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VIA IZIS AND HAND DELIVERY

D.C. Zoning Commission
441 4th Street, N.W., Suite 210
Washington, DC 20001

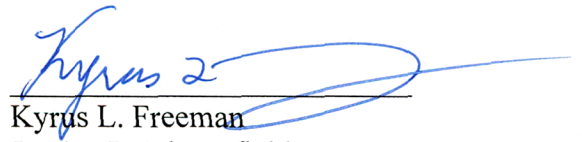
Re: **Revised Proffers and Conditions**
Consolidated PUD and Related Map Amendment @ Squares 744S and 744SS

Dear Members of the Commission:

On behalf of the District of Columbia, as fee owner of the above-referenced property, by and through the District of Columbia Water and Sewer Authority ("DC Water" or "Applicant"), we hereby submit the Applicant's revised list of proffers and corresponding conditions for the, submitted in compliance with the Commission's procedures of 11 DCMR § 2403.15 *et seq.* This document incorporates comments received from the Office of the Attorney General, as shown in track-changes.

Thank you for your attention to this matter.

Sincerely,



Kyrus L. Freeman
Jessica R. Bloomfield

Enclosure

cc: Advisory Neighborhood Commission 6D (with enclosures, Via U.S. Mail)
Anne Fothergill, D.C. Office of Planning (with enclosures, Via Email)
Ryan Westrom, District Department of Transportation (with enclosures, Via Email)
David Avitabile, Goulston & Storrs (with enclosures, Via Email)

Z.C. Case No. 15-14
Consolidated PUD and Related Map Amendment @ Squares 744S and 744SS

<u>PROFFER</u>	<u>CONDITION</u>
<u>Urban Design, Architecture, and Open Space (11 DCMR § 2403.9(a))</u> – The Project will be a welcoming, iconic, and highly sustainable headquarters office building for DC Water. The new building will wrap the O Street Pumping Station on two sides with a modern six story structure that provides a unique and aesthetically pleasing view from the Anacostia River. The building will be a civic landmark, expressing the current state-of-the-art in sustainable architecture and site design, while celebrating the Property’s location along the Anacostia River. Furthermore, the Project exemplifies the Applicant’s commitment to improving water quality and conserving energy through the implementation of extensive low impact development, water conservation techniques, and innovative stormwater management features.	The Project shall be developed in accordance with the architectural plans and elevations dated November 30, 2015 (Ex. 34A1-A13) (the “Plans”), and as modified by the guidelines, conditions, and standards of this Order. In accordance with the Plans, the Applicant shall develop the Subject Property with a new office building consisting of approximately 160,634 square feet of gross floor area (1.43 FAR) and a maximum building height of 100 feet, not including roof structures. The project shall include the landscape and sustainability features included on Sheets L01-L23 of the Plans, the landscape elements shown on the Green Area Ratio (“GAR”) Scorecard on Sheet A502 of the Plans, and the sustainability features included on the LEED Scorecard on Sheet A501 of the Plans.
<u>Site Planning and Efficient and Economical Land Utilization (11 DCMR § 2403.9(b))</u> – The Project will include environmentally sensitive development of a class-A office space constructed around and over a portion of the O Street Pumping Station, thus demonstrating an efficient use of industrial space in a dense urban environment.	The PUD shall be developed in accordance with the Plans, as modified by the guidelines, conditions and standards of this Order.
<u>Environmental Benefits (11 DCMR § 2403.9(h))</u> – The Applicant will ensure environmental sustainability through the implementation of sustainable design features and strategies to enhance the Property’s transit-rich location. The Project provides a host of environmental benefits consistent with the recommendations of subsection 2403.9(h), including the following: a. The building will achieve LEED Platinum certification under the USGBC’s LEED for New Construction v2009;	The Applicant shall provide the following environmental benefits: a. <u>Prior to the issuance of a building permit</u>, the Applicant shall register the Project with the USGBC to commence the LEED certification process under the USGBC’s LEED

b. The Property will capture 100% its rainwater and will reuse it for 100% of the non-potable purposes on the Property. The techniques used in capturing and reusing rainwater will be featured in the main lobby as a teaching tool; c. The Applicant will install bioswales to allow water to infiltrate onto the Property and reduce the heat island effect relative to the existing paved condition; d. The project will incorporate alternative energy technologies; e. The Project will incorporate alternative energy technologies;	for New Construction v2009 standards, <u>and shall submit evidence to the Zoning Administrator that the building has been designed to include a sufficient number of points to achieve LEED Platinum certification.</u> <u>Within twelve months after the issuance of the Certificate of Occupancy</u>, the Applicant shall submit a completed certification application to USGBC for review for LEED Platinum certification by the Green Building Certification Institute or similar organization; b. <u>For the life of the project</u>, the Property shall capture 100% of its rainwater and shall reuse it for 100% of the non-potable purposes on the Property. The techniques used in capturing and reusing rainwater shall be featured in the main lobby as a teaching tool; c. <u>Prior to the issuance of a Certificate of Occupancy for the building and for the life of the project</u>, the Applicant shall submit to DCRA evidence that it has: i. Installed bioswales on the Property, incorporated water efficient landscaping, and incorporated water use reduction techniques; ii. Incorporated alternative energy technologies, such as optimized energy performance indicators, enhanced commissioning, and/or refrigeration management systems; iii. Incorporated features to maximize daylighting and views
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f. The building will maximize daylighting and views and minimize the use of electric lighting; and g. The Applicant will utilize reclaimed materials in all areas, particularly with wood elements.	and to minimize the use of electric lighting; and iv. Incorporated low-emitting, recycled, and regional building materials; and v. <u>Utilized reclaimed materials in the construction of the building.</u>
<u>Transportation Benefits (11 DCMR §2403.9(c))</u> – The Applicant incorporated a number of elements designed to promote effective and safe vehicular and pedestrian access to the Property, convenient connections to the Navy Yard Metrorail station and nearby Metrobus routes, and on-site amenities such as vehicle and bicycle parking. In addition, the Applicant will undertake the following improvements: a. Provide 20 off-street vehicle parking spaces on the Property and a minimum of 50 additional off-street parking spaces on property owned or controlled by the Applicant, or otherwise in close proximity to the Property. The property located to the immediate north of the Property (identified as “Parcel F1” in Zoning Commission Case No. 13-05) is currently improved with DC Water facilities and utilized for DC Water purposes, including parking, and will continue to provide such DC Water uses until such time as DC Water, the District, and Forest City reach a mutually-agreeable document governing access to their respective development sites, parking, and other issues related to the relocation of the existing DC Water facilities in order for development to move forward on this land;	<u>Prior to issuance of a Certificate of Occupancy for the building and for the life of the project,</u> the Applicant shall undertake the following activities to promote effective and safe vehicular, bicycle, and pedestrian access to the Property: a. Provide 20 off-street vehicle parking spaces on the Property. The Applicant shall also have the flexibility to provide a minimum of 50 off-street parking spaces on property owned or controlled by DC Water within the boundary of the “Existing DC Water Campus Boundary,” as shown on Sheet G.002 labeled “Contextual Site Plan” of the Plans or otherwise in close proximity to the Property.

b. Provide a minimum of 16 covered and secure bicycle racks on the Property; c. Identify a TDM leader for planning, construction, and operations, and provide DDOT/Zoning Enforcement with annual TDM Leader contact updates; d. Post all TDM commitments on DC Water intranet, publicize availability to employees and allow employees to see what commitments have been promised; e. Provide a bicycle repair facility within the guard booth/bicycle storage area; f. Provide two showers and individual storage space within work areas for use by employees; g. Provide a TransitScreen or similar device displaying real-time transportation schedules; h. Expand its SmarTrip Transit Benefits Program to cover employees working at the Property, which provides a monthly, \$75 transit subsidy for employees that participate; i. In the event that Forest City does not file a building permit for the development of Parcel F1, approved pursuant to Z.C. Order 13-05, prior to the issuance of a Certificate of Occupancy for the Project, then DC Water will construct pedestrian improvements meeting DDOT's minimum standards along the south side N Place, S.E. from First Street,	b. Provide a minimum of 16 covered and secure bicycle racks on the Property, as shown on Sheets L002 and L003 of the Plans; c. Identify a TDM leader for planning, construction, and operations, and provide DDOT/Zoning Enforcement with annual TDM Leader contact updates; d. Post all TDM commitments on DC Water intranet, publicize availability to employees and allow employees to see what commitments have been promised; e. Provide a bicycle repair facility within the guard booth/bicycle storage area; f. Provide two showers and individual storage space within work areas for use by employees; g. Provide a TransitScreen or similar device displaying real-time transportation schedules; and h. Expand its SmarTrip Transit Benefits Program to cover employees working at the Property which provides a monthly, \$75 transit subsidy for employee's that participate. i. In the event that Forest City does not file a building permit for the development of Parcel F1 approved pursuant to Z.C. Order 13-05 prior to the issuance of a Certificate of Occupancy for the Project, then DC Water will construct pedestrian improvements meeting DDOT's minimum standards along the south side N Place, S.E. from First Street,
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S.E. to the closed portion of Canal Street, S.E.; and j. In the event that Forest City does not file a building permit for the development of Parcel F1, approved pursuant to Z.C. Order 13-05 (or any extension thereof) by February 7, 2018, DC Water will perform a signal warrant analysis post-occupancy of the Project to verify the need for a signal at N Place, and if warranted, DC Water will install a signal at this location in coordination with DDOT.	S.E. to the closed portion of Canal Street, S.E.; and j. In the event that Forest City does not file a building permit for the development of Parcel F1 approved pursuant to Z.C. Order 13-05 (or any extension thereof) by February 7, 2018, DC Water will perform a signal warrant analysis post-occupancy of the Project to verify the need for a signal at N Place, and if warranted DC Water will install a signal at this location in coordination with DDOT.
<u>Uses of Special Value to the Neighborhood and the District of Columbia as a Whole (11 DCMR § 2403.9(I))</u> – The Applicant will undertake the following actions to enhance the public’s experience at the Property: a. Welcome residents and visitors to the Property who have DC Water business to conduct, such as attending a Board of Directors meeting, applying for or interviewing for a job, attending a DC Water community event, or attending a procurement meeting; b. Install interpretative and educational displays in the main lobby and windows into the O Street Pumping Station to create an active, colorful, and thoughtful experience. Displays will include community news and will advertise for Yards Park and Capital Riverfront BID events; and c. Provide scheduled, guided tours of the building to learn about DC Water operations in the community and the history of the Historic Main Pump Station, which is presently not open to the public.	<u>Prior to the issuance of a Certificate of Occupancy for the building and for the life of the project</u>, the Applicant shall submit to DCRA evidence that the Applicant has undertaken the following actions: a. Established guidelines such that the Property will be open to visitors who have official DC Water business to conduct; b. In the main building lobby of the Project, installed interpretative and educational displays for the posting of community news and events and provided windows into the O Street Pumping Station; and c. Created a program that provides scheduled, guided tours of the building to educate the public about DC Water operations in the community and the history of Main Pump Station.