

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission

Public Hearing

Case No. 15-14 [District of Columbia Water and Sewer
Authority - Consolidated PUD and Related Map
Amendment at Squares 744S and 744SS]

7:00 p.m. to 9:28 p.m.
Monday, October 26, 2015

Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220 South
Washington, D.C. 20001

1 Board Members:

2 ANTHONY HOOD, Chairperson

3 MARCIE COHEN, VICE CHAIR

4 PETER MAY, Commissioner

5 ROBERT MILLER, Commissioner

6

7

8 Office of Zoning:

9 SHARON SCHELLIN, Secretary

10

11 Office of Planning:

12 JENNIFER STEINGASSER

13 JOEL LAWSON

14 ANNE FOTHERGILL

15

16 DDOT:

17 RYAN WESTROM

18 ANNA CHAMBERLIN

19

20 OTHER:

21 KYRUS FREEMAN, ESQ.

22 GEORGE HAWKINS

23 SVEN SHOCKEY

24 DAVID AVITABILE

25 SARAH FORDE

1 P R O C E E D I N G S

2 CHAIRPERSON HOOD: We are about 30 minutes
3 late and I apologize for your indulgence. We had a
4 special public meeting we needed to get through this
5 evening and I appreciate your patience. We will
6 begin this hearing.

7 Good evening, ladies and gentlemen. This is
8 a public hearing of the Zoning Commission for the
9 District of Columbia. Today's date is October 26,
10 2015.

11 My name is Anthony Hood. Joining me are Vice
12 Chair Cohen, Commissioner Miller, Commissioner May,
13 and Commissioner Turnbull. We're also joined by the
14 Office of Zoning staff, Ms. Sharon Schellin, Office
15 of Planning, Ms. Steingasser and Mr. Lawson, and Ms.
16 Fothergill. Also the District Department of
17 Transportation, Mr. Westrom and Ms. Chamberlin.

18 This proceeding is being recorded by a court
19 reporter and is also webcast live. Accordingly we
20 ask you to refrain from any disruptive noises or
21 actions in the hearing room, including display of any
22 signs or objects.

23 Notice of today's hearing was published in
24 the D.C. Register and copies of that announcement are
25 available to my left on the wall near the door. The

1 hearing will be conducted in accordance with
2 provisions of 11 DCMR 3022 as follows: preliminary
3 matters, applicant's case, report of the Office of
4 Planning, report of other government agencies, report
5 of the ANC, organizations and persons in support,
6 organizations and persons in opposition, rebuttal and
7 closing by the applicant. The applicant has up to 60
8 minutes, organizations five minutes, individuals
9 three minutes.

10 All persons appearing before the Commission
11 are to fill out two witness cards. These cards are
12 located to my left on the table near the door. Upon
13 coming forward to speak to the Commission please give
14 both cards to the reporter sitting to my right before
15 taking a seat at the table. When presenting
16 information to the Commission please turn on and
17 speak into the microphone, first stating your name
18 and home address. When you are finished speaking
19 please turn your microphone off so that your
20 microphone is no longer pick up sound or background
21 noise.

22 Please turn off all beepers and cell phones
23 at this time so as not to disrupt these proceedings.
24 The staff will be available throughout the hearing to
25 discuss procedural questions.

1 Would all individuals wishing to testify
2 pleas rise to take the oath. Ms. Schellin, would you
3 please administer the oath?

4 MS. SCHELLIN: Yes. Please raise your right
5 hand.

6 [Oath administered to the participants.]

7 MS. SCHELLIN: Thank you.

8 CHAIRPERSON HOOD: Okay. Ms. Schellin, do we
9 have any preliminary matters?

10 MS. SCHELLIN: Yes, sir. We have a party
11 status request in support from the Forest City --
12 from Forest City Washington. They're represented by
13 Mr. Avitable from Goulston and Storrs. We'd ask the
14 Commission to consider that request.

15 CHAIRPERSON HOOD: Okay. The way I read that
16 request, colleagues is that even though it's in
17 support there still are some agreements, I guess,
18 because of the closeness of the land and how they're
19 building it, working together. They have asked for
20 support. I don't think they are inclined to ask any
21 questions at this point. I think they've asked to
22 just be a party in support for some development
23 reasons, the way I understood the submission.

24 Any objections?

25 MS. COHEN: No.

1 MR. MAY: No, are they going to make a
2 presentation?

3 CHAIRPERSON HOOD: I don't -- oh, they are?

4 MS. SCHELLIN: Five minutes.

5 MR. MAY: Five minutes. So that means that
6 the applicant gets 55. Well, 30. Apparently they
7 only need 30, right?

8 CHAIRPERSON HOOD: I must have missed that
9 part. Forgive me.

10 MS. SCHELLIN: Fifty-five now?

11 MR. MAY: I'm just --

12 CHAIRPERSON HOOD: Okay. Let's see what
13 happens. We know that you have a party in support
14 who would need five minutes of your time. Okay?
15 Possibly. Okay? Any objections to them being a
16 party?

17 MS. COHEN: No.

18 CHAIRPERSON HOOD: Ms. Bloomfield, since I'm
19 working with you tonight, any objection to them being
20 a party?

21 MS. BLOOMFIELD: No.

22 CHAIRPERSON HOOD: Okay. Some people don't
23 think I hear statements they make when I'm walking
24 out of the room. If you're going to talk about
25 somebody's football team, General Manager, you better

1 wait until the hearing is over. Am I right?

2 [Laughter.]

3 CHAIRPERSON HOOD: Okay. All right. Mr.
4 Freeman, you can go ahead.

5 MS. SCHELLIN: There's some proffered experts
6 too.

7 CHAIRPERSON HOOD: Yes. Let's do the
8 proffer. Let's do the experts.

9 MR. FREEMAN: Good evening and Chairman Hood,
10 for the record my name is Kyrus Freeman. I'm an
11 attorney with the law firm of Holland and Knight,
12 here on behalf of the applicant.

13 We do have two experts we'd like to proffer.
14 The first is Mr. Sven Shockey. He's an architect
15 with the Smith Group. You have his resume. You
16 should have his resume in your packet. We'd like to
17 proffer him as an expert in architecture and design.

18 And Mr. Erwin Andres as an expert in
19 transportation.

20 CHAIRPERSON HOOD: I don't think we need to
21 go over Mr. Andres. We'll just go over Mr. Shockey.

22 CHAIRPERSON HOOD: Resume in front of them.
23 Any objections?

24 [No audible response.]

25 CHAIRPERSON HOOD: Okay. So not hearing any,

1 we will proffer him as an expert.

2 MR. FREEMAN: Thank you. I'll just do a
3 quick opening. Again, Kyrus Freeman on behalf of the
4 applicant. I'm joined here by Mr. Hawkins from D.C.
5 Water, Sven Shockey, the architect, Erwin Andres,
6 Gorove Slade. We also have a number of individuals
7 here and available to answer any questions regarding
8 D.C. Water in general, our landscape design,
9 engineering, and security concerns. So to the extent
10 that anyone here can answer a question we'd like to
11 call those folks up.

12 Since this case has been set down we've been
13 working hard and diligently to address the comments
14 that came up during the set down meeting and
15 throughout the process. As you can see here we have
16 what we believe is an exciting project that fully
17 meets all the applicable standards for you to approve
18 the project.

19 We are happy to have the support of ANC 6D,
20 whose letter you will -- I'm sure you've seen in the
21 record. The support of the Office of Planning who
22 has had a couple suggested conditions and we have
23 agreed to three specific proffers with respect to
24 opening up the buildings to make them available to
25 the public under D.C. Water conditions.

1 And we also have a report, as you've likely
2 seen, from the Department of Transportation which
3 overall supports the project. They have a number of
4 recommendations, some of which we can agree to,
5 others of which we think are beyond the scope of this
6 project or otherwise others are required to do those
7 conditions. So we can go through that in more detail
8 as we get through our presentation and respond to
9 DDOT. But again, we think the record is full. We
10 fully meet the standards for approval so you'll be
11 seeing an abbreviated presentation but we're happy to
12 answer any questions.

13 With that, I'll turn it over to Mr. Hawkins.

14 MR. HAWKINS: Good evening, Commissioners,
15 staff, and agency personnel. My name is George
16 Hawkins and I have the honor and pleasure to the
17 General Manager and CEO of the District of Columbia
18 Water and Sewer Authority, or D.C. Water.

19 I have submitted longer written testimony in
20 advance of today's hearing. The following is an
21 abbreviated statement.

22 D.C. Water has developed a plan for all
23 office spaces to take advantage of our owned
24 facilities around the District and eliminate leased
25 space. A detailed analysis of our facility needs

1 concluded that there is no room for expansion of
2 office facilities at our Blue Plains Facility. As it
3 is we are already challenged by the lack of space at
4 Blue Plains for future improvements in the treatment
5 process.

6 The administration functions for D.C. Water
7 are primarily located in a five story building at the
8 Blue Plains campus where I work, known as the Central
9 Operations Facility, or COF. And scattered among
10 numerous other locations around the District,
11 including rented space in the ballpark. The COF has
12 reached its capacity to the point that Blue Plains is
13 loaded with office trailers instead of the intended
14 use as a critical treatment facility.

15 To alleviate the overcrowding of the COF and
16 to free up land for expansion improvement of the
17 plant processing operations, D.C. Water needs to
18 construct a new headquarters building.

19 The proposed new building will consolidate
20 and relocate all administrated related personnel to
21 one centrally located facility. This will save
22 approximately \$44 million over 30 years in leasing
23 expenses. Headquarters will be located at the O
24 Street pumping station which along with the adjacent
25 Main Street pumping station are the two primary hubs

1 routing untreated sewage and storm water from
2 throughout Washington, D.C. to Blue Plains for
3 processing. These two facilities are centralized
4 choke points for more than 70 percent of all sanitary
5 sewage and storm water collected in the D.C. Water
6 service area of 725 square miles.

7 D.C. Water appreciates that the Office of
8 Planning recognizes our security concerns as an
9 impediment to access to the site. We are committed
10 to allowing controlled public access to our
11 headquarters for the public to learn more about D.C.
12 Water operations and our dedication to enhancing the
13 Anacostia Water front and to conduct D.C. Water
14 business on site.

15 D.C. Water is proposing to build a new office
16 building headquarters for D.C. Water on our property,
17 wrapping the pumping station on two sides, maximizing
18 the use of our own valuable land. The building will
19 have an overall density of 1.39 floor area ratio,
20 FAR, and will include approximately 167,180 square
21 feet of gross floor area.

22 The project will have a maximum building
23 height of 100 feet and will include 20 off street
24 parking spaces. In addition there will be 50 parking
25 spaces provided on the property just to the north

1 until the Forest City PUD is implemented. D.C. Water
2 is committed to continuing our great working
3 relationship among -- with Forest City during
4 construction and after the theater is built to ensure
5 that issues related to parking and access are
6 resolved fairly and reasonably.

7 The headquarter project will be a model of
8 sustainable design and innovation for the District
9 and the region. It will be the D.C. Water's most
10 sustainable construction project ever and will
11 provide a visible connection to the community that we
12 serve. The headquarters will anchor D.C. Water's new
13 publically accessible campus along the Anacostia
14 River, which embraces our relationship to the
15 watershed and reflects our stewardship of both the
16 natural and built environments.

17 We at D.C. Water pride ourselves on engaging
18 and being responsive to the needs of our customers
19 and the community we serve. I'm happy to testify
20 that we have received a unanimous vote of support
21 from our local advisory neighborhood commissioners.
22 We've also received letters to support for
23 headquarters from Forest City Washington,
24 Councilmember Allen, and the Capitol Riverfront Bid.

25 We intend to continue to work with our

1 friends and neighbors in the community as we proceed
2 through design and construction to eliminate any
3 negative construction impacts and keep people well
4 informed about the project.

5 As I prepared for the hearing tonight and
6 read through my entire notebook of briefing
7 materials, I realized that this office building
8 really embodies the reason I came to Washington, D.C.
9 nine years ago, previously running the District
10 Department of what is now energy in the environment
11 and now D.C. Water.

12 We want to change from our current office
13 which is an auto dependent, essentially office park,
14 far removed from any other part of the District into
15 a centrally located, publically accessible, multi-
16 modal facility right on the waterfront. We want to
17 move people into a part of the city. I lived on New
18 Jersey Avenue, three blocks away from where we intend
19 to build our central office. We would like to have
20 our employees become part of that neighborhood and
21 community, bringing more vitality to a part of the
22 city that's changing so very quickly.

23 Third, we want to design and build around an
24 existing pump station, taking one of our less
25 desirable features and turning it in to a showcase

1 while minimizing the consequence to any of the lots
2 around it and maximizing the capability for the
3 District, the City, to have many different options
4 available to them.

5 Fourth, we want to build one of the most
6 sustainable buildings we have ever conceived at a
7 LEED platinum level and above. It simply has almost
8 every environmental amenity we can imagine, including
9 some that represent far reaching tests of new
10 technology, including using sewer heat for heating
11 and cooling.

12 Finally, we're a public agency. We're
13 seeking to do this with rate payer funds as a partner
14 to the District Government, recognizing we'll do
15 everything in our power to maintain public access to
16 our facility, recognizing its absolutely critical
17 security feature. This is the main pump station for
18 70 percent of the 300 million gallons of storm water
19 and sewage that comes to our facility every day, and
20 it's considered by the Federal Government and the
21 District Government to be a prime location for
22 security. Unfortunately that does mean we'll have
23 restricted access, but we believe we can create a
24 vibrant manner in which the public can still come
25 visit our facility on foot from the Metro or a bike,

1 and we're very excited at the attributes.

2 So today, thank you, Commissioners, for your
3 time and attention to this exciting and complex
4 project along the Anacostia waterfront. We at D.C.
5 Water are seeking approval as quickly as possible.
6 This is one of our favorite projects ever, and we are
7 tremendously excited for what we can do for the city,
8 the community and our rate payers. Thanks so much.

9 MR. FREEMAN: We'll now turn it over to the
10 architect. And you should have copies of his slides.

11 MR. SHOCKEY: Good evening, Commissioners and
12 staff. My name is Sven Shockey and I am a principal
13 at Smith Group JJR. And I'm very pleased to present
14 the design of the D.C. Water headquarters to you
15 tonight. The project is 167,000 gross square foot,
16 six story headquarters building that partially wraps
17 a utilitarian 1960s era pump station sited at the
18 edge of the Anacostia River.

19 We believe this will be a state of the art
20 campus, together with the 1907 Bozart building
21 adjacent to it. And it will be a showcase of
22 sustainable and resilient design that not only
23 reflects but expresses D.C. Water's mission.

24 The project boundary is shown in orange. The
25 red represents the totality of the current D.C. Water

1 industrial site. These images are for reference and
2 show the current purely utilitarian and unimproved
3 nature of the site. As you are aware, this site is
4 an operating pump station. This site handles 70
5 percent of the District sewage and storm water that
6 flows through it. It is therefore a critical
7 infrastructure but much of the functionality of the
8 site is hidden. The pink is a diagram of the below
9 grade infrastructure that's a combination of sewer
10 and other types of piping and infrastructure.

11 Much of the infrastructure is only a short
12 distance below grade.

13 This drawing shows the new headquarters
14 building with the future Forest City PUD built out
15 and we feel that the project sits well in to the
16 future grid of streets. I'll describe the various
17 aspects of the site. Directly to the north -- I can
18 point out this area here is loading and it's loading
19 for both the new headquarters building as well as the
20 pump station.

21 But if we move to the northeast portion of
22 the drawing this is an extension of Canal Street that
23 houses an ancillary security building that will also
24 provide storage for seven covered bicycle racks.
25 This entry drive is flanked by 14 parking spaces and

1 leads to the auto court that you see directly to the
2 east of the project. So in addition the auto court
3 provides six handicapped parking spaces, an area for
4 maintenance of any the kind of industrial uses that
5 are still on the site. And you'll see, going in the
6 east/west direction, these long strips. These are
7 runnels that collect the storm water with the idea
8 that they're actually expressing the collection of
9 the storm water on the site. The storm water will be
10 sent to a cistern. This water is then used for 100
11 percent of the toilet flushing and 100 percent of the
12 irrigation for the project.

13 Directly to the south of the building is a
14 long wood esplanade, this element here. And seated
15 plantings to the south. You'll note on the wood
16 esplanade there are a series of terrace steps, and
17 the idea is that visitors and school children can
18 visit the site. This becomes an amphitheater where
19 the kids can visit and learn about the sustainable
20 futures by D.C. Water and specifically on this
21 particular site.

22 There is an aluminum grading promenade which
23 is this vertical element right there, and that is a
24 kind of a theoretical terminus to Canal Street and
25 allows for additional viewing of this site, and then

1 the river. This drawing represents really the same
2 content, but this is before the Forest City PUD is
3 built out to the north and to the west.

4 So a number of fences are required to kind of
5 -- to maintain the security for the site. So I
6 worked with the Office of Planning on this to kind of
7 simplify the layout. So what we have shown in red
8 are a steel cable, horizontal steel cable guardrails
9 and fences. To the north, in the green, is a
10 perforated metal fence that kind of ties into the
11 architecture of the building itself.

12 The building's facades are tailored for
13 interior uses and to provide generous daylighting,
14 significant views for everyone in the building, and a
15 highly energy efficient envelope. In general, the
16 north side of the building is solid to minimize heat
17 transfer and the south is glazing to maximize
18 daylighting and views. On the south side each floor
19 steps out two feet beyond the floor below,
20 effectively shading the building, particularly in the
21 summer months.

22 An energy model has revealed precise
23 locations in which solar gain needs to be mitigated
24 to reduce air conditioning loads. This area is
25 treated with a second layer of tinted glass, which I

1 refer to in subsequent slides as a sunshade, set a
2 few feet from the face of the building. I'll walk
3 through the logic of each façade.

4 This is the north elevation and it's largely
5 solid and features three tones of a high performance
6 concrete or metal panel cladding. There are windows
7 that are provided for specific interior uses as
8 needed. You'll also see, towards the bottom of the
9 drawing right there is the existing pump station
10 which will remain brick, but will be stained a gray
11 as shown.

12 The east elevation transitions from the solid
13 cladding to the north to a glass curtain wall to the
14 south, which is to the left of this image. And then
15 again green sunshades are located precisely where
16 needed to reduce that solar gain of the building.
17 The ground floor, facing southeast and west, is
18 always a transparent glass.

19 MR. FREEMAN: Can I just interject quickly to
20 make sure we're -- what we're showing are the
21 elevations for Option A. The Office of Planning
22 wanted to make sure we made that clear in the
23 beginning part of our presentation. Sorry for the
24 interruption.

25 MR. SHOCKEY: The south elevation is glass

1 curtain wall, again with the sunshades of green glass
2 in the two areas shown. A shadow line at each floor
3 is a result of the fact that each floor steps out two
4 feet as I mentioned earlier, and this is where the
5 building self-shades itself during the summer months.

6 The west elevation features glass with the
7 green sunscreen to the south and transitioning to
8 solid again to the north.

9 This is a photograph of the material board
10 which you should have behind you, showing all the
11 materials on the façade of the building. I can go
12 through in general the glass materials. The glazing
13 materials are to the left, and the solid cladding
14 materials are to the right. So the four -- you see
15 the, kind of the three green cladding materials to
16 the right, those are the primary north façade
17 materials. The gray is used up on the penthouse.

18 On the left are the different various types
19 of glasses. The top two are the clear typical clear
20 glazing. The one on the right is actually the ground
21 floor. The one on the left is the upper floors.

22 The next two glass samples are the insulated,
23 green insulated glass units which are used in
24 strategic locations. And it's two different tints of
25 green. And then the bottom two pieces of glass are

1 actually laminated glass, and this is that second
2 layer, what I referred to as the sunshade. This is
3 the sunshade glass that is again used in very kind of
4 precise locations on the building façade.

5 This is the detail of the southwest corner of
6 the building showing that green sunscreen. The
7 section to the right shows how the sunscreen is set
8 off the face of the building and it's desirable to
9 have the building shed heat away from the surface of
10 the building so it does not get absorbed through the
11 wall.

12 This detailed image illustrates how the
13 stepping works on the south façade. The
14 configuration provides significant passive solar
15 shading in the summer months.

16 So I'll walk through the ground floor plan.
17 There are two main entrances to the ground floor.
18 One is the north, which is accessed after walking
19 down the extension of Canal Street. The other is to
20 the west which will address one and a half Street
21 once the Forest City PUD is built out. You can see
22 this square in the middle is the existing pump
23 station, and so the lobby becomes a sliver wrapping
24 around that existing pump station. And we feel that
25 the lobby will become a tremendous space for

1 interactive exhibits and teaching about D.C. Water's
2 mission and the sustainable elements of the site.
3 The yellow dashed line is a zone where we are
4 planning on cutting windows into the existing pump
5 station so that visitors can experience the
6 infrastructure on the site and actually view into the
7 operations.

8 The roof features terrace space with
9 significant views up and down the river, and then
10 planted zones that contribute to reducing storm
11 water. We'd like to show two options for the rooftop
12 screen wall and penthouse configuration. Option A,
13 which is what you've seen throughout the presentation
14 is on the top of this slide. And then Option B is to
15 the bottom of this slide. And this has to do with
16 the height of the architectural embellishment.

17 The concept of the building is to represent
18 fluidity in its form and details, therefore we have
19 extended the façade above the roof to become a
20 guardrail at the south, and a penthouse screen wall
21 to the north. This gives the building an elegant
22 tapered profile lower at the south as it addresses
23 the river. The high points are the northeast and
24 northwest edges of the building where the form tapers
25 to become tower elements.

1 For Option B the strategy is similar but the
2 façade does not extend above the roof at the south
3 and then extends up only four feet at the north. A
4 stainless steel guardrail is provided at the south
5 and set back one to one from the roof edge. Since A
6 has a higher screen wall it allows the penthouse to
7 extend to the north façade, which allows for a much
8 more functional core. Option B sets the penthouse
9 elements one to one back from the edge and results in
10 an interior stair transfer condition.

11 So these views illustrate, again, the
12 different options. Option A to the left, Option B to
13 the right. We prefer Option A and believe it
14 complies with the intent of the regulations and
15 results in a stronger building presence and hierarchy
16 relative to the adjacent commercial buildings which
17 have been approved up to a height of 130 feet. Our
18 building is only 100 feet, plus the 10 feet and the
19 taller version of the higher screen wall.

20 We feel we are at a point in time where there
21 is an appreciation for the role of utilities and that
22 they should be not invisible but instead should be
23 celebrated for grounding or cultures, connection, and
24 responsibility to the natural environment. But we're
25 happy to answer questions and move forward with the

1 option the Commission prefers.

2 The D.C. Water headquarters is carefully
3 shaped by the opportunities of the site and by the
4 responsibilities to its environment and is an example
5 of state of the art integrated design. We feel the
6 design honors and expresses D.C. Water's vision and
7 mission. Thank you.

8 MR. ANDRES: Good evening, Chairman Hood,
9 Members of the Commission, Erwin Andres of Gorove
10 Slade Associates. I'm going to briefly go through
11 the transportation elements of the development
12 program. With respect to the site, where it's
13 currently located, it is well situated just south of
14 the Navy Yard Metro portal. There are two portals
15 that serve the site. There is one at the half street
16 location and one at New Jersey Avenue. The site is
17 also well served by Express Bus Service.

18 The circulation diagrams and access diagrams
19 are the next items that I'm going to show you. This
20 first diagram shows the entrances into D.C. Water's
21 parking areas from the north where there is a
22 proposed security gate where both pedestrian,
23 vehicular, and bike access will allow you access into
24 the site. And from the west, where there will be
25 primary loading access as well as an ancillary

1 emergency access for pedestrians. The main entrance
2 into the building is at the northeast corner.

3 This diagram shows how the access will be
4 provided for the site in the interim before the
5 Forest City parcels are developed around the site.
6 Again, the orientation of the site is consistent with
7 the potential future access into the site with direct
8 access into the parking areas from the north along
9 the Canal Street right of way.

10 With respect to parking we are providing 70
11 parking spaces. Twenty are located as identified by
12 Mr. Shockey, with 16 in the front aisle and four in
13 the auto court. The remaining 50 spaces will be
14 located on D.C. property, D.C. Water property. With
15 respect to loading we are providing four 30 foot
16 berths, five 100 square foot platforms, and one 20
17 foot service space.

18 With respect to the TDM elements the TDM
19 elements include bicycle considerations as well as
20 identifying a TDM leader and coordinating. We are
21 promoting alternative modes and expanding the Smart
22 Trip benefits.

23 In our coordination with DDOT and in DDOT's
24 review letter, DDOT had identified several conditions
25 -- excuse me, several conditions in their review

1 letter on page 3, which include additional TDM
2 measures. The five additional TDM measures that they
3 identified include providing an on-site bicycle
4 repair facility, provide two showers and 15 lockers,
5 providing a transit screen or similar device,
6 providing an initial \$50 Smart Trip card to all
7 employees and provide initial Capitol Bike Share
8 annual membership.

9 D.C. Water agrees to a few of these elements
10 but not all of them. D.C. Water will provide a
11 bicycle repair facility within the car booth where
12 the secured bicycle spaces are located. D.C. Water
13 will provide two showers and individual storage space
14 within work areas for the use by the employees. And
15 D.C. Water will expand the Smart Trip benefits
16 program to cover employees working at the subject
17 property and allow for pretax deductions of transit
18 fares from their pay.

19 D.C. Water has 1,240 full-time equivalents.
20 Therefore, providing a Capitol Bike Share membership
21 at \$85 per year for per membership would cost D.C.
22 Water \$105,400. This is a substantial cost and would
23 impact D.C. Water's existing approved benefits
24 package as negotiated by D.C. Water's Union and non-
25 union employees and as approved by D.C. Water's

1 Board.

2 D.C. Water does not propose installing a
3 transit screen, given that the project includes ample
4 transportation demand management measures and a
5 screen will not necessarily change behaviors of the
6 employees, but is an actual added convenience to
7 those who decide to use transit or decide to take
8 Capitol Bike Share.

9 With respect to the other conditions that
10 DDOT had identified, DDOT had identified providing
11 pedestrian improvements to and from the primary
12 transit stations, including a Navy Yard Metro and M
13 Street bus lines, and along the south side of N
14 Place. D.C. Water has provided this response. They
15 have identified that providing these improvements is
16 DDOT's responsibility. D.C. Water is not a private
17 developer and not using ratepayer funds to construct
18 public sidewalks. However D.C. Water is willing to
19 add the following condition in association with this
20 application.

21 In the event the project approved pursuant to
22 Zoning Commission Order 13-05 does not move forward,
23 D.C. Water will improve the sidewalk along the south
24 side N Place from First Street, to the closed portion
25 of Canal Street.

1 The other condition that DDOT had identified
2 is adding ADA compliant connection for employees
3 along the desire line between the Forest City parcel
4 locations and the Yards Park destination area. D.C.
5 Water facilities onsite will be ADA compliant.
6 However D.C. Water is not making improvements outside
7 the scope of the PUD.

8 With respect to the --

9 [Pause.]

10 MR. FREEMAN: We're going to just stop and
11 let DDOT do their presentation and we can just answer
12 any questions that come up as a result of that.

13 CHAIRPERSON HOOD: So you're complete?

14 MR. FREEMAN: So that concludes our direct
15 presentation. We're happy to answer any remaining
16 questions.

17 CHAIRPERSON HOOD: Okay. Colleagues, any
18 questions? I thank you all for being succinct and
19 you had 60 minutes but I see you all took what, 32?
20 Okay. All right. We appreciate that.

21 Let's see if any questions and comments. Let
22 me ask you this, General Manager Hawkins, what are
23 the unions that are out there. What unions do you
24 have at D.C.? I heard you all mention the unions and
25 non-unions.

1 MR. HAWKINS: We have five unions at D.C.
2 Water, so both ASME and AEFG. And in this particular
3 facility we'll have -- this is not mostly unionized.
4 This is mostly the non-union management staff. But
5 we will have unionized personnel probably in the
6 customer service operation where we'll have -- where
7 we answer our phones. But we do have five unions at
8 D.C. Water and work with them very well.

9 CHAIRPERSON HOOD: Okay. How long have you
10 been -- I'm actually asking a few questions --

11 MR. HAWKINS: Sure. Go right ahead.

12 CHAIRPERSON HOOD: -- just being nosey. Why
13 they don't give me questions because I usually go
14 last.

15 MR. HAWKINS: Uh-huh.

16 CHAIRPERSON HOOD: How long have you all been
17 anticipating this headquarters?

18 MR. HAWKINS: We've been working on it for
19 several years. The signature trigger is that we face
20 -- the last three people we've hired at the central
21 office building where I work, we had to convert
22 closets to fit them. So we've run out of space in
23 our current building and our facilities plan called
24 for us to rebuild and add elements to that existing
25 building which is all the way down at Blue Plains.

1 It's a terrible building, which was very expensive.
2 It looked like we had to build a structured parking
3 lot because we've run out of space. If we have to
4 build any more treatment facilities at Blue Plains,
5 which is by far the most valuable land we have
6 because there is nowhere else to put treatment but at
7 Blue Plains, we've run out of that space because it's
8 all taken by about 60 trailers that are all over the
9 facility. So we really had run into a spacing crisis
10 along with having rented space on M Street and other
11 spots.

12 There was another pump station which we are
13 also planning to convert in the middle of a
14 neighborhood for space that the neighborhood didn't
15 want us to move into for good reason. So that
16 required us to go back to the drawing board and think
17 what else we could do. And this was the option we
18 came up with that answered so many of those
19 questions. And I suspect we've been working on it
20 for two or three years now, to get to this point.

21 CHAIRPERSON HOOD: Who is the Chair of the
22 Board now?

23 MR. HAWKINS: The Chair is Matt Brown. He is
24 the Budget Director for the District of Columbia.

25 CHAIRPERSON HOOD: Okay. Is Mr. Bordine

1 still on the Board or is he --

2 MR. HAWKINS: Mr. Bordine is not still on the
3 Board. I usually have a folder for board members
4 when they retire, I'll put them into that. Not Mr.
5 Bordine's folder. He's still in a very active --

6 CHAIRPERSON HOOD: Still active.

7 MR. HAWKINS: -- member of the D.C. --

8 CHAIRPERSON HOOD: Active non-board member.
9 Okay.

10 MR. HAWKINS: -- Water community, so he has
11 his own folder still. But no, he's a very good
12 friend. I talk to him often, actually.

13 CHAIRPERSON HOOD: Well, thank you for
14 answering some relevant questions of mine. That gave
15 my colleagues some time. So who would like to start
16 us off? Vice Chair Cohen.

17 MS. COHEN: Thank you, Mr. Chairman. Mr.
18 Hawkins, I actually have some curious questions too.

19 MR. HAWKINS: Sure.

20 MS. COHEN: But what is the role of the City
21 in up keeping the infrastructure of D.C. Water, such
22 as the water line, such as the hydrants, stuff like
23 that?

24 MR. HAWKINS: It's interesting you ask those
25 two examples. For almost every element of the water

1 infrastructure of this city -- when I say water I
2 mean it broadly. Water, sewer, or we call it
3 enriched water, and storm water.

4 MS. COHEN: Uh-huh.

5 MR. HAWKINS: That is our responsibility.
6 D.C. Water's. We're an independent instrumentality
7 of the District Government. So the revenue that we
8 raise we raise independently and there's not a budget
9 that goes through -- D.C. Council does oversight
10 hearings but they do not change our budget. We're
11 not a mayoral budget. We're an independent agency.
12 And it is our responsibility to maintain all of that
13 infrastructure paid for almost exclusively by
14 ratepayer funds.

15 Blue Plains is a multi-use facility, so we
16 take in flow from Montgomery County, Prince George's
17 County, Fairfax, Louden, and Arlington, all the way
18 out to Dulles Airport. So those counties are
19 represented on their board and those ratepayers help
20 pay for the costs at Blue Plains. So we do have
21 support from the counties for some of our expenses.

22 There are certain aspects of what we do that
23 the City does pay us for. It's very narrow. Almost
24 all the infrastructure is our responsibility. But
25 you mention fire hydrants. Fire hydrants is actually

1 work that we do on behalf of the city. We have an
2 MOU that we have with the city for a very specific
3 amount of work for a very specific amount of money
4 that we negotiated. So when they're inspected, how
5 often they're improved and updated, that particular
6 niche is a relationship with the city. Almost every
7 other aspect of this enormous infrastructure is our
8 responsibility that we do directly.

9 MS. COHEN: I ask that question because I
10 really do think it's important to have the pedestrian
11 ways fixed in your area, and you're willing to do
12 some of it but not all of it. And I just wanted to
13 get a handle on the relationship that we have with
14 you.

15 And then I guess my other sort of borderline
16 type of question is, there's so much leakage of water
17 in our city. That costs a lot of money. How do you
18 stop that?

19 MR. HAWKINS: It's a great question. That's
20 actually a national challenge, the tremendous amount
21 of clean potable water that's lost to old and leaking
22 pipes. D.C. Water just instituted as of October 1st,
23 something called the Water System Replacement Fee.
24 It is a fee based on the size of a meter, and that
25 money is exclusively devoted between \$38 and \$40

1 million a year, to replacing drinking water
2 infrastructure, which is mainly focused on leaking
3 pipes or pipes that might burst. We're using all
4 sorts of advanced technology to spend that money
5 smartly. Much of that we used to bond out so we may
6 bond for a much larger amount. But the idea is you
7 can use sonar, you can use heat, you can use infrared
8 to identify those areas where the most leak might
9 happen or where your money is best spent.

10 So we are absolutely engaged in upgrading the
11 infrastructure and we're doing so in a way, we
12 believe, that is targeted to get the most benefit for
13 each dollar spent. And we monitor by the month how
14 much leakage there is, and that's one of our
15 performance measures to make sure we're doing the job
16 right.

17 MS. COHEN: I thought you just charged back
18 to the customer, the leakage.

19 MR. HAWKINS: No --

20 MS. COHEN: Because my bill --

21 MR. HAWKINS: Indirectly.

22 MS. COHEN: -- seems to be unpredictable.

23 MR. HAWKINS: Indirectly that's true because
24 it's part of the -- I mean, we are a wholesale buyer
25 of drinking water. The drinking water is treated by

1 the aqueduct, which is an Army Corps facility. We
2 buy that water and then distribute it around the
3 city. So if there's water lost in the meantime we
4 have all bought that water and then we sell it only
5 to the amount that goes to the customer that
6 purchases it.

7 I will say that if there is a parallel leak
8 in your system, and I hope you've done this if you're
9 a ratepayer, you can sign up online and get an
10 automatic alert if the amount of water going into
11 your home goes outside of a normal band of use, we'll
12 notify you automatically by e-mail, text, or call.
13 It's called HUNA, High Use Notification Alert, so you
14 can immediately get that fixed.

15 So the amount of water leaking on the side
16 from the main into the home or building has dropped
17 dramatically. And we were the first -- it was before
18 my time so I brag about it but I had nothing to do
19 with it. We were the first major Metropolitan city
20 in the United States to have that system in place and
21 we send out thousands of those alerts each month and
22 it's been very, very helpful to our ratepayers.

23 MS. COHEN: Well, I hope there are tons of
24 people watching tonight because I did not know that
25 existed. But then again I don't read the inserts

1 that you sent to me unfortunately.

2 MR. HAWKINS: We would be delighted to have
3 you sign up.

4 MS. COHEN: Okay.

5 MR. HAWKINS: DCwater.com.

6 MS. COHEN: Thank you. I also found it very
7 interesting that your -- and again, this is minor
8 but --

9 MR. HAWKINS: Sure.

10 MS. COHEN: -- the color of your selected
11 materials is green, and then you're trying to make
12 the water along Potomac -- it's the Potomac or the
13 Anacostia?

14 MR. HAWKINS: Anacostia, actually.

15 MS. COHEN: Anacostia. Look blue, and it
16 doesn't really work for people who know the Anacostia
17 River. It's not blue, it's brown. So if you wanted
18 to do a color comparison.

19 MR. HAWKINS: Well, we're working hard on
20 that too, as you probably know. We're spending a
21 very large amount of money building giant underground
22 tunnels, and the amount of combined sewage that will
23 go to the Anacostia will be reduced by 98 percent.
24 So at least from our sources, what's causing that
25 river to be brown, we are fixing that right now and

1 that's a huge project, but we're doing that on behalf
2 of the public.

3 MS. COHEN: Okay. Now a question related --

4 MR. HAWKINS: Sure.

5 MS. COHEN: -- to the project.

6 MR. HAWKINS: Uh-huh.

7 MS. COHEN: Your timing needs to, in some
8 way, partner with Forest City. And I don't know if
9 you can answer this or maybe David can on behalf of
10 Forest City. But I'd like to note, what is the
11 timing since you have to do your work so closely
12 together? I mean, I didn't understand the timing of
13 the construction.

14 MR. HAWKINS: I'll say one thing in general
15 and then I'll turn it over to others. We have an
16 excellent relationship with Forest City for many,
17 many reasons. But we have -- independent of an
18 excellent relationship we actually have a track
19 record of doing exactly what you describe.

20 We are building very large diversion
21 structures that go in down to the big tunnels, which
22 I just mentioned. One of which happened to be on the
23 street right in front of the Harris Teeter that
24 Forest City has just finished building with
25 restaurants and the new building. And our schedule

1 was, is that was going to be built when we weren't in
2 concert after the building opened. So Forest City
3 came to us. We made an arrangement with them, the
4 first time in our history, and actually contracted
5 with them to build that portion for us under
6 contract. So they would get it finished in time for
7 their building to open without having to open the
8 road. And I have to say the project was done on
9 time, on budget. We both had to be flexible in
10 modifying our schedules to work in that manner. But
11 it was very successful.

12 So yes, these are two projects very close to
13 each other in proximity and in time, but we have a
14 very good track record and history and relationship
15 with Forest City. So I don't know exactly the answer
16 to the question. I'll turn it over to whoever does,
17 other than I have tremendous confidence that we're
18 going to be able to work that out.

19 MS. COHEN: Are they going to have any
20 involvement in the construction of the building? Are
21 they going to -- are you going to use the same
22 contractor or anything --

23 MR. HAWKINS: The two contracting teams from
24 Forest City and D.C. Water --

25 MS. COHEN: Yeah.

1 MR. HAWKINS: -- have sat down to meet.

2 MS. COHEN: Okay.

3 MR. HAWKINS: I don't believe the contracting
4 firms are the same, but the question of when to lay
5 down materials and how we're going to integrate
6 independent of all the other questions, if you're
7 building two buildings at the same time where are you
8 going to put your equipment to make sure you can do -
9 - not exactly the same time, but overlap. And that's
10 what the teams have sat down to start working
11 through. Like I said, it's a very good technical
12 relationship. I'm not suggesting they have all the
13 answers today, but they're working hard at it and I
14 have confidence in that process.

15 MS. COHEN: Okay. I'm going to ask this for
16 anybody to answer. In your opinion is your -- the
17 rooftop of A, that you prefer, does that meet the
18 Height Act?

19 MR. FREEMAN: Yes. In our opinion, yes.

20 MS. COHEN: I happen to think that I
21 personally like that one a bit better. It looks a
22 little bit more smoother and elegant, but I will also
23 listen to some of the comments of my colleagues with
24 regard to how I will vote on that. Thank you.

25 CHAIRPERSON HOOD: Okay. Who would like to

1 go next? Commissioner May?

2 MR. MAY: Okay. So far I have a handful of
3 questions. Thanks for the suggestion. I think I'll
4 start a Bordine file myself. He calls me about a lot
5 of your projects as well as our stuff.

6 And I'm surprised to hear this is your
7 favorite project. I thought for sure, you know, the
8 massive tunnels underground would be the --

9 MR. HAWKINS: Close.

10 MR. MAY: -- the favorite. And as attractive
11 as this building is I'm, you know, it's the tunnels
12 that I think are very exciting. Anyway, but we see a
13 lot of buildings here, so you know, we don't see too
14 many tunnels. And I'm also glad that it's not being
15 built on Park Service property which is --

16 MR. HAWKINS: Oh, I bet. I bet.

17 MR. MAY: -- an added benefit.

18 So first question I have is, I need to
19 understand a little bit about the context, and it's a
20 little hard to tell from just the aerials and so on.
21 But you have like an A412. I'm not sure what image
22 it is, whether you have it on there. But there is an
23 aerial that shows something of the context.

24 And if you could sort of refresh my memory.
25 I think we've seen some of these buildings before but

1 I don't know that we've seen all of them, and I mean,
2 I know which one is the stadium, but what about the
3 rest of those buildings? Do you have this image?

4 Yeah, there we go.

5 So if you could point that and tell me,
6 what's happening in those surrounding buildings?

7 MR. SHOCKEY: Okay. So what you're seeing
8 here, this is actually what has been conceptually
9 approved on the Forest City PUD.

10 MR. MAY: Right.

11 MR. SHOCKEY: So these buildings do not exist
12 yet.

13 MR. MAY: Yeah.

14 MR. SHOCKEY: So this one -- but what we did
15 is model them according to the approved heights.

16 MR. MAY: Okay.

17 MR. SHOCKEY: And so there's a retail
18 building here and a number of residential, and then
19 the movie theater to the north of the building.

20 MR. MAY: Okay. So the building to the west
21 is all residential, or is it --

22 MR. SHOCKEY: It is. Our understanding is
23 from the Forest City PUD shows it as residential.

24 MR. MAY: Okay. I can't remember the
25 particulars of the PUD, if we've seen it.

1 And then the one to the north is the movie
2 theater building?

3 MR. SHOCKEY: Yes, it is. Yes.

4 MR. MAY: Okay. Okay. All right. So --
5 sorry, I'm going to bouncing around all over the
6 place. You talk about the need for this office space
7 and are you replacing everything that's down at Blue
8 Plains?

9 MR. HAWKINS: Not really. What we had faced
10 before we came to this alternative was to add several
11 elements to the existing COF building. So we're
12 actually going to build a larger building around COF.
13 So we were going to be building something, it was
14 just going to be at Blue Plains, along with
15 structured parking.

16 The original facilities plan had us
17 refurbishing an old pump station to add that for
18 facilities, and we've essentially canceled all of
19 those projects, and instead put those funds and our
20 effort into building this one. That building at COF,
21 which we will take the non-Blue Plains people, like
22 HR, myself, finance, and move here.

23 All the trailers that are scattered about
24 Blue Plains, and there's dozens and dozens and dozens
25 of them, those people will move from there into the

1 COF building. So COF will continue to be used.

2 MR. MAY: Is the COF the leaning building?

3 MR. HAWKINS: It's the one right at the
4 entrance --

5 MR. MAY: Yeah. Right.

6 MR. HAWKINS: -- to 295. Yes.

7 MR. MAY: Yes.

8 MR. HAWKINS: That's the COF building.

9 MR. MAY: It leans in two directions. Yeah.

10 MR. HAWKINS: Yes. That was originally built
11 to be the building to run operations at Blue Plains.

12 MR. MAY: Right.

13 MR. HAWKINS: What it's become, when D.C.
14 Water became an independent agency is an
15 administrative office building, and now we have a lot
16 of engineering personnel who are out scattered about
17 in these -- the trailers have a lot of issues. One
18 is, it's just harder to do the work.

19 MR. MAY: No doubt.

20 MR. HAWKINS: Okay. More than you want.
21 Okay.

22 MR. MAY: I don't need that much information.

23 MR. HAWKINS: Okay.

24 MR. MAY: I just wanted to know, so that that
25 building, the major building that's there, that's

1 been there forever right by the entrance, that's
2 going to stay.

3 MR. HAWKINS: Correct.

4 MR. MAY: And of course you just built a new
5 visitor center not too long ago. What about the
6 other buildings that are behind there. There are
7 some other office buildings where you've got major
8 staff like we're --

9 MR. HAWKINS: There's one major building --

10 MR. MAY: Yeah.

11 MR. HAWKINS: -- that's off, which is our
12 central maintenance building, and that's where our
13 personnel that run Blue Plains on an operational
14 maintenance and our maintenance staff. The visitor's
15 building is a small piece to that new building.

16 MR. MAY: Right.

17 MR. HAWKINS: That mainly is a warehouse.
18 That's a state of the art warehouse.

19 MR. MAY: Okay.

20 MR. HAWKINS: So that replaced a big
21 warehouse building.

22 MR. MAY: Right.

23 MR. HAWKINS: But the warehouse visitor's
24 center is the new one to the left. COF will be where
25 all the folks come from out of the trailers, and then

1 there's still the operations building in back --

2 MR. MAY: Uh-huh.

3 MR. HAWKINS: -- which is where we have our
4 operations center that runs Blue Plains, our
5 maintenance offices, and actually our Clean Rivers
6 Project. The Deep Tunnels Project is also in that
7 building.

8 MR. MAY: And they're staying there?

9 MR. HAWKINS: They are staying there.

10 MR. MAY: Okay. So a few questions about the
11 building itself. The north face, generally
12 everything except for the south face doesn't have a
13 whole lot of windows. What's the rationale there? I
14 mean, you still have relatively deep floor plates,
15 right?

16 MR. SHOCKEY: The floor plates are fairly
17 narrow, but what we have at the -- in order to
18 structure this building we have a 200 foot long truss
19 that actually supports the building over the pump
20 station. So that's actually set into that back
21 façade. That's one reason. But there's actually a
22 number of mostly the mechanical rooms and back of
23 house spaces are set along the back. There's a 24
24 hour operations room that is not programmed to have
25 any windows. That's set back there. And so that's

1 the rationale.

2 And so we have kind of strategically located
3 windows where they make sense in the program, and you
4 can see there are two zones, one to the left, one to
5 the right, which actually are the stairs. So even
6 the stairs you can see -- or this is the east stair.

7 MR. MAY: Uh-huh.

8 MR. SHOCKEY: West stair is here. So even
9 the stairs will have natural daylight.

10 MR. MAY: Okay. But I'm thinking about
11 things like -- I mean, if you look at any one of the
12 floorplans, all along the northern section of the
13 east façade there are just a few windows.

14 MR. SHOCKEY: Right. Most of the north,
15 again, is -- there are a number of mechanical rooms,
16 electrical rooms, back of house. And then there are
17 some meeting rooms but they have glass walls that
18 face south with the idea that the views are really
19 substantial.

20 MR. MAY: So why don't you show me in a plan?

21 MR. SHOCKEY: Let's see.

22 MR. MAY: Right. Okay. So that's fine.

23 MR. SHOCKEY: Right. So --

24 MR. MAY: So in the upper right-hand corner,
25 you know, that whole lobe of the building has only

1 three or four windows, right? So all of that is back
2 of house and mechanical, and stuff?

3 MR. SHOCKEY: So most of the program along
4 sort of here and there are a combination of that back
5 house, and there are a few offices and other things,
6 but they all basically face --

7 MR. MAY: You're not pointing at what I was
8 talking about.

9 MR. SHOCKEY: This area right here?

10 MR. MAY: Yes.

11 MR. SHOCKEY: It depends which floor. I
12 think some floors it is back of house, some floors it
13 is -- there are meeting rooms but they have a few
14 windows within those rooms.

15 MR. MAY: So what's the reason? Why don't
16 you want to have more windows in -- I mean, it's not
17 like we're going to be able to see in and see, I
18 don't know, too many meeting rooms or something. I
19 mean, what's the rationale?

20 MR. SHOCKEY: I think it's just the
21 transitioning. Actually we have per ASHRE, we tried
22 to not exceed more than 40 percent of glazing for the
23 building for energy reasons. So we used that as a
24 target. And so we're actually right at that 40
25 percent. Forty percent of the building is actually

1 transparent glass.

2 MR. MAY: So it's because you have too much
3 glass on the south side of the building that you have
4 to remove it from the east, west, north?

5 MR. SHOCKEY: Well, this building has such a
6 tremendous opportunity with the views and the
7 expansiveness and what we do -- we have high up --

8 MR. MAY: It was a yes or no question.

9 MR. SHOCKEY: Oh. Yes.

10 MR. MAY: I understand the rationale why.

11 MR. SHOCKEY: Okay.

12 MR. MAY: Okay. I'm not sure I agree with it
13 but I understand why it is. And, you know, you've
14 done your best to, I guess, pretend that it's all
15 kind of the same with that -- your treatment of the
16 glass resembling the paneling that would be on the
17 north and east and west ends. Right? You're trying
18 to make it all look very similar all the way around
19 and --

20 MR. SHOCKEY: That's related.

21 MR. MAY: Right.

22 MR. SHOCKEY: All the way around.

23 MR. MAY: Yeah. Okay. I mean, it's better
24 than most for a blank wall façade or a wall with not
25 very many windows. We tend to like windows.

1 So on the panels themselves, I mean, you
2 know, the board that we have here is all concrete.
3 And but you're asking for the option to do metal
4 instead?

5 MR. SHOCKEY: We prefer the concrete panels
6 as you see it. The metal is kind of a future cost-
7 savings opportunity if we have to go there. We don't
8 want to have to go there.

9 MR. MAY: Right. And so is it -- what's it
10 going to look like? Well, how different is it going
11 to be?

12 MR. SHOCKEY: It should be -- we can, you
13 know, match exactly the color and the tonality of the
14 concrete.

15 MR. MAY: But the finish, because there's a
16 finish.

17 MR. SHOCKEY: It would be -- we'd want it to
18 be more of a matte. We don't want to have a gloss,
19 you know --

20 MR. MAY: Okay. So if you're asking us to
21 approve that as a possibility then I think we
22 actually need to see samples of what that would.

23 MR. SHOCKEY: Uh-huh.

24 MR. MAY: Because I don't think -- you know,
25 this has got a texture to it.

1 MR. SHOCKEY: It does.

2 MR. MAY: And if the metal doesn't have a
3 texture then I think I'd want to see that.

4 In the perforated panel that we have a sample
5 of, where is that going to be used?

6 MR. SHOCKEY: So that is used on the west
7 façade where there's a screen wall in front of the
8 loading area. And so --

9 MR. MAY: So it's a fence.

10 MR. SHOCKEY: Well, it's the -- I mean, I can
11 go to that façade. But the building, it kind of
12 connects to the building so it looks like the
13 building peels out at that location and becomes a
14 fence.

15 MR. MAY: But it is the fence.

16 MR. SHOCKEY: It is the fence.

17 MR. MAY: Okay.

18 MR. SHOCKEY: Connected to the building. And
19 then the idea is that you could look in to the
20 loading area if you wanted to.

21 MR. MAY: Right. So I mean, you had a
22 photograph of similar material actually in use
23 somewhere, and that's what I was picturing. But then
24 when I saw it here, I wasn't sure about using a, I
25 guess large scale concrete perf panel as a fence.

1 But that's what you're proposing.

2 MR. SHOCKEY: It is.

3 MR. MAY: Okay. What is the shade structure
4 on the roof? The large penthouse has a hovering disk
5 kind of shade.

6 MR. SHOCKEY: It's a trellis.

7 MR. MAY: Yeah.

8 MR. SHOCKEY: It is. It's a wood slat
9 trellis.

10 MR. MAY: Okay. So is that detailed
11 somewhere, because I'm just seeing it in the rooftop
12 sort of aerial views.

13 MR. SHOCKEY: Right.

14 MR. MAY: Something that captures what the
15 nature of it actually is.

16 MR. SHOCKEY: So it's basically a 50 percent
17 open wood slat configuration. I'm not sure we have
18 in this document, we have more detail than that. But
19 the idea is it's the, you know, a fluid forms,
20 similar to an ellipse.

21 MR. MAY: Right.

22 MR. SHOCKEY: And it's about 50 percent open
23 to the sky.

24 MR. MAY: Okay. So does that essentially
25 mean a second roof structure height, Mr. Freeman? Do

1 you need relief for that?

2 MR. FREEMAN: It will be open, such that it's
3 not a structure.

4 MR. MAY: Open enough that it's not required
5 to be.

6 MR. FREEMAN: Yes. Yes.

7 MR. MAY: Okay. So I think we, at the very
8 least, want to see what that looks like up close;
9 what the structure of it is and --

10 MR. SHOCKEY: Okay.

11 MR. MAY: -- so on.

12 Where does the building take its height from?
13 What street?

14 MR. SHOCKEY: From Canal.

15 MR. MAY: From Canal. And that's only 80
16 feet?

17 MR. SHOCKEY: Yes.

18 MR. MAY: Okay. So tell me, why do you think
19 that this complies with the Height Act?

20 MR. FREEMAN: So the building as measured to
21 the top of the roof is 100 feet.

22 MR. MAY: Right.

23 MR. FREEMAN: So 80 feet plus 20 is 100. The
24 architectural embellishment which extends above that
25 110 foot height. The 1910 Height Act itself does not

1 place any limits on the height of architectural
2 embellishments.

3 MR. MAY: Other than calling them steeples,
4 domes, et cetera. So is this a steeple or a dome?

5 MR. FREEMAN: WE --

6 MR. MAY: I mean, what is -- there are
7 specific terms in the Height Act. It doesn't say
8 architectural embellishment.

9 MR. FREEMAN: Generally we've had cases in
10 which the Zoning Commission has approved a number of
11 things above the Height Act limit that aren't
12 specifically called for.

13 MR. MAY: I understand. I mean and -- I can
14 appreciate that certain things can be an
15 architectural embellishment, but we've actually had
16 cases not very long ago where essentially the façade,
17 the architect's intent was to extend the façade up
18 above the Height Act height. And we explicitly
19 rejected that.

20 MR. FREEMAN: Which is why we have two
21 options. And but again, we think Option A --

22 MR. MAY: Okay.

23 MR. FREEMAN: -- complies because there are
24 no specific limitations on architectural
25 embellishments. The height --

1 MR. MAY: Yes, there are, because the
2 architectural embellishments is not in the Height
3 Act. I mean, is it a tower, a dome, a steeple?

4 MR. FREEMAN: Well, I guess our -- one of our
5 interpretations was that, that terminology was
6 established in 1910 and so we weren't sure how that
7 translates to current architecture. It was before
8 modernism. But there is the idea that the particular
9 terminology, the minarets tower sort of indicated a
10 way for architecture to have expression. And so that
11 maybe there's a contemporary way that's the
12 equivalent. It's just a question.

13 MR. MAY: Nice try. All right. It's not to
14 say that I don't like it. I mean, I actually do like
15 the other version of it better, and it's -- the
16 surroundings for it are generous enough but I don't
17 see how we could approve something that doesn't
18 comply with the Height Act and I don't think you've
19 made that case.

20 So the existing pump house is pretty much
21 exactly as we see it in the various renderings that
22 you've provided, except that the color is a red brick
23 or something?

24 MR. FREEMAN: It's currently a red brick.

25 MR. MAY: Okay. And so you've given us a

1 sample of something that says that it's stained
2 brick, but it's not stained brick. It just looks
3 like the color that you're trying to get. Is that
4 what --

5 MR. FREEMAN: Yeah, we don't have a stained
6 brick sample, but so that's a gray brick sample that
7 it would be the tonality that we'd like to achieve in
8 the stain.

9 MR. MAY: Okay. So this is a very specific
10 brick that you provided a sample of and I'm not sure
11 that what you're going to -- you're going to be able
12 to achieve in a stained brick is going to be like
13 that. So yeah, if you're able to do anything that is
14 more representative of exactly -- I mean, this is,
15 you know. I mean, this is a very, very -- you're not
16 going to get that kind of shimmer and sheen from
17 staining as far as I can tell. I mean, maybe it
18 needs to be painted instead.

19 MR. FREEMAN: Uh-huh.

20 MR. MAY: But whatever you want to achieve I
21 think it should actually be -- we should be looking
22 at something that's achievable, I think.

23 So I forget. I got confused on the whole
24 discussion of bicycle parking. Are you providing the
25 bicycle parking that would be required for a building

1 of this size?

2 MR. FREEMAN: We are providing --

3 MR. MAY: You are providing that.

4 MR. FREEMAN: Yes.

5 MR. MAY: In terms of the -- but it's in a
6 covered outdoor space as opposed to being indoor.

7 MR. FREEMAN: Yes, sir.

8 MR. MAY: Okay. It seems like a pretty small
9 number of parking bicycle spaces. How many is it?

10 MR. FREEMAN: That we're provide --

11 MR. MAY: Yeah.

12 MR. FREEMAN: -- providing total? We're at
13 30.

14 MR. MAY: No, covered indoor --

15 MR. FREEMAN: Oh, seven covered.

16 MR. MAY: Seven.

17 MR. FREEMAN: Seven racks.

18 MR. MAY: Seven racks. How many spaces? So
19 that's 14. Can you be on either side of the rack?
20 Is that what you're thinking?

21 [No audible response.]

22 MR. MAY: Okay. I don't think that's enough.
23 I mean, did you happen to notice how many bike rack
24 spaces were in use out in front of this building
25 today when you came in? No? Almost every one of

1 them. It doesn't happen every day, and granted
2 you're probably going to get different -- you know,
3 there are other reasons why people come here. It's
4 not just people who work here. But I think you
5 really want to be encouraging of this as a mode of
6 transportation. I think the location that you are
7 building your building lends itself to that.

8 So I mean, I think that you can do better
9 than that and you probably should. And there is
10 indoor bicycle parking in here. I didn't check to
11 see how many of those were occupied. But the ones
12 out front are covered and they're more equivalent to
13 what you have.

14 You know, I appreciate the fact that you have
15 to be careful with the use of ratepayer's money,
16 being a ratepayer especially. But when it comes to
17 some of the improvements that DDOT is requiring that
18 are offsite or suggesting that are offsite, I mean,
19 that's not unusual for us to see and it's not unusual
20 for us to see on public buildings.

21 And so -- and you're clearly investing a lot
22 of money in this building. I mean, you don't get to
23 platinum LEED without spending a lot of money on the
24 building and I think these are relatively modest
25 things. So I think you should reconsider whether or

1 not you will provide some of these offsite pedestrian
2 facilities, because I think that's again, another
3 important aspect of this.

4 MR. FREEMAN: If I might, Commissioner May?

5 MR. MAY: Yeah.

6 MR. FREEMAN: Our issue isn't -- the issue
7 with respect to the improvements is that they are
8 already required to be built pursuant to another
9 order. So under Commission Order 13-05 already
10 requires, for example, the plates to be repaved.

11 MR. MAY: Okay. And that's true for all of
12 what DDOT has requested?

13 MR. FREEMAN: Well, it's not clear when they
14 talk about improvements, I think that's the main
15 sidewalk that they're referring to in place. With
16 respect to the public space in front of Canal
17 obviously we'll coordinate that with the public space
18 permitting.

19 MR. MAY: Okay. Well, so I mean what I got
20 out of Mr. Andres's portion of the presentation was
21 that D.C. Water was not willing to spend the money on
22 pedestrian improvements offsite and --

23 MR. FREEMAN: The priority --

24 MR. MAY: -- if that's incorrect then I'll
25 stand corrected, but I guess I'll wait to hear from

1 DDOT.

2 MR. FREEMAN: The primary two, again, in
3 place and a signal are things that are required to be
4 done pursuant to Zoning Commission Order 13-05.

5 MR. MAY: Okay.

6 MR. FREEMAN: What we have committed to doing
7 is to the extent that 13-05, i.e. the movie theater,
8 doesn't move forward then we will pave, rebuilt in
9 street adjacent to the site if 13-05 is not
10 happening. But again, that sidewalk is supposed to
11 be built by that developer.

12 MR. MAY: Okay. So I mean, maybe we'll need
13 some kind of clarification of that in writing.

14 MR. FREEMAN: Okay.

15 MR. MAY: At some point. Thank you.

16 CHAIRPERSON HOOD: Let me just ask because if
17 D.C. Water has to do it that cost is going to be
18 passed on probably to the ratepayers, right?

19 MR. HAWKINS: Correct.

20 CHAIRPERSON HOOD: Okay. Thank you. Thank
21 you.

22 MR. MAY: Right. And I don't disagree with
23 that. But again, it's a public utility. It's like
24 other public facilities in certain ways and we all
25 pay with those with taxes.

1 MR. HAWKINS: What we're clarifying is that
2 those have been committed to in another project.

3 MR. MAY: I understood.

4 MR. HAWKINS: And those are private projects.
5 We wouldn't want to use ratepayer money --

6 CHAIRPERSON HOOD: Exactly.

7 MR. HAWKINS: -- I think we have covered.

8 CHAIRPERSON HOOD: And I think --

9 MR. MAY: But I'm not suggesting that you
10 ought to --

11 CHAIRPERSON HOOD: I went out of turn. Let
12 me just say this; I went out of turn on asking that
13 question. I'll wait until my turn and ask the same
14 question.

15 MR. MAY: Okay. So I don't want to suggest
16 that you should be paying for something that another
17 private developer is already paying for. That's not
18 what I'm suggesting. But what I heard was that you
19 were not willing to pay for it because it comes from
20 ratepayer money and that was -- maybe I got the wrong
21 message out of that so that's why we need the
22 clarification.

23 CHAIRPERSON HOOD: Who would like to go next?
24 Commissioner Miller.

25 MR. MILLER: Thank you, Mr. Chairman. And

1 thank you for your presentation. It's a very
2 exciting project. I think the materials and the
3 color and the elements are different and iconic. And
4 will become iconic. And for that neighborhood it's
5 clearly modern, but it's very interesting and I'm
6 excited about the -- not only the purpose of
7 consolidating this critical infrastructure in the
8 office and the office employees, but just the design
9 of the building.

10 I was confused a little bit on how many
11 employees actually are going to be working in the
12 building. I think it said 350 are relocating from
13 the current central operations facility in Blue
14 Plains, but then you, Mr. or -- then that statement
15 was made relating to the cost of one of the TDM
16 measures that was proposed, that you were multiplying
17 it by a 2,120 full-time equivalents or something.
18 Are there 2,000 people working in --

19 MR. HAWKINS: There is 1,240 full-time
20 equivalents. The plan is -- the first number that
21 you referenced is how many people will be moving into
22 the building from the central -- from the building at
23 Blue Plains. We also have rented space up on 80 M
24 Street, about 80 people that will be moving from M
25 Street, so we're consolidating from a second

1 location, and a variety of smaller groups not -- and
2 20 to 30 from other places where it makes sense to
3 have them collected in one place. So it's more like
4 450 employees.

5 UNIDENTIFIED SPEAKER: No, no, no, no, no,
6 we --

7 MR. HAWKINS: No.

8 UNIDENTIFIED SPEAKER: Three hundred and
9 fifty total.

10 MR. HAWKINS: Three hundred and fifty total.
11 Okay.

12 UNIDENTIFIED SPEAKER: Yes.

13 MR. HAWKINS: It is 350 total but a portion
14 is from -- 250 are from Central Office and 100 are
15 from 80 M Street, and from a variety of other places.

16 MR. MILLER: Okay. Well, I appreciate that
17 clarification because that helps us understand, and
18 DDOT understand the need for the bicycles and the
19 other numbers that get triggered. Well, I guess they
20 get triggered from the office space, not necessarily
21 the number of employees. Or correct me if I'm wrong.

22 MR. FREEMAN: So the specific reference that
23 Mr. Andres mentioned is that the condition says
24 provide the Smart Trip to all D.C. Water employees.
25 So there are a total of 1,240 D.C. Water employees.

1 So that's not all of whom will be at this site. But
2 if it's providing it to all, then that's what the
3 number would be.

4 MR. MILLER: So it would be about a quarter
5 of that if it was just for the employees at this
6 site, or a little over a quarter of that. So what
7 was the dollar amount that you cited? What would be
8 the dollar amount, or if you can just provide that it
9 might be a more --

10 MR. FREEMAN: We can do the math.

11 MR. MILLER: -- feasible number that might be
12 a more reasonable cost that can be born. Although I
13 appreciate in general the concern by my fellow
14 ratepayers up on the dais here.

15 And to go on to another irrelevant question
16 then, what is the total cost of this project. And I
17 assume it's being -- it will be funded by some kind
18 of bond that will be paid for by, I guess we'll see a
19 little headquarters consolidation fee, or something
20 to that effect on a future water bill. For many
21 years. For 30 years probably.

22 MR. HAWKINS: Our hard costs for the building
23 are \$55 million. Our intention is to use -- this
24 would be a capital project. About 60 percent of our
25 capital project is debt financed. We do do PayGo as

1 a signature portion. Rating agencies want to see a
2 combination of cash and debt financing, and we would
3 use a similar proportion for this building, the
4 majority of which would be debt financed. It would
5 not be itemized on your water bill like other
6 elements are. It would be included within funds that
7 we collect in general for the capital program.

8 MR. MILLER: And just to get -- another
9 irrelevant question, but your other huge project, the
10 giant underground capital project, that tunnel
11 project. Is that called the Clean Waters?

12 MR. HAWKINS: Clean Rivers Project.

13 MR. MILLER: Clean Rivers.

14 MR. HAWKINS: Uh-huh.

15 MR. MILLER: What's the current estimated
16 total cost of --

17 MR. HAWKINS: Total price tag for the Clean
18 Rivers Project is \$2.6 billion at the moment. And
19 this is a project that we originally agreed to
20 undertake in 2005, and despite all the years in
21 between we are on time and on budget so we're pleased
22 with that. But it is a huge, huge project.

23 MR. MILLER: I commend you for all the work
24 that you and your agency have done on that project
25 and a lot of other things. I think it's a model

1 really, for what you're doing there.

2 And so, and I appreciate the LEED Platinum
3 that this building is being designed to. But yeah, I
4 think you called this project the most sustainable
5 long sustainable project that you're working on. Do
6 you think this is more sustainable than the --

7 MR. HAWKINS: Well, I'm pleased to say that
8 we have to compete among ourselves. We love the
9 tunnel project and what it's doing for the river. We
10 love the Digester Project that we just announced
11 several weeks ago, which is the largest clean energy
12 project in the Mid Atlantic.

13 I guess the aspect of this has elements of
14 all the pieces. The multi-modal manner of which you
15 can get to this building compared to what's true now.
16 I mean, I didn't own a car when I ran the Department
17 of Environment because I could walk there. I bought
18 a car to work for D.C. Water because I have to drive.
19 It's all the way down at Blue Plains.

20 MR. MILLER: You'll be able to get rid of it.

21 MR. HAWKINS: So the multi, the storm water,
22 the energy, the access, all of those aspects are what
23 is the combination of features that we love in this
24 project.

25 MR. MILLER: Yeah, I agree with the

1 attractiveness of that. And I would also agree with
2 Commissioner May that to the extent that you can --
3 we can encourage you to provide more than what's
4 required in terms of the bicycles, or more than what
5 you're providing currently because it is so
6 accessible, although I realize your space is -- the
7 site obviously has severe constraints. But to the
8 extent you're able to provide more bicycle spaces,
9 that would be I think, a benefit.

10 I appreciate that you are now -- you've made
11 some revisions in response to DDOT or OP or others'
12 concerns. And you are providing shower facility --
13 did you say you were providing shower facilities
14 inside the -- and lockers? Or where is that exactly
15 being provided?

16 MR. FREEMAN: We're providing two showers
17 within the -- I can tell you the exact floors. And
18 we're also providing individual storage space within
19 the work areas. So that space hasn't been designed
20 yet, but we will provide that space within the
21 actual --

22 MR. MILLER: Okay. Yeah, I was looking for
23 it on one of the floorplans that we had and I just
24 didn't see it. So --

25 MR. FREEMAN: We just got the report so we

1 haven't had a chance to update the drawings yet.

2 MR. MILLER: Okay. And is there office space
3 on the ground floor? Or, I didn't see any in the
4 plan that's in front of us but I thought I saw Tina
5 reference to that.

6 MR. SHOCKEY: No. The ground floor plan is
7 very narrow and so it's entirely a lobby and some
8 support spaces for the lobby.

9 MR. MILLER: And speaking of the lobby, I
10 don't think the transit screen is a very expensive
11 item, but maybe you can correct me, Mr. Andres, how
12 much that is and --

13 MR. ANDRES: I just found out this week that
14 it's in the range of about \$5,000. And I believe the
15 subscription, annual subscription fee is \$100 a year.

16 MR. MILLER: So I think it would be useful to
17 try to see if you can include that within our
18 ratepayer fee that's going to be allocated.

19 The parking spaces that you -- the 50 parking
20 spaces that are off site, where -- is it on or near
21 or adjacent?

22 MR. ANDRES: Well, actually the 50 parking
23 spaces are on D.C. Water property.

24 MR. MILLER: And where are they exactly? I
25 mean, is that the auto court? That was 16, right?

1 MR. ANDRES: No. Yeah. Let me --

2 MR. FREEMAN: Let me help. Let's get the
3 overall site plan that shows the overall PUD with the
4 red line around it.

5 [Pause.]

6 MR. FREEMAN: It's a little hard to see it
7 with the light on, but it's essentially within the
8 red line. The specific language is that D.C. Water
9 will provide a minimum of 50 parking spaces on
10 property owned or controlled by D.C. Water within the
11 boundary of the existing D.C. Water campus boundary
12 as shown on the contextual site plan. Or -- and I
13 want to make sure we remember. Or otherwise in close
14 proximity to the subject property.

15 What that means is today folks park mainly to
16 the immediate north of the site. We anticipate that
17 they will continue to park there going forward.
18 However we also understand that Forest City has a PUD
19 and they propose to build a movie theater at that
20 point. At some point D.C. Water, the District, and
21 Forest City will have to reach an agreement regarding
22 relocation of D.C. Water facilities and bring in D.C.
23 Water facilities such as parking back when that movie
24 theater moves forward.

25 So that will all be subject to a different

1 negotiation, not a part of the PUD process, but we,
2 D.C. Water, can commit to in perpetuity, providing a
3 minimum of 50 parking spaces consistent with the
4 language I just described.

5 MR. MILLER: Okay. Thank you. I think
6 that's all the questions I have at this time, Mr.
7 Chairman. Thank you very much for all the
8 information you've presented and the additional
9 information that you'll be providing.

10 CHAIRPERSON HOOD: Okay.

11 MR. MILLER: Oh, I had one question. Sorry.

12 CHAIRPERSON HOOD: Sure.

13 MR. MILLER: I knew I had something. I think
14 I would agree with Commissioner May or whoever asked
15 to see a little more detail as to exactly what's
16 happening on the roof. Do you anticipate under that
17 trellis, or I think I saw on one plan, or one
18 rendering, there was a reference to a catering room
19 that doesn't have an oven. Do you anticipate people
20 being up on the -- I know that there are terraces on
21 the 8th floor and 9th floor depending upon which
22 option you go with, but what activity, human activity
23 do you expect to be having up there?

24 MR. SHOCKEY: So the roof terrace has a
25 capacity for a few hundred people for an event and

1 there is a small catering kitchen at that location,
2 and some restrooms. So it's a perfectly multi-
3 functional space for a variety of events.

4 MR. MILLER: So it's event space that could
5 possibly be rented out and you could recoup some of
6 the dollars that you're paying for this project. Or
7 so it's a private -- or it's your own event space?

8 MR. SHOCKEY: It's not currently in the plan
9 but interesting idea.

10 MR. MILLER: You have your own security needs
11 so you --

12 MR. FREEMAN: It's for D.C. Water use. It's
13 not intended to be rented out.

14 MR. MILLER: Okay. It would be -- I could
15 see the attractiveness of that location though, for
16 all types of events. Thank you very much.

17 CHAIRPERSON HOOD: Okay. Mr. Turnbull.

18 MR. TURNBULL: Thank you, Mr. Chair. I want
19 to thank you also for your presentation tonight. I
20 think you've got an interesting building in the
21 process here, but let me get into some questions.

22 Mr. Hawkins, one of your opening statements
23 is that you're committed to continue the great
24 working relationship during construction after the
25 theater is built to ensure that issues related to

1 parking and access are resolved between us in a fair
2 and reasonable manner. It sounds like you've still
3 got some issues with --

4 MR. HAWKINS: Yes. I mean, it's a
5 complicated site with a lot of moving pieces,
6 including interests that the City have on other
7 parcels that are not related to either this building
8 or the movie theater. So there are going to be a lot
9 of issues that's going to require a strong
10 relationship we already have over time that are going
11 to continue for several years into the future. But
12 no, not every detail has been resolved. I'm
13 confident that we will, but no, they're not all
14 figured out yet.

15 MR. TURNBULL: Okay. I guess what I'm
16 looking at is Forest City has submitted a party
17 status request on Exhibit No. 21. And in that they
18 had several issues which they talked about which was
19 One and a Half Street, and they mentioned
20 coordinating loading. Have you looked at this? I
21 mean, have you had a chance to respond to --

22 MR. FREEMAN: We've been in communication
23 with them. I should start by saying none of this
24 will require changes to the building. For example,
25 with respect to loading the issue is simply

1 scheduling when loading will occur. Forest City will
2 have to access D.C. Water's site in order to enter
3 their loading berths on F1. So we will coordinate
4 that, obviously. I think they've been in
5 communication and we will coordinate that.

6 With respect to one --

7 MR. TURNBULL: The sidewalk. They mention
8 some issues about the One and a Half Street sidewalk.

9 MR. FREEMAN: Right. With respect to One and
10 a Half Street we've developed one, two, three, four
11 conditions that we would be happy to include in our
12 order. We've been in communication with them. We
13 just want to finalize the language of the order, but
14 we have no problem with coordinating with them to the
15 extent to make sure that both projects can move
16 forward so long as obviously D.C. Water can move
17 forward as planned.

18 MR. TURNBULL: Okay. All right. Thank you.
19 I guess one of the things that I heard was that the
20 main entrance is going to be at the northeast corner
21 of the building. But if I go down that half -- that
22 little alley down there, I see a security booth and a
23 screen. It looks like a very -- although it's porous
24 it looks very -- it's difficult to see through it. I
25 mean, it's very -- there's no good view of it.

1 There's one view that's far away looking at it, but
2 there's no good view that shows what that's really
3 going to look like. And if that's going to be your
4 main entry I'm just worried what kind of a -- I
5 understand it's a security point and you're worried
6 about people ramming through or running through or --
7 but it doesn't look that very visitor friendly. It
8 looks like there is a personnel door next to the
9 security booth, then there is like a pair of gates
10 that open up on to it. But if it's the same mesh
11 that's going to be used on the other side by the
12 loading gate, it doesn't look very open. It doesn't
13 look very inviting to people coming to -- I mean, it
14 looks like the ancillary entrance on the other side
15 is more inviting. You could just come up to the
16 building and go right in. And I'm assuming you're
17 going to have some kind of security equipment there
18 for people coming in.

19 But I'm just concerned that that -- it's hard
20 to read it but it doesn't look that visible. If I'm
21 coming up there how do I know where I'm going? I
22 just don't know as a sense of entry and a sense of
23 place, if I'm going to look at the building it just,
24 something is lost with the sense of entry and the
25 sense of place. I don't know. Maybe I'm missing

1 something but I'd like to see a better view of what
2 that looks like from the -- from street level, if I'm
3 looking at it dead on. And right now it's just like,
4 what do I do? I go up, I see a security booth, and I
5 guess I go up to it. There's no signage, there's no
6 graphics. There should be -- I guess I'm just
7 confused that as far as a way finding and going into
8 the building I don't really see myself wanting to go
9 to your building if I don't know how to get to it.
10 And I'm just concerned that there's maybe something
11 lost in the communication of that.

12 But I would agree with Commissioner Miller,
13 and I think you're wrong on the price of that TV
14 screen, \$5,000. I think you can get a screen, a
15 transit screen, for a lot less and maybe the
16 Department of Transportation can provide us with some
17 better numbers. But I think that's rather high for a
18 transit screen. And still, I think even if it is
19 it's still cheap for the 350 employees to give
20 them -- to get them connected with the system.

21 So one of the things that the Office of
22 Planning had, wanted you to take a look at, suggested
23 additional benefits, they talked about interpretive
24 signage. They talked about cleaning or partial
25 restoration of the historic pumping station exterior.

1 And here I hear you're going to paint it. I mean, I
2 look at this very warm gray and --

3 MR. SHOCKEY: I'm sorry. That was for the O
4 Street pump station that we're on top of.

5 MR. TURNBULL: Oh, okay.

6 MR. SHOCKEY: The historic pump station is
7 actually outside of our boundary.

8 MR. FREEMAN: Building to the left.

9 MR. TURNBULL: So you're not -- but you're
10 not touching that at all. You're not doing anything.
11 You have no -- do you have any plans to do anything
12 for that building? Nothing.

13 MR. HAWKINS: Not at this time.

14 MR. TURNBULL: Okay. Wonderful. I'm
15 assuming that the -- when I go down this street here
16 and I get to the plaza, that plaza is mainly for
17 anyone's use who is either in the building already or
18 has been admitted as part of a school group. But
19 people will be allowed to go out and sit out there
20 and enjoy that space once they're inside.

21 MR. HAWKINS: Correct.

22 MR. TURNBULL: Okay. I would agree with
23 Commissioner Miller and May. I think we're going to
24 need some better blow ups of the roof plan and Option
25 B, please. I do believe that you have no setbacks on

1 your penthouses, and I think that trying to have the
2 façade of the building read as an embellishment going
3 around, although as interesting and as delightful as
4 it may be, it really does not meet the zoning regs.
5 And so I think Option B is the most strategically and
6 operable solution that's going to meet this site and
7 I think it does everything that you want it to do.

8 I guess the only other thing, and I guess
9 Commissioner May started looking at this originally.
10 He talked about the amount of concrete walls or wall
11 panels that are around the building. And there is
12 this wonderful curved building and your first
13 impression is that it's a lot of glass. And there's
14 glass on the one side. But this whole element, the
15 one piece that's going north back is basically all
16 concrete panels and it's just -- to me it seems like
17 a lost -- I just feel so sad for the people that are
18 back in this part of the building that they're --
19 unless they come up to the front and go by their
20 colleagues in their cubicles, this just feels like a
21 dark little corner back there. It just seems it's a
22 lost option to have light in this beautiful curved
23 façade.

24 And it just seems from either -- I mean,
25 you've obviously looked at it from an operational and

1 functionality standpoint, but it just seems that
2 these little pierced windows that just interrupt this
3 beautiful round façade just seem like a token gesture
4 to what this building could be. It just seems like
5 it's -- you've got this beautiful curved façade and
6 it just seems like -- my heart breaks for the people
7 that have got to work in that curved portion that's
8 going to look so dark.

9 MR. SHOCKEY: Well, we have done light
10 calculations and we -- the light, we have nine foot
11 six ceilings at least, so the idea is that the light,
12 due to that, and the amount of glass on the south
13 façade will penetrate very deep into the building.

14 MR. TURNBULL: Oh, I don't think it's going
15 to penetrate back into that one corner of that one
16 north section. I just think it's a lost effort. I
17 just think you had an opportunity and you didn't
18 quite reach it.

19 But still an elegant looking building. The
20 catering kitchen, you've got it on your floorplan as
21 a tiny little element. Is that all it is? It's just
22 a small --

23 MR. SHOCKEY: Yes.

24 MR. TURNBULL: Okay. So you're going to
25 provide us with a better floorplan with the B layouts

1 and everything else and a set of drawings with the B
2 layout. Okay. Thank you. That's all my questions,
3 Mr. Chair.

4 CHAIRPERSON HOOD: All right. I just want to
5 make sure that we -- and I know there are some site
6 security concerns and issues, but I want to make sure
7 that we -- make sure the residents of this city are
8 able to go to the waterfront. I was here, I've been
9 here for a while, so I was here when we did the DDOT.
10 I mean, the Department of Transportation
11 headquarters. And that was one of the things that I
12 know I specifically insisted to make sure. And every
13 time I'm walking to the game I think about me being
14 able to have the access to go down towards the water.
15 And I want to make sure that that access also happens
16 here.

17 And I know there are some concerns and some
18 safety issues, but we want to make sure as much as
19 possible that access remains so residents can walk
20 towards the water.

21 MR. FREEMAN: So we can -- we have a sheet in
22 our booklet. It's called the circulation plan.
23 Sheet A100.B.

24 CHAIRPERSON HOOD: Is that the one Mr. Andres
25 mentioned -- he had up on the screen earlier?

1 MR. FREEMAN: I didn't see it. But residents
2 will continue to be able to -- once it's constructed
3 by the developer, 1305, to walk straight down One and
4 a Half Street to get to Potomac and access to the
5 Riverwalk. So the site is not taking away any
6 existing access to the river.

7 CHAIRPERSON HOOD: Okay. Okay. And all that
8 will be memorialized in your order.

9 MR. FREEMAN: It will be and it's also shown
10 on the plans.

11 CHAIRPERSON HOOD: I just want to make sure
12 it's in the order because --

13 MR. FREEMAN: Yes.

14 CHAIRPERSON HOOD: -- the order is what
15 rules.

16 MR. FREEMAN: Yes, sir.

17 CHAIRPERSON HOOD: So five years from now
18 when somebody says, well, the picture shows this.

19 MR. FREEMAN: Yes.

20 CHAIRPERSON HOOD: The order rules. The
21 other thing is, have you all done a survey on bikes,
22 commuters? I mean, have you polled your employees
23 that are going to be working there? Are they going
24 to be taking the bike or are they going to be
25 catching the Metro or they're going to be roller

1 skating? Or how do you think they're probably going
2 to come to work? Because right now the thing in the
3 city now is bicycles. And I know that trend
4 eventually will change. I don't know if it's going
5 to be roller skates or what. But we're going to be
6 moving around some other kind of ways and I'm just
7 curious, do you believe that your employees -- and
8 you may not have done this survey. I'm just curious.
9 I've heard a lot of people have bicycle racks, and
10 I'm not against it but I'm just curious, what is
11 demand? I mean, what do you think your employees
12 will do?

13 MR. HAWKINS: I'll make two comments. First,
14 I totally appreciate your comments about access and
15 just wanted to emphasize that when I became general
16 manager there had been a long standing dispute and
17 D.C. Water had not been willing to build -- allow the
18 building of the bridge that now is in front of that.
19 That was a decision on my part to enable that to
20 occur so that we could connect Diamond Teague Park
21 across to the Navy Yard, and that was for exactly the
22 reason you've determined.

23 We have joint responsibilities, both of which
24 are important. One is securing incredibly
25 significant infrastructure. I know you know that.

1 And the other is we want as much public access within
2 that context as possible. So yes, it will be
3 memorialized in however it should be memorialized.
4 But we believe the same things on that issue.

5 On the second we have actually asked staff at
6 80 M Street, which is up on M Street, for the same
7 reasons, limited parking, proximity to Metro. I
8 don't have the percentage numbers in front of me but
9 we do have more come from Metro than by bike
10 currently of our staff. But now we'll be moving such
11 a larger portion of our employees. Another issue
12 that's happening at a lot of agencies like ours is
13 that we have a number of our great veterans who are
14 retiring and we're bringing in younger people just as
15 in the flow of the workforce. And a number of our
16 younger employees seem to ride bikes more frequently.

17 Our prognostication is the Metro will be the
18 most prevalent method to get to this facility because
19 the Metro Station is so nearby. And but we'll have
20 to check whether we've done a survey recently
21 about -- from the employees who would come to this
22 facility, but we want all of those options to be
23 available. That's one of the reasons we like the
24 site so much.

25 CHAIRPERSON HOOD: Okay. It took me a while

1 yesterday to really get used to the -- well, it took
2 me a while, period, to get used to the building. And
3 as I've heard my comments, I mean, my colleagues
4 comment on it, I actually had a better appreciation
5 of it. And I think it's -- it grew on me through the
6 part of the hearing when my four colleagues went
7 before I did. So I actually think it's a nice,
8 pretty unique piece of work that you have. Okay.

9 And I do have a note here, General Manager.
10 I've been knowing you a long time and every time I
11 see you you're always enthusiastic. From the first
12 day I met you when you were with DOE and I don't know
13 your EPA days and all that, but you've always been
14 very enthusiastic and I think that carries a lot. I
15 don't know what the people who work for you say, but
16 I just know every time I've seen you, enthusiastic
17 about your product and what you're doing. That's why
18 I don't want the rate to come back over to the payer.
19 Okay? So I'll leave it at that.

20 I don't really have a whole lot of questions.
21 I think as long as we stay up under the Height Act I
22 think my colleagues prefer B. I don't have a
23 preference as long as we stay under the Height Act
24 and we're germane and people will have access. And
25 again, it looks like a very neat project and I think

1 it will enhance the -- I was here when we did the W
2 zones and I was one of -- this fit. But then you
3 know, I saw where this could work, especially near
4 the pumping station and everything. And I think from
5 what I read in the materials that you gave us, it's
6 well needed. It's well needed.

7 So you're trying to consolidate. You're over
8 crowded where you are now. You're all over the
9 place. You're trying to bring some things together.
10 So I guess you have this site, and the site where you
11 currently are now. Okay. And most of the union
12 workers are going to stay at the old site. Is that
13 it?

14 MR. HAWKINS: Well have union workers at
15 Bryant Street, unionized. We'll have union work at
16 most of our facilities, but mainly Bryant Street
17 coming out of Blue Plains and we're working with the
18 City to move our sewer ops, operation where there's a
19 lot of unionized employees.

20 But we do hope to bring a lot of our
21 employees together at this site. And what I -- and I
22 appreciate all the questions that have been asked and
23 all the issues about how we optimize this opportunity
24 and I always still compare it in my head as to what
25 the alternative is as what we have now, which is an

1 absolutely auto dependent, almost inaccessible site.
2 You've got to come a long way to visit us and go
3 through three security checks just to get in our
4 front door.

5 And yes, we still have security issues. We
6 want it to be as visually appealing as possible but
7 we're trying to make ourselves as connected to the
8 community and the waterways, which is our core
9 business. And we appreciate the opportunity to put
10 that before you.

11 CHAIRPERSON HOOD: Okay. All right. That's
12 all the questions. I'm not going to belabor it.
13 Commissioner May?

14 MR. MAY: Yeah. I can attest to how
15 inaccessible the Blue Plains facility is, especially
16 for cyclists. I don't imagine you have too many
17 commuters that way. I've ridden my bike there for a
18 meeting and --

19 MR. HAWKINS: Very few, but some very hardy
20 souls.

21 MR. MAY: It's not easy.

22 MR. HAWKINS: You're right. It's dangerous
23 sometimes.

24 MR. MAY: Yeah. It is dangerous. Or it's a
25 lot of hills. Right? So it's --

1 CHAIRPERSON HOOD: You didn't go down 295
2 though.

3 MR. MAY: I did.

4 CHAIRPERSON HOOD: You did?

5 MR. MAY: Well, not on 295, but down South
6 Capitol Street and --

7 CHAIRPERSON HOOD: South Capitol.

8 MR. MAY: -- there's some really unpleasant
9 sections of road there for a cyclist. So anyway. So
10 just to be clear, 350 employees at this location.
11 And it's a very large building for 350 employees. Do
12 you have -- and it's sometimes not a fair measure of
13 this, but square footage per person for regular
14 office space. I mean, what are the numbers like? Do
15 you know, because it's -- I mean, you know, if you
16 just do a raw calculation of total square footage of
17 building and total number of employees it's like \$480
18 square feet per person which is outrageously high.

19 MR. FREEMAN: Sven can do the calculation but
20 we've also included the existing pump station.

21 MR. MAY: Right. I figured that was probably
22 included and that's why it's not fair to just measure
23 it that way.

24 MR. FREEMAN: Right.

25 MR. MAY: But I am interested in seeing what

1 your standard is. Do you have one?

2 MR. SHOCKEY: Well, so if you take the size
3 of the pump station, divide it by 350, you get about
4 400 square feet a person.

5 MR. MAY: Uh-huh.

6 MR. SHOCKEY: And so a typical floor in an
7 office building might be in the range of 200, 250 --

8 MR. MAY: No, no, no, no. I'm not asking you
9 what a typical floor is.

10 MR. SHOCKEY: Okay. What this --

11 MR. MAY: I know what a typical floor is.

12 MR. SHOCKEY: Okay. This one, I mean,
13 according to -- about 428. I mean, that's --

14 MR. MAY: And that's when you take out the
15 pump station.

16 MR. SHOCKEY: Yeah, because that's the
17 150,000 --

18 MR. MAY: Yeah.

19 MR. SHOCKEY: -- square foot divided by 350.

20 MR. MAY: Okay. So, I mean, that seems
21 really high. It's twice even -- I mean, federal
22 standard now is dropping down to 150, 140.

23 MR. SHOCKEY: That includes the lobby, the
24 ground floor lobby, and it includes the board room
25 and ancillary space on the second floor.

1 MR. MAY: And the entire lobby is -- I mean,
2 is that the entire first floor?

3 MR. SHOCKEY: It's entire first floor. It's
4 about 12,000 square feet.

5 MR. MAY: And what's going to happen there?

6 MS. SCHELLIN: There are entry points at, you
7 know, either side with security desks and that sort
8 of thing. There is an exhibit and museum space that
9 will be distributed throughout that space, and views
10 into the pump station.

11 MR. MAY: And views into the pump station. I
12 mean, it seems awfully large and generous.

13 MR. SHOCKEY: Well, we don't have -- another
14 interesting thing to note is since we have no lower
15 level basement space --

16 MR. MAY: Yeah.

17 MR. SHOCKEY: -- that we have a lot of back
18 of house on the floor too, the receiving of the
19 loading areas, we have pump rooms, electrical rooms,
20 all that sort of thing. So actually that plays into
21 a large percentage of the ground floor --

22 MR. MAY: Okay.

23 MR. SHOCKEY: -- restrooms.

24 MR. MAY: All right. So it also struck me,
25 looking at this, that your floor to floor heights are

1 pretty high. Did you look at manipulating the floor
2 to floor in order to get the embellishment that you
3 want, all within the 100 feet, rather than the 110?

4 MR. SHOCKEY: Yeah, that's a good point. Our
5 main challenge is that we have to get the truss. We
6 have a large four-story truss that actually spans
7 over the pump station since there are actually very
8 few places where we can integrate columns into the
9 site. So the truss has to sit above the pump
10 station, and so that causes the ground floor to be
11 the entire -- it's a very tall ground floor and then
12 the second floor is very tall as well. And then only
13 after that can we manipulate the floors because of
14 the way the structure works. So the upper floors are
15 more typical. It's really just the first two floors
16 that are very high.

17 MR. MAY: Uh-huh. Well, even at 14, 14, six,
18 that's -- I mean, we've seen less than that.

19 MR. SHOCKEY: It --

20 MR. MAY: Twelve, 13 happens.

21 MR. SHOCKEY: Right. Well, so for this
22 particular building is also steel construction where
23 often in Washington, you know, where we're trying to
24 do --

25 MR. MAY: Right. Concrete.

1 MR. SHOCKEY: -- post tension concrete --

2 MR. MAY: Right.

3 MR. SHOCKEY: -- we can get the floor to
4 floor down, this is because of the types of spans to
5 keep it as open as possible.

6 MR. MAY: Yeah, you do steel.

7 MR. SHOCKEY: Doing steel.

8 MR. MAY: Right. Okay. All right. Well,
9 that explains it. Thank you.

10 CHAIRPERSON HOOD: Any other questions up
11 here?

12 Okay. ANC, is there anyone representing ANC
13 6D present? Okay. I'll read the report when we get
14 there.

15 Mr. Avitabile, do you have any cross-
16 examination? Okay. Let's go to the Office of
17 Planning and the District Department of
18 Transportation and then we'll take them and we'll ask
19 our questions after they both finish.

20 MS. FOTHERGILL: Good evening, Chairman Hood.

21 CHAIRPERSON HOOD: Okay. Ms. Fothergill.

22 MS. FOTHERGILL: Good evening, Chairman Hood
23 and Members of the Commission. For the record I'm
24 Ann Fothergill with the Office of Planning. I would
25 like to say that the Office of Planning is also

1 enthusiastic about this project. We support it,
2 think it's architecturally distinctive, and a visible
3 building along the water front, LEED Platinum, and
4 the applicant responded to some of our concerns about
5 the fencing and bicycle accommodations and questions
6 we had about the new building and the old building
7 and the relationship. And we recommended that if
8 they go with Option B that those plans be fully
9 detailed and provided.

10 And we rest on the record in support of the
11 application and I'm happy to answer any questions.

12 CHAIRPERSON HOOD: Okay. Thank you. Ms.
13 Fothergill, is this your first time to the Zoning
14 Commission?

15 MS. FOTHERGILL: Well, I was at the set down
16 hearing, but second time.

17 CHAIRPERSON HOOD: Oh, second time. Okay.
18 Well, you're not green anymore. I was going to
19 welcome you, but you're always welcome.

20 MS. FOTHERGILL: thank you.

21 CHAIRPERSON HOOD: Okay. Mr. Westrom.

22 MS. STEINGASSER: Actually, Chairman Hood,
23 Commissioners, I just wanted to bring up, one thing
24 was brought to our attention just this evening before
25 the hearing that there's a bit of an overlap between

1 the western boundary of this PUD and the eastern
2 boundary of the Case 13-05. It kind of looks like
3 it's about 10 to 12 feet, and we would, as one of our
4 conditions, ask that that be resolved. And that
5 something be put into the record as to how that is
6 going to be coordinated.

7 CHAIRPERSON HOOD: All right. We'll ask --
8 you can ask that question when it's time to do cross.
9 Okay. Mr. Westrom.

10 MR. WESTROM: Thank you, Chairman Hood. Good
11 evening, Commissioners. Ryan Westrom from DDOT, and
12 we would agree with the Office of Planning in regards
13 to the opportunity and the potential that this
14 building presents. It's something that I think
15 fellow district agencies are excited about, and we
16 appreciate your sentiment to optimize the opportunity
17 we have here.

18 And further, we appreciate the vision that
19 you laid forth for integrating this building into the
20 multi-modal network that we have in the District, and
21 situating it in a fit that you've proposed. And I
22 think that there are a lot of opportunities that come
23 with that.

24 It was a difficult case in some ways to
25 evaluate because of the contiguous previously

1 approved Zoning Commission Case 13-05 that happened,
2 that did have some mitigations identified that were
3 tied to this particular project. And so as we worked
4 through it, you know, our aim was to try and clarify
5 that situation and to try and outline what we felt
6 were the most appropriate mitigations and conditions
7 in terms of the impact on the transportation network
8 of this particular project. And that has been our
9 aim and hopefully I can continue to offer further
10 clarity in that regards tonight.

11 As we reviewed the project we did find the
12 proposal lacking in appropriate TDM measures, and the
13 certain appropriate transportation mitigations. We
14 are pleased to hear the agreement to some of these
15 conditions tonight, and we'd like to talk further
16 about a few of them as well.

17 And so after careful consideration DDOT
18 identified several mitigations. And with these
19 elements we would be very supportive of the project.
20 We group them into kind of three sections, one
21 dealing with the TDM plan, second dealing with non-
22 auto infrastructure improvements. And finally
23 dealing with infrastructure improvements. And we
24 thank Mr. Andres for having walked through the first
25 portion of those and so I think I'll jump to the

1 points where perhaps a little bit more clarity is
2 helpful.

3 And so in regards to the TDM plan, great to
4 hear that there's a bike repair facility being
5 proffered. We think the showers and storage space
6 are good moves. The design of that storage space in
7 terms of encouraging people to be willing to have a
8 second set of clothes and things like that to
9 encourage bicycling, certainly should be considered.
10 The whole aim with these things, with TDM measures is
11 to encourage the multi-modal nature as was discussed
12 and to support the mode split that is proposed as
13 part of this, and to encourage and follow the trend
14 that the District is seeing as a whole. We do
15 believe that this is a more conducive location to
16 supporting bicycling, to supporting even pedestrian.
17 And so we want to do as much as we can, again, to
18 encourage that sort of behavior.

19 In regards to the transit screen we believe
20 we would agree with what Commissioner Turnbull
21 pointed out. We believe there are cheaper options
22 than \$5,000, the cost of a TV screen, and there are
23 various free feeds that are available and so we
24 certainly believe that that is something that could
25 be accommodated within the lobby and that's why we

1 specifically noted -- or a similar device. Obviously
2 a transit screen might have some proprietary costing
3 and subscription pricing. But we believe a similar
4 solution could offer similar benefits, and certainly
5 that's what we were aiming for.

6 In regards to the last two TDM elements, the
7 Smart Trip and the Capitol Bike Share, just to
8 clarify, our intention was for that to be for the 350
9 employees proposed at this site. And so we believe
10 that that is a reasonable accommodation. We believe
11 that that would be an accommodation that would
12 encourage the employees at this site to utilize the
13 multi-modal network opportunities presented around
14 them and around their building.

15 In regards to the non-auto infrastructure
16 improvements, again as was noted, we're happy to see
17 the agreement and the commitment to providing
18 something along N Place. Just to clarify, and you
19 know, I think as Commissioner May was getting at, the
20 intention here, and this is something that we desire
21 to see is if we have pedestrian users proposed, and
22 if we have people using transit to which you have to
23 walk, we believe that it is important to ensure that
24 there is safe passage to those destinations. And so
25 we work with applicants to identify what are the key

1 destinations within proximity of a PUD. And we seek
2 to see safe passage to those locations. And that's
3 what we're trying to identify here.

4 And we believe that there are, with a few
5 micro improvements, the possibility to ensure that
6 all the key destinations are safely accessible via
7 foot, and we would hope that D.C. Water would concur
8 with that goal.

9 We can note specifically, along with the
10 Metro station and the M Street bus lines, there's the
11 Yards Park existing just to the east. And with about
12 10 or 15 feet of sidewalk improvement there would be
13 safe pedestrian access from the gate on the east side
14 for employees, to the Yards Park. And we feel like
15 that's important to rounding out the pedestrian
16 experience surrounding the PUD site.

17 So finally the vehicular infrastructure
18 improvements. And so the applicant has left those to
19 us so let me read those in a little bit greater
20 detail and then we can discuss.

21 So first we wanted to have provided to us,
22 detailed information on the vehicle parking
23 component, including its location, layout, and
24 management for each phase of development. And so
25 this is dealing with the 50 off site bases. And

1 obviously right now our understanding is that those
2 are proposed on the theater site to the north. But
3 we're also concerned about the interim conditions
4 while construction is happening and while the project
5 is phased, that at each phase, again, there would be
6 safe pedestrian ingress and egress from that location
7 that pedestrian facilities that are ADA accessible
8 are provided, and that the layout would be something
9 that is safe. And so where exactly from the street
10 would those points be accessed? We don't have,
11 currently, detailed site plans of how it would
12 operate at each phase of the development.

13 Lastly, we want to ensure that the signal at
14 1st Place -- or First Street and N Place that was
15 identified as part of the prior Zoning Commission
16 Case 13-05 is installed prior to D.C. Water gaining
17 certificate of occupancy for their site. This signal
18 is something that was identified within the zoning
19 order for the prior case. But the warrant for the
20 signal was met in part due to this office site that
21 is occurring right now. And so if D.C. Water comes
22 before the Forest City Zoning Commission case, we
23 believe that those mitigations that were identified
24 in that Zoning Commission case need to be completed
25 before D.C. Water actually is occupied.

1 And so this is not intended to require D.C.
2 Water to provide the signal. We just want them to
3 work with Forest City and ensure that the signal is
4 in place, if it is warranted, based on the usages
5 that are proposed before the occupancy occurs so that
6 we have a safe transportation network surrounding
7 them. Obviously in the end I think everybody wants
8 both PUDs to advance, and the appropriate mitigations
9 following all of them have, I think, been identified
10 fairly clearly. But our concern is this interim
11 condition should the D.C. Water situation go before
12 the Forest City, that we have an understanding what
13 would happen in that interim period.

14 And lastly, if for some reason the Forest
15 City PUD were to go away in some way, that we would
16 have assurance that those mitigations would still be
17 picked up, that are warranted based on this PUD in
18 and of itself. And so I think that that's what we
19 were trying to get at.

20 So with those items outlined we would be
21 happy to answer any questions and look forward to
22 discussing these elements further. Thank you.

23 CHAIRPERSON HOOD: Okay. I want to thank you
24 all. Let's see if there are any questions from us,
25 either Office of Planning or DDOT. Okay. Any

1 questions? Okay, Vice Chair Cohen.

2 MS. COHEN: I just have a simple question for
3 the Office of Planning. For this particular project
4 I don't think it's, you know, necessary. But where
5 is DDOE? I mean, DDE, DOE now.

6 MS. FOTHERGILL: They were definitely
7 involved in our interagency meetings and consultation
8 and I noticed they didn't file a report. I know they
9 spoke directly to D.C. Water about some concerns they
10 had about possibility of shade trees and less
11 pavement. But because of the infrastructure
12 beneath --

13 MS. COHEN: Yeah.

14 MS. FOTHERGILL: -- those things weren't
15 possible. So I know they resolved their issues and
16 got their questions answered.

17 MS. COHEN: Just communicate to them that I
18 missed them the last few times.

19 MS. FOTHERGILL: Okay.

20 CHAIRPERSON HOOD: You know, I've noticed.
21 As soon as I told Tommy Wells what a good job they
22 were doing I haven't seen him since. So maybe I
23 won't do that anymore. I just thought about that.
24 We have not seen them lately. Yeah, okay. Maybe
25 I'll tell him something else next. Okay.

1 MR. HAWKINS: Mr. Chair.

2 CHAIRPERSON HOOD: Yes.

3 MR. HAWKINS: Could I just make, to that,
4 Director Wells and I are old friends and we've been
5 meeting about this frequently. I just want to
6 emphasize this fully complies with more so any storm
7 water requirement. And what we're very excited at
8 working with Department of Energy and Environment is
9 our sewer heat issue because we think that is an idea
10 that could be really something that would
11 revolutionize, not just at this site, but in many
12 sites around the city, and a way you can
13 environmentally, cost effectively provide heating and
14 cooling based on sewer flow.

15 So we've been talking with him a great deal
16 about this project and we're very excited to work
17 with them.

18 MS. COHEN: And I just want to add, I think
19 it's really important for you to write this up as a
20 case study, you know, so that other cities who look
21 to Washington, D.C., believe it or not, for our
22 vision and in many areas, so I really think that --
23 I'm not concerned about this project because of the
24 many things you have proffered for environment. So
25 it makes me happy that there's this hot sewer stuff

1 coming out as well. I guess.

2 MR. HAWKINS: No sewage, just
3 heating/cooling.

4 CHAIRPERSON HOOD: All right, Commissioner
5 Miller.

6 MR. MILLER: Thank you, Mr. Chairman. I just
7 wanted to ask Office of Planning if you would speak
8 briefly to the Option A compliance with the Height
9 Act issue.

10 MS. FOTHERGILL: We had advised the applicant
11 we did not think it complied, but they wanted to
12 bring it forward to the Zoning Commission.

13 MR. MILLER: That was brief. Thank you.

14 CHAIRPERSON HOOD: Okay. Any other questions
15 up here? Okay. Does the applicant have any cross of
16 either Office of Planning or DDOT?

17 MR. FREEMAN: No cross, but in closing we
18 would like to respond to some of DDOT's comments.

19 CHAIRPERSON HOOD: Did you have a
20 clarification question you needed to ask Ms.
21 Steingasser? This is the time to do that.

22 MR. FREEMAN: No.

23 CHAIRPERSON HOOD: Okay. All right. Mr.
24 Avitabile, any cross?

25 [No audible response.]

1 CHAIRPERSON HOOD: Okay. Let's go to -- see
2 where I'm at. Do we have any other reports from any
3 other agencies?

4 [No audible response.]

5 CHAIRPERSON HOOD: Okay. I'm going to do the
6 ANC next.

7 We have a letter from ANC 6D. And, Mr.
8 Freeman, when you first opened you agree with
9 everything the ANC had put in that letter, right?

10 MR. FREEMAN: Yes.

11 CHAIRPERSON HOOD: Okay. I think you've said
12 that early on. Okay.

13 Anyway, "Therefore be it resolved to advise
14 neighborhood Commissioner 6D supports the proposed
15 development and believes that the proposed
16 development would be an improvement over the existing
17 conditions of the site." And they go on. And this
18 is a letter signed by Chairman Moffat, which is dated
19 October the 1st, 2015.

20 Okay. Again, we don't have anyone here
21 that's representing ANC 6D, do we? Okay. Let's go
22 to organizations and persons who are here in support.
23 Anyone who would like to testify in support,
24 organizations or persons?

25 Do we have any -- oh, that's right. You know

1 what? I forgot you. So the party will go first and
2 then if there's no one else here in support I will
3 call for those. Is there anyone who would like to
4 testify in opposition? Organizations or persons here
5 in opposition?

6 [No audible response.]

7 CHAIRPERSON HOOD: Okay. So we will go with
8 support and let the record reflect I have called for
9 both and we will have the party in support.

10 MR. AVITABILE: Thank you, Chairman Hood and
11 Members of the Commission. For the record, David
12 Avitabile with Goulston and Storrs, Land Use Council
13 for Forest City. With me tonight, sitting in the
14 audience, is Sarah Forde who works for Forest City
15 and is the main representative that's been working
16 with D.C. Water on the development of this site for
17 the last three or four years at this point.

18 Prepared a brief couple of comments to update
19 where we are with Forest City since our initial party
20 status hearing. We're pleased to be here in support
21 of the proposed PUD. We think, like everyone else,
22 it's going to provide an exciting dynamic and
23 sustainable addition to the emerging new
24 neighborhood. And in particular, Forest City's
25 parcels to the north and west.

1 In our party status application we outlined a
2 few coordination issues intended to ensure that the
3 proposed office building is consistent with the
4 Commission's previous approval. We've spoken with
5 D.C. Water. They've addressed many of the concerns,
6 so tonight I'm just going to highlight the
7 outstanding items which are related to One and a Half
8 Street and the coordinated loading of the two
9 projects.

10 So I've submitted a couple of drawings to
11 you. The first page is from our approved PUD set,
12 which shows the approved design for One and a Half
13 Street and then I included a page from their plans
14 that shows their proposed One and a Half Street
15 configuration.

16 So One and a Half Street is very important to
17 the D.C. Water site's PUD that Forest City got
18 approved, and to the yards as a whole. It's an
19 important north/south spine that runs from the
20 Anacostia River through the PUD and north into the
21 yards. It has a right of way of 70 feet with
22 sidewalks, street, trees, parking and travel lanes.
23 And the entirety of One and a Half Street was
24 presumed to be a part of the Forest City PUD. And it
25 connects -- again, it connects to the Forest City

1 controlled parcels in the yard. And so this gets to
2 the issue that Ms. Steingasser raised that we
3 originally thought that the entire right of way of
4 One and a Half Street was going to be Forest City's
5 responsibility. And what you have in their PUD is
6 they're taking responsibility for the east side of
7 One and a Half Street. So the issues are largely
8 around, well, what happens when they're taking over a
9 portion of it. We want to make sure that the entire
10 design is consistent.

11 So we don't object to them taking
12 responsibility for constructing and maintaining this
13 portion of the street. We just want to make sure
14 that it's consistent with the remainder of the
15 design. To this end we've asked D.C. Water to agree
16 to use the same materials, design, and layout per
17 approved PUD per this drawing that we've submitted,
18 agree to maintain its portion of the street scape,
19 and agree to coordinate with us on constructing that
20 portion of the sidewalk in coordination with our
21 phased build out.

22 And I think this is largely the points that
23 I've talked with Mr. Freeman about and I think we're
24 getting there so the idea would be, after the hearing
25 as they're developing their proposed conditions we'd

1 work with them to make sure that they're acceptable
2 to us.

3 The other item that we did want to mention
4 and make sure that everyone was aware of is that D.C.
5 Water has proposed street dimensions that differ
6 somewhat from the previously improved dimensions for
7 One and a Half Street. It narrows the right of way
8 and eliminates the parking lane and we understand
9 that they eliminated parking because of security
10 concerns. And again, we don't object to that.

11 But what it does is it also jogs the curb
12 line further west, and so that means the sidewalk
13 also jogs. And so we don't object to this. We don't
14 object to this alteration, just as long as it
15 continues to provide continuous usable and publically
16 accessible sidewalk on the east side of One and a
17 Half Street. We want that to really feel as a
18 complete street.

19 So those are the issues regarding One and a
20 Half Street. As for loading, as you may recall, our
21 building immediately to the north, which is the movie
22 theater building, has a -- shares the loading and
23 service entrance that D.C. Water has off of what will
24 be One and a Half Street. When we went through our
25 PUD approval and D.C. Water participated as a party

1 in support, we agreed that we would coordinate with
2 them on the shared use of this loading entrance and
3 use of that facility so that our trucks wouldn't
4 interfere with their operations or interfere with
5 their ability to use their space. And I think we're
6 just looking for the same comity.

7 We recognize that D.C. Water will continue to
8 maintain and use the O Street pumping station on its
9 site which has certain service and loading needs and
10 we'll ultimately work out a shared agreement
11 regarding the use of this area. And again, for now
12 we're just asking that D.C. Water have -- condition
13 its use of the shared loading area in a manner that
14 will provide Forest City with reasonable and regular
15 access to its loading facilities for the movie
16 theater.

17 And then finally, and this was again, another
18 item that came up the last time around. Because the
19 two buildings are going to share a loading area it's
20 important that the grading between the sites be
21 coordinated so that our trucks can actually back into
22 our loading dock. And so we had included a notation
23 on our plans that grading was to be coordinated, and
24 we recommend that they do the same thing. And this
25 is in part, if we have to make adjustments as the

1 parties are out in the field, we wouldn't want either
2 party to be held up by a technical issue because
3 their plans don't quite line up with what's shown in
4 the improved PUD. So this is largely to give both
5 parties the flexibility to adjust as conditions
6 warrant.

7 Those are my comments. Thank you.

8 CHAIRPERSON HOOD: Okay. Thank you, Mr.
9 Avitabile, who is representing Forest City.
10 Colleagues, any questions?

11 MS. COHEN: Yes.

12 CHAIRPERSON HOOD: Vice Chair Cohen.

13 MS. COHEN: Thank you, Mr. Chairman. As you
14 just heard DDOT is very concerned about some of the
15 timing issues as well with regard to the street light
16 as an example. How have you made arrangements to
17 address that particular issue should anything be
18 delayed in your project? Is there any agreement
19 that --

20 MR. AVITABILE: No one has approached us
21 about that yet. The first that I heard about that
22 was when I reviewed the DDOT report today. I expect
23 that we could continue to talk to coordinate on how
24 that would work. And I can't speak for Forest City
25 in terms of timing of payment or installing the light

1 and you know, the two projects are inextricably
2 intertwined here in terms of how they're going to be
3 constructed. But I'm sure that that could be worked
4 out. But I think it's important to have you know,
5 the caveat that Forest City doesn't pay for the
6 signal if they don't go forward with the project.
7 That's, I think, the only important caveat.

8 MS. COHEN: Well, I think though we need to
9 have more information with regard to that because
10 obviously it is an issue for DDOT. It's an issue
11 that they're stating for the C of O, before you can
12 get a C of O certain things have to take place. And
13 they've asserted the responsibilities overlap. And I
14 think you need to -- you, being the applicant, D.C.
15 Water, needs to respond to all of DDOT's concerns
16 which you may be doing somewhat tonight. But I think
17 a lot of this has to be in some way, you know, give
18 us again, A and B. You know, what could possibly
19 happen and if something goes wrong in timing.

20 I think we should continue questions for Mr.
21 Avitabile.

22 CHAIRPERSON HOOD: Any other questions up
23 here? Mr. Turnbull.

24 MR. TURNBULL: Yeah. I meant to bring out
25 the plans for the project just to have them here as a

1 reference. As I remember the parking for the
2 theaters is off of One and a Half Street. Are you
3 going to put --

4 MR. AVITABILE: That's correct.

5 MR. TURNBULL: Pedestrian. But the loading
6 goes back and is around on the south side of the
7 building.

8 MR. AVITABILE: That's correct.

9 MR. TURNBULL: So should it be --

10 MR. AVITABILE: So you would access it off of
11 One and a Half Street.

12 MR. TURNBULL: Right.

13 MR. AVITABILE: And I think the curb cut
14 shows up on here.

15 MR. TURNBULL: And now the applicant really
16 didn't mention anything about that. I know they
17 really didn't -- I don't think they mentioned it
18 about the shared loading. But that was always --
19 it's been in your -- on your agenda in all your talks
20 with them about the shared loading.

21 MR. AVITABILE: Yes.

22 MR. TURNBULL: Okay. Thank you.

23 CHAIRPERSON HOOD: Okay. Commissioner
24 Miller.

25 MR. MILLER: Thank you, Mr. Chairman.

1 So what is the status of the theater project
2 that's been mentioned many times?

3 MR. AVITABILE: I'd ask Sarah to come up and
4 speak to that briefly.

5 MS. FORDE: Good evening. Sarah Forde with
6 Forest City. In terms of the status of the project
7 we are about to begin the CD phase. Ultimately the
8 District has been working with D.C. Water on their
9 final relocation for a portion of their operations
10 that currently take place on the movie theater site.
11 So pending advancement of those negotiations and
12 discussions we will be moving forward.

13 As Mr. Hawkins mentioned earlier, both the
14 Forest City movie theater construction team has been
15 working closely with D.C. Water's, and we both
16 anticipate starting construction next summer, in the
17 same rough time frame.

18 MR. MILLER: Thank you very much.

19 CHAIRPERSON HOOD: Okay. Any other questions
20 of Mr. Avitabile or the young lady representing --
21 I'm sorry, I didn't get your name. What's your name
22 again?

23 MS. FORDE: Sarah Forde.

24 CHAIRPERSON HOOD: Oh, Ms. Forde.
25 Commissioner May?

1 MR. MAY: So, Mr. Avitabile, just on One and
2 a Half Street, the approved PUD, the Forest City PUD
3 included those improvements as they are shown in the
4 drawing.

5 MR. AVITABILE: That's correct.

6 MR. MAY: That you gave us.

7 MR. AVITABILE: On our drawing, yes.

8 MR. MAY: Right. So but in essence, what
9 D.C. Water -- the D.C. Water project here does is it
10 sort of claims a portion of that and redesigns it.

11 MR. AVITABILE: Correct.

12 MR. MAY: Okay. So I guess we're going to
13 need to hear more from D.C. Water about what the
14 logic is there because I don't know, in my experience
15 it's sort of unprecedented to have sort of abutting
16 PUDs to, you know, claim overlapping jurisdiction if
17 you will.

18 MR. AVITABILE: Right. And our -- frankly my
19 initial concern was just making sure that no one was
20 going to say to us when we come forward with one of
21 our second stage PUDs, well, why did this change.
22 Just make sure everyone is on the -- everyone now is
23 on the same page that there's a modification. It's
24 being made to accommodate D.C. Water's plan, and we
25 don't object to it, but we just want to make sure

1 that everyone is in agreement at this moment in time.

2 MR. MAY: Uh-huh. So, yeah, it's very odd.

3 CHAIRPERSON HOOD: Are you taking that
4 question off the table, why is this changed? You
5 will get it later on. Don't worry about it. In
6 other words, when you all do come back I'm still
7 here, I'm going to ask you why this is changed.

8 MR. AVITABILE: I fully expect that.

9 MR. MAY: Yeah. So is this going to be a
10 dedicated street, or is it going to be a private
11 street?

12 MR. AVITABILE: The current plan is that it
13 would be a private street.

14 MR. MAY: Right. Okay. Yeah, this is very
15 strange. Thank you.

16 CHAIRPERSON HOOD: But I think Ms.
17 Steingasser has asked how we can coordinate that and
18 work that out and I don't know -- you know, I think
19 that's something we need to do going forward and I
20 guess I'll leave it up to both Forest City and D.C.
21 Water.

22 MR. MAY: Well, I mean, there's more to it.
23 I mean, you know, we have an approved order that
24 shows that drawing with those -- with that status on
25 it and we're talking about it having to be something

1 different here. And so I mean, it's almost like the
2 order for your project needs to be modified.
3 Somebody needs to submit a minor modification or
4 something to that --

5 CHAIRPERSON HOOD: I just think we're making
6 it too complicated. I really --

7 MR. MAY: I'm not trying to make it
8 complicated.

9 CHAIRPERSON HOOD: Yeah. But what I'm saying
10 is, everybody else seems to agree, they're already
11 working together as it is. I mean, if whatever we
12 need to do to -- and I think Ms. Steingasser -- I'm
13 getting back to what Ms. Steingasser -- because where
14 we're getting ready to go, Commissioner May, we'll be
15 here another two hours.

16 MR. MAY: And I --

17 CHAIRPERSON HOOD: And I don't think we can
18 do that tonight. At least we can't.

19 MR. MAY: I'm not trying to solve it right
20 here. I just want to make sure that when somebody
21 goes for a permit that they're not going to get
22 stopped because there's an unclear order.

23 CHAIRPERSON HOOD: That's why --

24 MR. MAY: On either part.

25 CHAIRPERSON HOOD: That's why we're going --

1 MR. MAY: That's why.

2 CHAIRPERSON HOOD: That's why you two are
3 going to --

4 MR. MAY: So it's got to be --

5 CHAIRPERSON HOOD: You two, Mr. Freeman and
6 Mr. Avitabile, you all have already said you all are
7 working with it. I think Ms. Steingasser has already
8 captioned what needs to happen and I believe you all
9 are going to come back with the fix that we can look
10 at. Am I correct? I mean, I may be wrong. We can
11 go down that line tonight.

12 MR. FREEMAN: No, I don't -- I just want to
13 be very clear on a couple of things. The site is
14 currently used by D.C. Water. At the point the
15 Forest City project was approved it included certain
16 assumptions. So to the extent that assumptions need
17 to adjust based on the current D.C. Water plan, we're
18 willing to work through those adjustments but that
19 will be a part of a conversation between D.C. Water,
20 Forest City, and the District of Columbia, separate
21 and apart from the Zoning Commission process.

22 So you're right, we' don't have to spend time
23 on that tonight. I think we're willing to agree to
24 coordinate on One and a Half Street. We're willing
25 to agree with respect to the location and take care

1 of the improvements and the sidewalk. I can tell you
2 everything that we're willing to agree with, but we
3 don't want the record of this case to be used to
4 require D.C. Water to do other things and other
5 concepts. So --

6 CHAIRPERSON HOOD: So you just validated
7 Commissioner May's point.

8 MR. FREEMAN: No. I'm --

9 CHAIRPERSON HOOD: Yes, you did. You just
10 validated it for him. I wasn't trying to go there
11 but you just validated it because there is an order
12 already out there. So you just validated his point.

13 MR. FREEMAN: On property that's currently
14 used by D.C. Water.

15 CHAIRPERSON HOOD: But there is an order
16 that's out there on this project. So, and that's
17 where he was going.

18 MR. MAY: Is that order not valid? Was D.C.
19 Water not party to that PUD when it was --

20 MR. FREEMAN: As part of that order it
21 specifically -- for example, with respect to loading,
22 and we are happy to agree to --

23 MR. MAY: All right. Let's stay on One and a
24 Half Street. Stay on that one.

25 MR. FREEMAN: So --

1 MR. MAY: What did it say in that regard?

2 MR. FREEMAN: So it said there's no reference
3 to the D.C. Water project as it relates One and a
4 Half Street.

5 MR. MAY: Right.

6 MR. FREEMAN: Which is why with respect to --

7 MR. MAY: But there's a boundary shown on
8 that; on that case, right?

9 MR. FREEMAN: Well, they say presume to be a
10 part of the Forest City PUD. I'm just saying that
11 presumption wasn't fully vetted through at the time
12 it was done.

13 MR. MAY: Okay.

14 MR. AVITABILE: I don't know that that's
15 entirely true because Deputy Mayor signed the
16 application for the PUD on our behalf. Or on their
17 behalf as the owner of the property.

18 MR. MAY: Right. So I mean, you know, and
19 this is a -- I think now we're getting back to the
20 Chairman's original statement. We could spend two
21 hours trying to sort this out here and we don't
22 really want to do that. And I don't think you want
23 us to do that.

24 But it make it hard for us to go through and
25 approve something if it's not worked out. So --

1 MR. FREEMAN: We absolutely commit to
2 coordinating with Forest City.

3 MR. MAY: And I've already heard that.

4 MR. FREEMAN: Right.

5 MR. MAY: I think that what we need to do is
6 make sure that there is a sound legal basis for the
7 action, that our action taken on this case, can
8 proceed without any problems and that Forest City's
9 PUD can proceed without any legal complications
10 either.

11 And so that's what -- you know, that's what
12 needs to be resolved before we take a final action on
13 this.

14 MR. TURNBULL: Is there a problem with the
15 loading issue?

16 MR. FREEMAN: So we agree to abide by the
17 condition in the order. It says the applicant shall
18 coordinate the time for such -- the order, 13-05. It
19 says, "The applicant shall coordinate the time for
20 such deliveries and trash truck service with D.C.
21 Water." So that's --

22 MR. TURNBULL: Okay.

23 MR. FREEMAN: We're happy to do that. That's
24 what their order requires.

25 MR. TURNBULL: Okay. I just think probably

1 the order for this project needs to have a few
2 caveats in it that may tie into the other project.

3 MR. MAY: Yeah. And I think that they're
4 more than just operational concerns.

5 MR. TURNBULL: Right.

6 MR. MAY: They're actual physical building
7 concerns that Mr. Avitabile raised that need to be
8 understood and fully coordinated. Right?

9 MR. FREEMAN: We sent a list of conditions.
10 I know there were some timing issues, but we are
11 working on agreed conditions that we would be happy
12 to include in our order.

13 MR. MAY: Okay.

14 MR. FREEMAN: Just to be clear on that.

15 MR. MAY: And I think we're going to want to
16 know from Forest City that they're completely
17 satisfied that they're going to be able to move
18 forward with their PUD.

19 MR. AVITABILE: Yes. My hope is that we'll
20 just give them input on their conditions before they
21 file them and then we don't have to file anything
22 else and you don't have to hear from us.

23 MR. MAY: Okay. So how are we going to know
24 that you're okay with their conditions?

25 MR. AVITABILE: Well, if they file

1 something --

2 MR. FREEMAN: I'll tell you they're okay.

3 MR. MAY: All right, so you'll have a letter
4 to them in their submission or something? Right?
5 Okay.

6 MR. AVITABILE: We're going to have
7 something. Yes. We'll just submit something that
8 says we're all good.

9 MR. MAY: Okay.

10 MS. COHEN: But I still want to see a "what
11 if" plan that if you don't go forward at a certain
12 time that it's not going to be an obstacle to you
13 going forward. So that's really what I want to see.

14 MR. FREEMAN: There's nothing -- we are able
15 to move forward 100 percent within our own timing.
16 The only "what if" question was with respect to the
17 timing. And I think with respect to the signal. And
18 I think Ms. Forde just mentioned, they will be filing
19 for permitting in early 2016, which will trigger
20 their requirement to install the traffic signal. So
21 that was the only -- as I understand, the only
22 question with respect to Forest City's timing vis-à-
23 vis our timing.

24 MS. COHEN: Well, I would have to balance
25 that back to DDOT to make sure that they're

1 comfortable with not only the loading and the
2 improvements to, you know, the signal. And I guess
3 access to the site. They wanted pedestrian access to
4 be completed and they're putting it on as your
5 responsibility if the project doesn't go forward.

6 MR. FREEMAN: Yeah. So I think for the
7 record we just heard that they're moving forward. So
8 they -- and I don't want to speak for them. But they
9 will be moving forward with construction again within
10 2016. And as part of that they will build what's
11 shown on the plans, which included N Place as well as
12 installation or paying for the installation of the
13 signal, which DDOT is concerned about.

14 CHAIRPERSON HOOD: Okay. We get everything
15 all solved now? You wanted to give us a closing. A
16 rebuttal or closing? Oh, no, did you have any
17 questions for Mr. Avitabile?

18 MR. FREEMAN: No. No questions, sir.

19 CHAIRPERSON HOOD: Okay. And again, there's
20 no one here representing the ANC. So thank you all,
21 we appreciate your testimony.

22 Okay. Let's see if we can give us close or
23 rebuttal, or if you have any, or in closing.

24 MR. MILLER: Mr. Chairman.

25 CHAIRPERSON HOOD: Commissioner Miller.

1 MR. MILLER: Can I just --

2 CHAIRPERSON HOOD: Sure.

3 MR. MILLER: -- Mr. Freeman if in his closing
4 if he could simply address briefly the rationale for
5 the proposed altering of the dimensions for One and a
6 Half Street; provide the rationale for that as part
7 of your closing if you can just --

8 MR. FREEMAN: I can have the architect
9 quickly respond and the -- part of it is security,
10 quite frankly. The location of the west end property
11 line.

12 MR. SHOCKEY: That's correct. I think there
13 was a concern about being able to control that
14 property for security reasons and therefore the
15 property line is now at the face of curb instead of
16 at the face of building.

17 MR. MILLER: And do you know the dimension of
18 -- the narrowing with the --

19 MR. SHOCKEY: I believe it's 16 feet. I'm
20 not 100 percent sure.

21 MR. FREEMAN: It doesn't change if -- I need
22 to confirm, I'm just kind of -- it doesn't change the
23 actual cart way dimension, it just changes -- and I
24 could be corrected. It just changes the location of
25 a line. It doesn't change the actual physical

1 dimensions of the street.

2 MR. MILLER: Okay.

3 MR. SHOCKEY: It was primarily removing the
4 parking spaces directly in front of the building.

5 MR. MILLER: Okay. Thank you for that
6 clarification.

7 MR. FREEMAN: So in closing I, like
8 Commissioner Cohen, look forward to a write-up
9 describing how great this project is and we need your
10 approval in order to do that.

11 I think with respect to the questions and
12 comments that have come up tonight, all of OP's
13 conditions we've agreed to -- I'm sorry. We have
14 agreed to conditions which respect -- with respect to
15 access to the site. I think we covered most of
16 DDOT's conditions but just to quickly run through
17 them, we talked about the bike repair facility, the
18 showers, the storage space. I'm hearing we're going
19 to have to do a transit screen or other device.

20 We have said, and I think we can explain why
21 we're willing to expand our transportation benefit to
22 this site, but just given the cost of the -- and
23 other operational issues providing a Capitol Bike
24 Share to each employee at the site would be cost
25 prohibitive.

1 With respect to the non-auto infrastructure
2 improvements I think we just heard from Forest City
3 their timing and we believe that addresses their
4 comment with respect to the construction of N Place.
5 We can spend a little more time reviewing this, the
6 comment about providing a connection to the Yards
7 Park. They're referring to an entrance on the
8 eastern side of the site that's actually a secure
9 security entrance. It's not a public ingress or
10 egress type of entrance. So we can provide more
11 detail why that's not feasible.

12 I think we talked about the parking
13 component. Not sure what else we need there. And
14 you just heard Forest City talk about the fact that
15 they'll be providing the signal as part of their
16 progress moving forward. So I think we've responded
17 to all of DDOT's comments. I'm happy to put it in
18 writing if you'd like. I know there are a couple of
19 questions that the Zoning Commission has with respect
20 to materials, with respect to updating the plans to
21 reflect Option B. We've been here for a while but we
22 think we can respond to these questions fairly
23 simple, fairly quickly. And with that we look
24 forward to proposed action as quickly as possible so
25 that we can move forward as quickly as possible.

1 CHAIRPERSON HOOD: Okay. Thank you.

2 Colleagues, any follow-up questions or comments?

3 MS. COHEN: Yeah, I would like to, you know,
4 get your response to DDOT in writing so that DDOT can
5 then respond and make sure that we've dotted the Is
6 and crossed the Ts and that there's no future
7 misunderstandings.

8 CHAIRPERSON HOOD: And we know that issue
9 about working out between the overlap. We know
10 that's on the plate too, right? Right?

11 MR. FREEMAN: I think that what will happen
12 during the interim conditions, I've explained to
13 DDOT, those are things that will have to be
14 negotiated between the District, Forest City, and
15 D.C. Water.

16 CHAIRPERSON HOOD: Okay. I don't know about
17 anybody else but I just, I have a problem with just
18 leaving it out there because people look at our
19 orders and I would like for you -- I heard you all
20 were working it out so that's what I'm looking for.
21 Not that you're going to finalize anything but you're
22 going to work it out so we can have something to
23 place in the order.

24 MR. FREEMAN: I think we'll --

25 CHAIRPERSON HOOD: Because when it goes the

1 wrong way, which I'm sure it won't, but if it does,
2 then you have something go back to.

3 MR. FREEMAN: We're happy to say that during
4 any interim construction period a minimum of 50
5 parking spaces will be provided, during the interim
6 construction because obviously that's what D.C. Water
7 wants.

8 Now with respect to the exact location or who
9 is going to pay for it, I think that is a separate
10 conversation that we're not sure we'll be able to
11 reach agreement on prior to the order.

12 CHAIRPERSON HOOD: I'm talking about the
13 overlap. Are you --

14 MR. FREEMAN: I'm sorry. First Street or
15 overlap?

16 CHAIRPERSON HOOD: I'm talking about the
17 overlap.

18 MR. FREEMAN: We can resolve that.

19 CHAIRPERSON HOOD: That's what I'm talking
20 about, the overlap. But whatever else you just said,
21 go for it.

22 Okay. Any other questions up here? Okay.
23 Ms. Schellin, do we have a list of everything that's
24 needed?

25 MS. SCHELLIN: I have a list. I don't know

1 if it's everything but Commissioner May will remind
2 me if it isn't.

3 A sample of the metal substitute for the
4 concrete panels, Commissioner May asked for that.
5 Details of the wood trellis on the rooftop. He also
6 asked that they -- I think he wants them to actually
7 provide a sample of the stained brick that they're
8 planning on using. And take a look at the bike
9 parking that's being provided.

10 Commissioner May thought they should provide
11 more. Commissioner May asked them to reconsider
12 providing off-site pedestrian facilities or provide
13 something in writing regarding who is paying for it,
14 i.e. the other project.

15 Commissioner Miller asked that what the cost
16 would be to provide the bike share membership to the
17 employees. Commissioner Miller and Turnbull asked
18 that they try to include the transit screen in the
19 lobby.

20 Commissioner Turnbull said he'd like to see a
21 street-level view of the security booth area. What's
22 been provided looks very confusing.

23 Commissioners May and Turnbull believe that
24 Option A violates the Height Act and that they should
25 provide layouts of Option B.

1 Commissioners May and Hood asked that they
2 coordinate -- that some coordination with Forest City
3 be done so that their PUD can proceed without any
4 problems.

5 Commissioner Cohen asked that the applicant
6 respond to DDOT's comments in writing.

7 And that's all I have.

8 CHAIRPERSON HOOD: Okay. Are we all
9 straight, Mr. Turnbull?

10 MR. TURNBULL: Yeah. I think Commissioner
11 Miller, May, and Turnbull probably asked about the
12 rooftop, having better views of the trellis and
13 everything.

14 MS. SCHELLIN: I have --

15 MR. TURNBULL: Oh, did you say that?

16 MS. SCHELLIN: -- the wood trellis, yeah.

17 MR. TURNBULL: Oh, you said -- oh, I don't
18 believe --

19 MS. SCHELLIN: That was one of the first
20 things.

21 MR. TURNBULL: Oh. Oh.

22 MS. SCHELLIN: Do you want me to repeat it?

23 MR. TURNBULL: No. No.

24 CHAIRPERSON HOOD: No. No.

25 MR. TURNBULL: The only other thing on the

1 view of the gate, I guess goes back to I think the
2 Chair was talking about the openness, and I guess
3 what's confusing about the gate in that is that, do
4 people know where they're going. And so I think
5 either you're going to -- if you need to rethink that
6 entry. I know you've got to balance security and
7 openness. But right now it just looks like -- I
8 mean, we may see your building driving around but I
9 think there was a question on you get to it.

10 MR. HAWKINS: Made a good point and we'll
11 answer it.

12 MR. TURNBULL: Okay. Thank you.

13 MR. MAY: Mr. Chairman.

14 CHAIRPERSON HOOD: Yes.

15 MR. MAY: I don't have anything to answer. I
16 just want to make sure everybody understands what
17 would constitute the kind of coordination that we'd
18 need to see between D.C. Water, Forest City, DDOT,
19 and OP. I mean, all these things are related, you
20 know, each of these players has some role in it. And
21 you know, I think we're looking for any of the issues
22 to be resolved to the satisfaction of D.C. Water and
23 Forest City and OP and DDOT. I mean, it's okay to
24 say no to some of the things that DDOT may want in
25 the end, but you know, if the issue of having a clear

1 path forward for both PUDs is -- I mean, if that's
2 not -- if it's not clear to us that they're both
3 going to be able to proceed and that the issues have
4 been resolved then I don't think we're going to be
5 able to move it forward.

6 So it is very, very important that that
7 coordination occur and that we have a signal of
8 consensus from everyone, including the Office of
9 Planning, frankly. So, that's my view.

10 CHAIRPERSON HOOD: Okay. Anything else?

11 MS. SCHELLIN: Dates.

12 CHAIRPERSON HOOD: Let's work on some dates.

13 MS. SCHELLIN: Okay. So, after Commissioner
14 May's statement there, how much time do you think you
15 guys need to coordinate and sing Kumbaya at the end?

16 MR. FREEMAN: I'd like to think two weeks. I
17 don't know what your next available date is for
18 proposed action. We would like to be in a position
19 to get on your next available date for proposed
20 action.

21 MS. SCHELLIN: Okay. Next available you
22 won't be able to do it, but the one after that it's
23 possible, November 23rd. So two weeks then. That
24 would mean that you would have to provide everything
25 that's been asked for by 3:00 p.m. November 9th,

1 including the draft, findings, facts, conclusions of
2 law. And then a response from Forest City, the
3 Office of Planning, DDOT by 3:00 p.m. on the 16th.
4 And then I can put it on the Commission's November
5 23rd agenda for consideration. Does that work?

6 MR. FREEMAN: It works for us.

7 MS. SCHELLIN: Okay. And that would also
8 include a response from the ANC on the 16th too. I
9 think I left them out. If they choose to.

10 CHAIRPERSON HOOD: Okay. So do we have
11 anything else?

12 [No audible response.]

13 CHAIRPERSON HOOD: Okay. We want to thank
14 everyone for their participation tonight.

15 [Hearing adjourned at 9:28 p.m.]

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