

TESTIMONY OF HAROLD J. DEBLANC, III, DIRECTOR,
FOREST CITY WASHINGTON, CONCERNING RESIDENTIAL
RECREATION SPACE REQUIREMENTS

Zoning Commission Case No 05-02

Good evening, Ms Mitten and Members of the Zoning Commission Thank you for this opportunity to testify I am Harold J DeBlanc, III, Director, Forest City Washington

As you may know, Forest City Washington has been designated by the U S General Services Administration as the developer of the Southeast Federal Center site. As you also know, this 42-acre site is located along the Anacostia River and adjacent to the new headquarters building of the U S. Department of Transportation currently under construction. The SEFC site will be transformed into a mixed-use neighborhood that will include office space, residential and commercial uses and a large waterfront park The construction will be highlighted by sustainable development practices including sensitive material selection, restoration of existing buildings and maintenance of view corridors The redevelopment of the site will bring new vitality to the city's near southeast neighborhoods with the introduction of a welcoming waterfront community for residents, workers and visitors to enjoy

The RRS requirements are inappropriate for the SEFC project and reflect an outdated and flawed public policy Therefore, I recommend that these requirements be eliminated in their entirety. Our reasons are as follows:

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1 First and foremost, the RRS requirements reflect a public policy that is inappropriate for a vibrant, dense, urban, pedestrian and streetscape-oriented project such as the SEFC project. Our philosophy and development concept for the SEFC project is to provide an attractive and exciting built environment that brings residents, office workers, shoppers and visitors to the Anacostia Waterfront. We want to encourage people to be out-of-doors, to recreate at the waterfront park, to shop, to stroll, to take a canoe or paddleboat on the river and to dine outdoors, in short, to make active use of the sidewalks and the pedestrian paths along the river, the shops and restaurants and all other services and amenities on site 18 hours a day. The RRS requirements, by contrast, reflect a philosophy that is insular and isolating and one that encourages people to remain behind locked doors in their condo or rental apartment buildings. This philosophy, we submit, is outdated and deeply flawed.

2 The RRS requirements conflict with many other public policy objectives and requirements that have been adopted by the Zoning Commission since the late 1970s, many of which are specifically applicable to the SEFC project. These include mandatory ground floor retail requirements, architectural design requirements (including with respect to building streetwalls, display windows, ceiling heights, building entrances and similar items), use prohibitions and special exception requirements for certain land uses, FAR and building height limitations, linear street frontage restrictions and numerous others. Complying with the RRS requirements, on top of the SEFC Overlay requirements, is costly. For example, it is expensive to bring an elevator to the roof of a building in order to provide a sun deck, a swimming pool or other passive rooftop facilities just to satisfy RRS requirements. Furthermore, it is expensive not only for us as developers but it is also costly to the condo unit purchasers or renters who are forced, without any choice in the matter, to foot the bills for on-going operation, maintenance,

repair and replacement of such elevators, sun decks, pools and other RRS facilities year in and year out – not to mention return requirements on capital outlays by developers

3 As you may recall, the SEFC Overlay mapped a number of different zoning districts within the 42 acre site. These include CR, R-5-E and R-5-D. This means that all of our residential buildings that are located within the CR zone will have RRS requirements. However, it also means that none of our buildings in the R-5-E and R-5-D districts will have any such requirements. This seems to us to be an absurd result. Specifically, some of our condo purchasers or renters will have access to RRS facilities – and will bear the on-going costs of such facilities in their rent or condo dues – while other condo purchasers or renters in buildings located across the street or around the corner will have no such access and will bear no such costs. Such a situation is fundamentally unfair and we think dramatizes one of the many deficiencies in the RRS requirements.

4. If no RRS requirements were to be applicable to the SEFC site, we would nevertheless provide ample recreational facilities, including the waterfront park, health clubs and other facilities. I can assure you that such facilities would be provided for use by all residents, all office workers and all visitors, not just those who happen to live in buildings built on CR-zoned land. Equally importantly, if there were no RRS requirement, we would be able to provide a larger number of residential units. Because of the large amount of land that is zoned CR within the SEFC site and the requirement that we provide almost 75,000 square feet of private recreation space based on our development plan, we would be able to provide approximately twenty-five (25) additional residential units. By providing recreation space that is available to the public (rather than private recreation space) and by providing more residential units, we believe we would more effectively implement the vision expressed in Section 1801 of the Zoning

Regulations " to provide for the development of a vibrant, urban, mixed-use, waterfront neighborhood, offering a combination of uses that will attract residents, office workers and visitors from across the District and beyond "

I sincerely hope that you will agree that this public policy, which was adopted over 25 years ago, is no longer necessary or appropriate (if it ever was), competes with other far more important public policy objectives and is unfair and unduly burdensome to developers, renters and condo unit buyers alike

Thank you for giving me this opportunity to appear and testify.



