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November 9, 2015

VIA IZIS AND HAND DELIVERY

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

Re: Applicant's Post-Hearing Submission – Z.C. Case No. 15-14
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 following information requested by the Commission at the October 26, 2015 public hearing on this application:

1. Revised Architectural Plans and Elevations

As requested by the Zoning Commission, attached hereto as Exhibit A are revised Architectural Plans and Elevations (“Revised Plans”) that include the additional information and revisions requested by the Zoning Commission. Specifically, the Revised Plans include the following:

- A revised streetscape plan for 1 ½ Street, S.E. that is consistent with the design of Forest City’s streetscape (Sheets L.07, L.08, and L.12);
- An updated roof plan and perspectives, including details of the proposed roof trellis and confirmation that that trellis has been designed to not constitute a structure (Sheets A.101, A.207-211);
- Revised elevations and perspectives indicating that the building has been designed to a maximum building height of 100 feet, and the proposed architectural embellishment/screen wall extends no more than 4 feet above the roof of the building (Sheets A.301-304 and A.412-417);

- Confirmation that the Applicant is proposing to use metal panels for portions of the building's façade, and samples of the proposed metal panels and stained brick (Sheet A.300);
- The inclusion of additional covered bike racks, such that the Applicant is now proposing to install 16 covered bike racks (Sheet A.426); and
- The incorporation of additional signage and landscaping at the N Place, S.E. entrance to help identify the primary entrance point for the site (Sheets A.424-425).

2. Coordination with Forest City

Subsequent to the Zoning Commission hearing on this application, the Applicant has had multiple communications with Forest City to address the concerns that Forest City raised at the public hearing on this application. As a result of these communications, as shown on Sheets L.07, L.08, and L.12 of the attached Revised Plans, the Applicant has revised the proposed 1½ Street streetscape to be consistent with the design of Forest City's streetscape. In addition, the Applicant has agreed to include the following conditions as part of the Zoning Commission order approving this application:

- The Applicant shall construct and maintain the streetscape improvements associated with the east side of 1 ½ Street along and adjacent to the western portion of the DC Water Office HQ PUD Site ("DC Water Streetscape Improvements") in accordance with the streetscape plans included as Sheets L.07, L.08, and L.12 of the Plans submitted November 9, 2015.
- The Applicant shall maintain its security fence along the western portion of the DC Water Office HQ PUD Site in the location as shown on Sheet L.15 of Exhibit 20A2 of the Record, which indicates that the sidewalk is not within the perimeter of the proposed security fence, and shall further ensure that the sidewalk in the Streetscape Improvements remains reasonably accessible and open to the public.
- The Applicant shall construct the DC Water Streetscape Improvements in coordination with Forest City's timing for construction of 1½ Street, which may require that the DC Water Streetscape Improvements be constructed in phases after the completion and occupancy of the DC Water Office headquarters building.
- The Applicant shall cooperate with and affirmatively support any modifications of Z.C. Order No. 13-05 that are specifically required to accommodate the DC Water Streetscape Improvements shown on Sheets L.07, L.08, and L.12 of the Plans submitted November 9, 2015.
- The Applicant shall coordinate with Forest City the time for deliveries and trash service for the portion of the Forest City PUD that is immediately north of the DC Water Office HQ PUD (that is, the F1 Parcel), with the time for such deliveries and trash service to be reasonably approved by DC Water.

- The Applicant shall coordinate the grading of the DC Water Office HQ PUD Site with the grading of the Forest City PUD Site, with the final grading to be reasonably approved by DC Water.

The Applicant believes that the changes made to the proposed 1½ Street streetscape, combined with the conditions outlined above, adequately address the concerns raised by Forest City, and will enable both projects to move forward.

3. Response to DC Department of Transportation (DDOT) Comments

Subsequent to the Zoning Commission hearing on this application, the Applicant met with DDOT to review DDOT's proposed conditions, and to provide the information requested by DDOT. As a result of this meeting, the Applicant has agreed to include the following conditions as part of the Zoning Commission order approving this application:

- The Applicant shall provide a bicycle repair facility within the guard booth/bike storage area.
- The Applicant shall provide two showers and individual storage space within work areas for use by employees.
- The Applicant shall provide a TransitScreen or similar device displaying real-time transportation schedules.
- The Applicant shall expand its SmarTrip Transit Benefits Program to cover employees working at the Subject Property which provides a monthly, \$75 transit subsidy for employee's that participate.
- 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 DC Water Headquarters building, then DC Water will construct pedestrian improvements meeting DDOT's minimum standards along the south side N Place, S.E. from First Street, S.E. to the closed portion of Canal Street, S.E.
- 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 DC Water Headquarters building 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.
- Prior to any construction by Forest City on Parcel F1, DC Water will work with Forest City and the District to ensure that any parking spaces located on Parcel F1 and serving DC Water are relocated (at no expense to DC Water) by Forest City or the District to a location in close proximity to the DC Water PUD Site, and that the parking spaces are located such that there are adequate pedestrian improvements for employees to access the DC Water site.

The Applicant also provided written responses to explaining why the Applicant cannot provide an initial one-year Capital BikeShare annual membership to all employees, and why the Applicant cannot provide an ADA compliant connection for employees along the desire line from the eastern edge of the PUD to The Yards Park. With respect to Capital BikeShare, the Applicant is committed to encouraging alternative transportation for its workforce to commute, and would like to do so with the most effective use of ratepayer dollars. The Applicant analyzed the geographic distribution of its workforce in the region, and determined that the overwhelming majority (over 65%) do not live in an area served by Capital BikeShare, and therefore the membership would have minimal to no impact on DC Water employee commuting behaviors. DC Water has had success with its existing transit subsidy program – which offers employees \$75 monthly incentive to use approved means of transit across the region. DC Water’s SmartTrip benefits program is currently above a 60% participation rate for our employees at 80M Street, whose offices will be relocated in the new HQ. DC Water expects the same level of robust participation from all our employees at HQ, if not more, and as such the Applicant would prefer to expand the SmartTrip program to HQ which the Applicant believes is the best investment of ratepayer dollars to change employee behavior in the long-term.

With respect to providing an ADA compliant connection for employees along the desire line from the eastern edge of the PUD to The Yards Park, the Applicant cannot comply with this request for a number of reasons. As shown on the photographs attached hereto as Exhibit B, the area near the eastern edge of the PUD site serves as an access point for trucks to access the existing, main pump station and as a lay-down staging area for the Main Pump Station. This area is frequently used by trucks and heavy equipment solely for the use of the existing Historic Main Pumping station. This area is not intended to be utilized by employees of the proposed new headquarters building. Due to safety and liability concerns, the Applicant cannot allow non-pump station employees to access or be in this area, nor the area connecting from this gate to the rear south entrance doors to the Main Pump Station. The Applicant also notes that there is an existing 4 foot retaining wall along the western portion of 2nd Street, S.E., and thus there is no way to construct an ADA complaint ramp into The Yards park.

As shown on the circulation plan included as Sheets A.105-106 of the Revised Plans, the Applicant notes that there are a number of amenities in close proximity to the PUD Site, and that there are sufficient existing pedestrian improvements for employees of the new headquarters building to access these amenities.

DDOT also requested that the Applicant provide detailed information on the vehicular parking component, including its location, layout, and management for each phase of development. In response, the Applicant has indicated that it will 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.02 labeled “Contextual Site Plan” of the Plans dated October 6, 2015 (Ex. 20A1) or otherwise in close proximity to the Subject Property.

As shown on Sheet C.23 included with the Architectural Plans and Elevations marked as Exhibit 14 in the record, DC Water anticipates providing over 50 off-street parking spaces on the property to the immediate north of the PUD Site, and Sheet C.23 shows the potential layout of such spaces. This site is identified as “Parcel F1” in Zoning Commission Case No. 13-05.

Prior to any construction by Forest City on Parcel F1, DC Water, Forest City, and the District will have to reach an agreement that governs relocation of DC Water facilities, including the location of any interim parking spaces during construction of the proposed movie theater on Parcel F1, as well as the permanent location of parking spaces for DC Water post-construction of the movie theater. Accordingly, the exact location of any temporary spaces during construction of the movie theater cannot be identified or committed to at this point. However, in order to address DDOT's concern regarding the location of parking spaces for the DC Water building during construction of the movie theater on Parcel F1, DC Water proposes to incorporate the following condition:

Prior to any construction by Forest City on Parcel F1, DC Water will work with Forest City and the District to ensure that any parking spaces located on Parcel F1 and serving DC Water are relocated (at no expense to DC Water) by Forest City or the District to a location in close proximity to the DC Water PUD Site, and that the parking spaces are located such that there are adequate pedestrian improvements for employees to access the DC Water site.

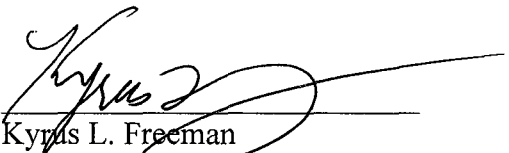
The Applicant believes that incorporation of the conditions outlined above, as well as the information provided to DDOT, adequately address the concerns outlined in DDOT's report in this case.

4. Draft Findings of Fact and Conclusions of Law

Attached hereto as Exhibit C is the Applicant's draft proposed Findings of Fact and Conclusions of Law.

We look forward to the Zoning Commission's favorable consideration of this application.

Sincerely,



Kyrris L. Freeman
Jessica R. Bloomfield

Enclosures

cc: Advisory Neighborhood Commission 6D (with enclosures, Via U.S. Mail)
Meredith Fascett, Single Member District 6D07 (with enclosures, Via U.S. Mail)
Jennifer Steingasser, D.C. Office of Planning (with enclosures, Via Hand)
Anne Fothergill, D.C. Office of Planning (with enclosures, Via Hand)
Ryan Westrom, District Department of Transportation (with enclosures, Via Hand)