, not buildings and constant noise from traffic jams and construction trucks.
- Given the significant risks at hand, it is opportune to pause and look at the plain language of the DC Zoning Handbook. The PUD site for 899 Maine Ave SW (ZC 22-06) is currently zoned MU-12. The handbook mentions that the MU-12 zoning is intended to “*Permit moderate-density mixed-use development generally in the vicinity of the waterfront.*” The developer wants to change the zoning to MU-9A. According to the DC Zoning Handbook, the MU-9 zoning is intended to “*Be located in or near the Central Employment Area, on arterial streets, in uptown and regional centers, and at rapid transit stops.*”
- Therefore, there is an appropriate zoning for areas in the vicinity of the waterfront, and that is zoning MU-12, the existing zoning of the PUD site. The proposed redesignation of the PUD site to MU-9A does not seem appropriate given the additional traffic problems that it will cause, nor consistent with the DC Zoning Handbook. If the applicant’s request were to be approved, this would raise the question as to why a zoning specific to areas in the vicinity of the Waterfront was created in the first place.
- We understand the applicant’s business interest and, as residents of the DC Waterfront area, we welcome the development of our neighborhood. However, this needs to be done in a careful and planned manner. Redesignating the zoning of the PUD area from MU-12 to MU-9A would almost triple the current height limit for the area, and more than triple the FAR. Having such a drastic change in the zoning of the PUD area, particularly in light of other developments proposed or already under construction, entails significant risks and sounds borderline reckless. Given the upcoming inauguration of Phase II of the Wharf, we need to tread carefully to avoid further deteriorating the already chaotic traffic environment in the SW Waterfront area to a point where it becomes irreversible.

The Zoning Commission’s decision on the developer’s request will significantly and permanently impact the traffic and living conditions in the SW Waterfront, particularly the well-being of the CSP community, Jefferson Middle School students, and Jefferson Field visitors. I respectfully request that the Zoning Commission does not approve ZC 22-06 until the traffic issues mentioned here, and the other issues raised by the ANC and my neighbors in their testimonies, are satisfactorily resolved.

Thank you