

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF:	:
	:
Wharf Phase 3 REIT	: Case No.
Leaseholder, LLC	: 11-03J
	:
	:

Thursday,
November 2, 2017

Hearing Room 220 South
441 4th Street, N.W.
Washington, D.C.

The Public Hearing of Case No. 11-03J
by the District of Columbia Zoning Commission
convened at 6:30 p.m. in the Jerrily R. Kress
Memorial Hearing Room at 441 4th Street, N.W.,
Washington, D.C., 20001, Anthony J. Hood,
Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

- ANTHONY J. HOOD, Chairperson
- ROBERT MILLER, Vice Chairperson
- PETER G. MAY, Commissioner (NPS)
- PETER SHAPIRO, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

MATTHEW JESICK

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

MARY NAGELHOUT, ESQ.

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF PRESENT:

AARON ZIMMERMAN
JAMIE HENSON

The transcript constitutes the minutes from the Hearing held on November 2, 2017.

CONTENTS

Preliminary Matters	4
Direct Presentation of Applicant	14
Question and Answers	50
ANC Presentation	80
Office of Planning	92
Parties in Support	145
Parties in Opposition	155
Adjourn	200

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

6:35 p.m.

1
2
3 CHAIRMAN HOOD: We're going to get started. Good
4 evening, ladies and gentlemen. This is the Zoning
5 Commission. Today's date is November 2, 2017.

6 My name's Anthony Hood and I'm joined here,
7 looking in our hearing room. Joining me this evening are
8 Vice Chair Miller, Commissioner Shapiro, and Commissioner
9 May.

10 We're also joined by the Office of Zoning staff
11 Ms. Sharon Schellin, as well as the Office of Attorney
12 General Ms. Nagelhout.

13 There's also Mr. Jesick. District Department of
14 Transportation, Mr. Zimmerman.

15 This proceeding is being recorded by a court
16 reporter. It is also webcast live. Accordingly I must ask
17 you to refrain from any disruptions or actions in the hearing
18 room including displaying any signs or objects.

19 Notice of today's hearing was published in the
20 D.C. Register and copies of that announcement are available
21 to my left on the wall near the door.

22 This hearing will be conducted in accordance with
23 provisions of 11 DCMR Chapter 4 as follows, preliminary
24 matters, applicant's case, report of the Office of Planning,
25 report of other government agencies, report of the ANC, all

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1 organizations or persons in support, all organizations and
2 persons in opposition, and closing by the applicant.

3 The following time constraints will be maintained
4 in this meeting. The applicant has up to 60 minutes,
5 organizations 5 minutes, individuals 3 minutes.

6 The Commission intends to adhere to the time
7 limits as strictly as possible in order to hear the case in
8 a reasonable period of time.

9 The Commission reserves the right to change the
10 time limits of presentations if necessary and notes that no
11 time shall be ceded.

12 All persons wishing to testify before the
13 Commission in this evening's hearing are asked to register
14 at the witness kiosk to my left and fill out two witness
15 cards. If you need assistance with that Ms. Schellin to my
16 left will be able to assist you.

17 Before coming forward to speak to the Commission
18 please give both cards to the reporter sitting to my right
19 before taking a seat at the table.

20 When presenting information to the Commission
21 please turn on and speak into the microphone. First state
22 your name and home address. When you are finished speaking
23 please turn the microphone off so that your microphone is no
24 longer picking up sound and background noise.

25 The decision of the Commission in this case must

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1 be based exclusively on the public record. To avoid any
2 appearance to the contrary the Commission requests that
3 persons present not engage any members of the Commission in
4 conversation during any recess or at any time.

5 In addition, there should not be no direct contact
6 whatsoever with any Commissioner concerning this matter, be
7 it written, electronic, or by telephone.

8 Any materials received directly by a Commissioner
9 will be discarded without being read and any calls will be
10 ignored.

11 The staff will be available throughout the hearing
12 to discuss procedural questions. Please turn off all
13 electronic devices at this time so as not to disrupt these
14 proceedings.

15 Would all individuals wishing to testify please
16 rise to take the oath. Ms. Schellin, would you please
17 administer the oath.

18 MS. SCHELLIN: Please raise your right hand. Do
19 you solemnly swear or affirm the testimony you'll give this
20 evening will be the truth, the whole truth, and nothing but
21 the truth.

22 (Chorus of ayes)

23 MS. SCHELLIN: Thank you.

24 CHAIRMAN HOOD: At this time the Commission will
25 receive any preliminary matters. Does the staff have any

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1 preliminary matters?

2 MS. SCHELLIN: Yes, sir. There are a couple of
3 claim status requests. There was actually four.

4 And I would say before I go into it they are all
5 organizations or associations. And we do have in the record
6 either bylaws or signed authorizations for all of them, the
7 last one being received this evening from Tiber Island
8 Cooperative Homes.

9 So the first one is from -- I'll do the two in
10 support first. They are 525 Water and that's at exhibit 24.

11 And the Tiber Island Cooperative Homes. They're
12 both asking for party status in support.

13 The other two are in opposition. They're the
14 Gangplank Slipholders Association at exhibit 23. And then
15 we have Tiber Island Condominium in opposition at exhibit 25.
16 So I'd ask the Commission to consider each of those this
17 evening.

18 CHAIRMAN HOOD: All right. Okay, let's deal with
19 the two parties in support first. Colleagues, any objections
20 to either -- who was the first party in support?

21 MS. SCHELLIN: 525 Water.

22 CHAIRMAN HOOD: Okay. Commission, any objections
23 to 525, exhibits 24, 35 and 35A.

24 COMMISSIONER MAY: I don't have any objection I
25 don't think but just to be clear these are the new residents

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1 who moved into parcel 11. I see you nodding your head.

2 CHAIRMAN HOOD: All right. And the other party
3 in support are exhibit 25, 25A and 25C Tiber Island -- no I'm
4 sorry, they're in opposition.

5 MS. SCHELLIN: Twenty-six.

6 CHAIRMAN HOOD: Exhibit 26 and 26A, Tiber Island
7 Cooperative Homes are in support. Any objections?

8 Okay, so I would move that we give both 525 Water
9 and the Tiber Island Cooperative Homes our position to be
10 parties in support in this case and ask for a second.

11 VICE CHAIR MILLER: Second.

12 CHAIRMAN HOOD: It's been moved and properly
13 seconded. First, let me back up. Any objections?

14 MR. GLASGOW: No objection.

15 CHAIRMAN HOOD: All those in favor?

16 (Chorus of ayes)

17 CHAIRMAN HOOD: Any opposition? Not hearing any
18 Ms. Schellin record the vote.

19 MS. SCHELLIN: Staff records the vote 5-0-0 to
20 approve party status in support to the 525 Water and the
21 Tiber Island Cooperative Homes, Commissioner Hood moving,
22 Commissioner Miller seconding, Commissioners Shapiro and May
23 in support, Commissioner Trumbull not present and not voting.

24 CHAIRMAN HOOD: Okay. We have two parties who are
25 in opposition. Gangplank Slipholders Association as well as

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1 the Tiber Island Condominium Association.

2 Any objections to either one of those? I move
3 that we grant -- let me ask this first. Oh that's right.

4 MS. SCHELLIN: You don't have to.

5 CHAIRMAN HOOD: I don't need to do that. Okay.
6 I move that we grant Gangplank Slipholders Association as
7 well as Tiber Island Condominium party status in opposition
8 in this case. May I ask for a second?

9 VICE CHAIR MILLER: Second.

10 CHAIRMAN HOOD: It's been moved and properly
11 seconded. Any further discussion? All those in favor?

12 (Chorus of ayes)

13 CHAIRMAN HOOD: Any opposition? Not hearing any
14 Ms. Schellin record the vote.

15 MS. SCHELLIN: Yes, before I do I want to correct
16 the vote on the last one. It was 4-0-1 to record Mr.
17 Trumbull out.

18 And in this one I record the vote 4-0-1,
19 Commissioner Hood moving, Commissioner Miller seconding,
20 Commissioners May and Shapiro in support. Commissioner
21 Trumbull not present, not voting.

22 CHAIRMAN HOOD: Okay.

23 MS. SCHELLIN: And then the only other preliminary
24 matters are the proffered expert witnesses if you're ready
25 to move on.

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1 CHAIRMAN HOOD: Let's save a little time. The
2 ones who have already been proffered, Commissioners, any
3 objections to them? Okay, we're going to retain that. Let's
4 just deal with the ones who have not.

5 MS. SCHELLIN: Okay. That would be Hiroshi Jacobs
6 Architecture, that would be the first one. That's in exhibit
7 30D.

8 CHAIRMAN HOOD: Yes, let's do it one by one. Any
9 objections? All right, not hearing objections we will grant
10 Mr. Hiroshi Jacobs party status as the architect in this
11 case. Expert.

12 MS. SCHELLIN: Okay.

13 CHAIRMAN HOOD: Expert.

14 MS. SCHELLIN: The only other one is Nate
15 Trevethan. I'm sure I'm messing that one up totally.
16 Trevethan. Also in architecture, a different company. The
17 last one was for the water building 3, this one is for the
18 M Street landing. So I'd ask the Commission to consider
19 that. That's at exhibit 30E.

20 CHAIRMAN HOOD: Okay. Mr. Trevethan, I think
21 that's close. I'm sorry? Wait a minute, I'm already
22 confused. Trevethan. Okay, that's where we are. So any
23 objections? Okay, let's give him expert status as well.

24 MS. SCHELLIN: I just want to make sure, Mr.
25 Glasgow, all the other ones that you listed, are they all

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1 present and planning to testify this evening?

2 MR. GLASGOW: Everybody is planning to -- well,
3 we have them available to testify.

4 (Simultaneous speaking)

5 MR. GLASGOW: -- and Mr. Campbell are not
6 necessarily going to testify. The rest are.

7 We also have Mr. Morris Adjmi, Morris Adjmi
8 Architects, and I believe his resume is in the folder.

9 And I think Jessica McIntyre was offered at one
10 point, but I don't know that we had a record of her actually
11 being accepted as an expert.

12 MS. SCHELLIN: I don't have her down here.

13 MR. GLASGOW: Her resume is in the --

14 MS. SCHELLIN: Morris Adjmi. She was previously
15 accepted.

16 COMMISSIONER MAY: Morris Adjmi is an architect
17 previously qualified.

18 MS. SCHELLIN: Right.

19 COMMISSIONER MAY: So we accepted him already.

20 MS. SCHELLIN: Yes, that's what I said.

21 COMMISSIONER MAY: This is Jessica McIntyre.

22 MS. SCHELLIN: Oh, McIntyre.

23 MR. GLASGOW: Correct.

24 MS. SCHELLIN: Yes, I don't see her on my list.

25 She submitted this week?

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1 COMMISSIONER MAY: We have an exhibit 30H.

2 MS. SCHELLIN: 30H, okay.

3 CHAIRMAN HOOD: So Mr. Glasgow, what are you
4 asking to be proffered?

5 MR. GLASGOW: She's engineering but on the water
6 side. She's with Mofatt & Nichol.

7 MS. SCHELLIN: Okay, I do see her. She's actually
8 the last one. She was actually joined in with Patrick
9 Graney. So both Patrick Graney and Jessica are -- both of
10 them are being proffered?

11 MR. GLASGOW: Right.

12 MS. SCHELLIN: So they're both here, they're both
13 going to testify?

14 MR. GLASGOW: They're both here.

15 COMMISSIONER MAY: Graney was previously accepted.

16 MS. SCHELLIN: Yes.

17 MR. GLASGOW: Correct.

18 COMMISSIONER MAY: I don't have any objection.

19 CHAIRMAN HOOD: So the only person that we have
20 not proffered as an expert is Ms. McIntyre.

21 MS. SCHELLIN: Right.

22 CHAIRMAN HOOD: Okay. All right. Any objections?
23 As a structural engineer. Okay. Do you want to put a word
24 in there too?

25 MR. GLASGOW: She's an engineer.

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1 CHAIRMAN HOOD: Okay. All right.

2 MR. DETTMAN: Just to clarify, Trevethan is in
3 landscape architecture.

4 MR. GLASGOW: Yes, that's correct.

5 CHAIRMAN HOOD: Okay, thank you. I want to make
6 sure we're specific. Thanks. All right, anything else?

7 All right, so we have accepted everyone. Ms.
8 Schellin, anything else?

9 MS. SCHELLIN: That's it.

10 CHAIRMAN HOOD: Okay, Mr. Glasgow, you may begin.

11 MR. GLASGOW: I was thinking that we could just
12 have everybody introduce themselves.

13 CHAIRMAN HOOD: Ms. Schellin, do you have 60
14 minutes?

15 MS. SCHELLIN: Well, they have to split their time
16 with the two party -- no, I have 50 minutes for them.

17 (Simultaneous speaking)

18 MS. SCHELLIN: That's what I was going to ask you,
19 the two parties in support. I was told one wants five
20 minutes. Does that mean the other one wants five minutes?
21 Wherever the two parties in support. Five minutes is good
22 for you? Okay. So 50 minutes.

23 CHAIRMAN HOOD: So 50 minutes on there. All
24 right, Mr. Glasgow, you do the 50 minutes. You may begin.

25 MR. DETTMAN: Good evening, Shane Dettman,

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1 director of planning services at Holland & Knight.

2 MR. GLASGOW: Norman Glasgow, Jr., Holland &
3 Knight.

4 MR. SEAMAN: Shawn Seaman, PN Hoffman, executive
5 vice president.

6 MR. STEENHUEK: Matthew Steenhuek, PN Hoffman.

7 MS. BIRCH: Hillary Birch, Perkins Eastman.

8 MR. LEAMAN: Dan Leaman, Entertainment Cruises.

9 MR. SCHIESEL: Rob Schiesel, Gorove/Slade
10 Associates.

11 MR. GLASGOW: Good evening Mr. Chairman, members
12 of the Commission. We are here in first of three parts for
13 the hearing on phase 2 of the wharf. And we are going to be
14 talking about the master plan parcel 10, water building 3,
15 M Street terrace and wharf arena.

16 We are looking forward to the proceeding with the
17 Commission tonight. We have been through and gotten
18 approvals from the Commission of Fine Arts. We have had some
19 discussion of just exactly where we are with the ANC that I
20 understand that we have an agreement with the ANC which was
21 uploaded today. But there will be some additional comments
22 and clarifications on that.

23 The wharf side buildings are water buildings 1,
24 2 and 3. Not all those will be discussed tonight. We have
25 land side parcels 6, 7, 8, 9 and parcel 10.

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1 We also are looking forward and have the support
2 of the D.C. Office of Planning and DDOT subject to conditions
3 which the applicant is prepared to address during his
4 testimony.

5 And with that I would like to -- we've had
6 everybody introduce themselves. You have all of the expert
7 witnesses. With that we'd like to go forward due to time
8 constraints and proceed with the testimony of the expert
9 witnesses.

10 MR. SEAMAN: Thank you. Good evening, Chairman
11 Hood and commissioners. I'll introduce myself. I'm also the
12 project director for phase 1 of the wharf development.

13 The wharf is a district sponsored development that
14 commenced with an RFP in 2006. It's being developed by
15 Hoffman Madison Waterfront which is a development company
16 comprised of PN Hoffman, Madison Marquette, ER Bank and
17 Development, City Partners, Trident Development, Paramount
18 Development.

19 Most of you will remember the project was approved
20 through a stage 1 DOD in 2011 and subsequent stage 2 DODs
21 1103A through 1103F for the individual buildings. So those
22 were approved in the subsequent six years.

23 During construction of the core parcels 2, 3 and
24 4 HMW was able to expand the current phase 1 to include
25 parcel 1 office, the parcel 5 location, pier 4 and also the

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1 recreation pier.

2 Before we commence with the phase 2 presentation
3 I wanted to provide a brief update on the first phase of
4 development.

5 On October 12 we celebrated our grand opening on
6 the District Pier and we're continuing to celebrate grand
7 opening events through the Cherry Blossom Festival fireworks
8 in 2018.

9 The reception from the community and our visitors
10 has been fantastic and we hope that you've had an opportunity
11 to come down and experience the project yourselves.

12 Many of the elements I'll be talking about for
13 phase 2 actually mirror some of the horizontal elements that
14 we have in phase 1.

15 The wharf in its position agreement with D.C.
16 included extensive community benefits that were originally
17 derived from the Anacostia Waterfront Initiative.

18 These requirements were further memorialized in
19 the approved stage 1 DOD and subsequent stage 2 DODs and
20 we're actively tracking the community benefits. We've done
21 so for each of the DODs in phase 1 and we'll do so in phase
22 2.

23 With the completion of phase 1 many of these
24 benefits now have measurable results. Some of the highlights
25 of these include we've provided 200 affordable and workforce

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1 apartments, 30 percent, 60 percent at the workforce levels.
2 Tenants have been selected through a lottery and are moving
3 into our buildings.

4 The affordable and workforce apartments are
5 blended seamlessly throughout our phase 1 apartment
6 buildings.

7 The lottery had 4,000 applicants and Bozzuto is
8 doing an excellent job processing the applicants and trying
9 to get them into the buildings as quickly as possible.

10 We've contracted for over \$345 million of work
11 with district CDE firms. That represents a CDE performance
12 of 48.5 percent.

13 We've provided 605 new jobs for D.C. residents
14 during the construction of phase 1. One hundred eighty-seven
15 of those residents are from Ward 8.

16 We have provided 190 new apprenticeship jobs for
17 D.C. residents. Sixty-seven of those are east of the river.
18 We had specific requirements for east of the river
19 communities in Wards 7 and 8.

20 And first source hiring has continued into the
21 operations phase of the project. An example of this is we've
22 recently sponsored a career fair with Council Member Allen
23 and Council Member Silverman in Ward 6 at the arena stage.
24 Twenty-five of our restaurants and hotels participated and
25 our businesses.

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1 One example there is that our parcel 5 hotels,
2 Hyatt House and Hilton Canopy have hired 70 new D.C.
3 residents and that represents 60 percent of the new hires in
4 that hotel.

5 We've built four public piers as part of our first
6 phase which for the first time in Southwest and really the
7 district at large allowed for public access out into the
8 water to appreciate views back to the city.

9 These include a major event space on the district
10 piers, slips for transient vessels at market pier, regularly
11 scheduled water taxi for the first time at transit pier, ice
12 skating on transit pier.

13 And we were able in the first phase to advance the
14 recreation pier in case 1103E and that actually completed all
15 of the public pier requirements from the LDA in the first
16 phase of development.

17 The recreation pier includes a boat launch. It's
18 ADA accessible. There's kayak and stand-up paddleboard
19 rentals, swings on the pier, we have a fire feature, and
20 there's now a free water shuttle from the district wharf over
21 to East Potomac Park to the golf course and the swimming
22 pool.

23 Phase 1 has enhanced transportation options. We
24 now have a free shuttle service that operates from the wharf
25 on regular service to L'Enfant Plaza metro, to the Mall, and

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1 to sites throughout Southwest.

2 We've worked with DDOT to extend the 74 bus line
3 back to Southwest to provide bus options in Southwest and for
4 the bikers we have new Bikeshare stations and a new 10 foot
5 wide cycle track for dedicated bike access that connects the
6 Anacostia River.

7 And as part of the Anacostia Waterfront Initiative
8 the project has a great sustainable score.

9 We've essentially taken what was 100 percent
10 impervious development that turned its back to the water.
11 We're now capturing virtually all of the water onsite in
12 metal cisterns in LID zones on the site and we're
13 beneficially reusing those for cooling tower makeup and also
14 the gray water system in our public restrooms. The project
15 is LEED for neighborhood development goal.

16 So with that I'd like to promptly turn to the
17 phase 2 portion of the development. I'm going to turn it
18 over to Matt Steenhuek, our vice president of development.
19 He'll be the project director for the second phase of the
20 project.

21 MR. STEENHUEK: Commissioners, thank you for your
22 time tonight. I'm excited to introduce to you tonight our
23 plan for phase 2 of the wharf.

24 We've been working with a phenomenal team of
25 architects and designers to create something that we think

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1 is going to be really special for the wharf and more
2 importantly for the Southwest community and the district at
3 large.

4 Over the past several months we've presented to
5 the Commission of Fine Arts on three separate occasions and
6 have received their enthusiastic support, concept approval
7 for every single element of our phase 2 plan.

8 We've made several modifications and refinements
9 to the design based on their feedback and their staff's
10 feedback who have led the plan and the project are better for
11 it.

12 We've also worked closely with the ANC and their
13 smaller negotiations group that they established for our
14 project.

15 Through our continued meetings over several months
16 and many, many cups of coffee we've been able to reach an
17 agreement with the ANC and are proud to receive that we've
18 received their support.

19 There are some conditions with it of course.

20 The documents memorializing our agreement with
21 them have been uploaded to the record as the ANC has
22 requested and we look forward to the testimony of
23 Commissioner Litsky in continuing our long and healthy
24 working relationship with ANC 6D.

25 I've also been involved in working closely with

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1 the Gangplank Slipholders Association over the past year.

2 During that time we met multiple times each month
3 where we worked in good faith towards a new letter agreement.

4 During our last in-person meeting which was held
5 a couple of weeks ago I believe we were only a couple of
6 minor points away from concluding the agreement and having
7 them ideally join us tonight as a party in support.

8 We reviewed a draft of their support letter that
9 they provided as well.

10 From the beginning of our negotiations we agreed
11 to target the completion of that prior to the ANC vote.
12 Unfortunately that did not occur. We then agreed to target
13 completion prior to signature. Again unfortunately we were
14 not able to complete that.

15 I remain hopeful that both groups can continue to
16 work in good faith towards this goal.

17 In our last in-person meeting I believe we agreed
18 in principle on all of the elements of our letter agreement
19 but needed to provide more information on a revised interim
20 fee schedule that they requested and to establish a
21 notification period for future slip and loop board rates
22 after completion of the project.

23 Beyond that we were asked to provide updated
24 written text to go along with the graphic transition plan
25 that we had previously discussed and reviewed and refined

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1 with them, and to refine some details on two other exhibits.

2 Through more than a year of negotiations here's
3 where we are. I'm excited about the progress we've made
4 together and note that many of these agreements and
5 concessions are on behalf of HMW.

6 All the physical changes to the design of the
7 marina that you basically requested were agreed to. This
8 reduced our total marina slip count for the non-live-in
9 ports, but we maintained the 94.

10 The changes to the building that they requested
11 were agreed to. It involved redesign, rotating, changing
12 layouts and making other adjustments.

13 The landside elements beneficial to GPSA such as
14 placing the parking garage access elevator as close as
15 possible to their marina entrance and other accessibility
16 features were agreed to.

17 Substantial beneficial changes that they requested
18 to the slip licensing agreement were agreed to.

19 Parking provisions, both location and interim and
20 final conditions were agreed to. Note that this did not
21 include any discussion of a shuttle.

22 The letters of support the GPSA proposed to submit
23 to the Zoning Commission was provided for us.

24 The conditions regarding GPSA support on our
25 application of future approvals was agreed to.

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1 The loading and ADA accommodations that we are
2 providing were agreed to.

3 The approach and continuity of services and access
4 points was agreed to. The timing for refilling the 94 slips
5 which right now is only about 6 percent down from that 94
6 which is basically a structural vacancy they could always
7 assume was agreed to.

8 The agreement to move the marina in a single
9 transition which was a big deal and came at cost and schedule
10 impacts to HMW was agreed to.

11 And the theme schedule that was restricted and
12 established through the completion of the transition plan and
13 the agreement to establish a market rate after the completion
14 of the marina was agreed to at the leadership group.

15 And I know that no deal is a deal until it's
16 signed, and that GPSA leadership still needed to present this
17 omnibus agreement to their membership. But I believed, still
18 would like to believe that the interim agreements that we
19 reached while negotiating this multipoint agreement would be
20 maintained.

21 There are several things that I saw just this
22 afternoon in the materials that are provided today that I
23 found disappointing and were not in alignment with our past
24 discussions.

25 Some of these I've seen before and include math

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1 and equations that are not reflective of actual costs or make
2 comparisons to landside accommodations that are heavily
3 biased and I believe inaccurate.

4 The sheets also fail to recognize potential
5 significant profits that are being realized by slipholders
6 when they sell their vessel.

7 And more importantly with that live aboard status.
8 This is in part due to the improvements that we've made on
9 the wharf, making this vision of Southwest a much more
10 desirable and highly amenitized community.

11 And it's in part due to the scarcity of those
12 slips. Prices that boats are fetching in the marina or are
13 estimated to receive are several tens and thousands what they
14 would have been appraised before for the vessel itself in
15 isolation.

16 Previous points notwithstanding I remain hopeful
17 that our past working agreements can be honored while we
18 reach a letter of agreement that is based on a year plus of
19 negotiation and not have the goalpost moved out on us.

20 As a point of reference here, Commission, when we
21 started this redevelopment there were two distinct waterfront
22 communities in Southwest, the Capitol Yacht Club and the
23 gangplank marina.

24 The yacht club, the CYC, is a private non-profit
25 yacht club that's been on the Washington Channel for 125

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1 years.

2 When HMW entered into our land disposition
3 agreement with the district in 2009 CYC had more than 60
4 years remaining on a 99-year ground lease. They were
5 effectively property owners.

6 HMW entered into that transaction agreement and
7 similar ones with other landside property owners like Channel
8 and Zanzibar and Phillips to purchase their remaining lease
9 interest to enable us to construct the project.

10 The construction of the new marina, CYC's new
11 marina, their pier, their clubhouse was in part the purchase
12 price of their remaining lease interest for those 66 years.

13 As a private yacht club CYC subsidizes their slip
14 fees through members fees and through social memberships and
15 robust transient business.

16 In contrast the gangplank is a private for-profit
17 marina. It was previously owned by the district. Ownership
18 transferred to HMW in 2014.

19 Slips are secured under an annual commercial slip
20 license agreement, but there is no semblance of ownership.

21 Through all this our commitment to the 94 slip
22 community has never wavered. Thank you.

23 MR. GLASGOW: I'll turn it over to Hillary Birch
24 from Perkins Eastman.

25 MS. BIRCH: So we've done a lot of looking at the

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1 success of phase 1. We're going to look at phase 2. So
2 where are we. This is a context area we're going to be
3 starting with.

4 I think the success of phase 1 almost makes us
5 forget what phase 1 was originally and what phase 2 is
6 currently.

7 And here are some of the details that we're
8 starting with. Concrete walkways and some part of slips.

9 But this is the plan. So phase 2 is directly to
10 the east of the phase 1 material. You can see parcels 6, 7,
11 8, 9 and 10. Six and seven is going to be office. Nine --
12 eight is residential and hotel. Nine is residential and 10
13 is office.

14 In front of that there are the three water
15 buildings, from left to right water building 1, water
16 building 2, and water building 3. And then a series of open
17 space making the phase 2 program.

18 When all developed phase 1 and phase 2, this is
19 just a rendering, but you can see how the Washington Channel
20 will come out as a complete vision at the end of phase 2.

21 Here is the site circulation. Hiroshi is going
22 to talk more in detail about how the circulation works, but
23 I think it's important for us in discussing the master plan
24 to look at it in terms of access and entry to the project.

25 You can see that all of the lobbies have been

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1 moved into the middle of the parcels, trying to really
2 connect the network of the spaces as well as provide access
3 to the garages below both from a private standpoint as well
4 as a public standpoint.

5 The two parking garages, one is to the east and
6 one is to the west is bifurcated by a storm sewer.

7 The two lifts above parcel 9 are private for that,
8 but every garage is provided with both public and private
9 access.

10 You can also see on this legend that it comes with
11 all the same amenities that was located in the phase 1 in
12 terms of bicycle storage, the stormwater system that we spoke
13 about earlier, as well as the general access to the parcels.

14 Another thing of note is the swoop on the G2
15 level, that represents the tunnel. So obviously we aren't
16 able to extend the garage in that. And it also is providing
17 some challenges or some limitations as to where we can
18 actually put elevator access down on the north side of the
19 parcels.

20 The open space network was critical in phase 1 and
21 it remains critical in phase 2.

22 What you're going to see here is really an
23 extension of the network that was established in phase 1.

24 So there are three main series of places. Maine
25 Avenue to the north, a series of smaller areas called news

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1 streets going up the middle of the parcels and then the Wharf
2 Street to the south.

3 This phase also comes with a series of larger
4 spaces so the terrace will make up the completion of the
5 Waterfront Park that's currently open from phase 1. And M
6 Street Landing provides that forecart that was originally
7 envisioned in the PED Phase 1 for arena stage down to the
8 waterfront.

9 As in phase 1 too there are also three types of
10 different network that are important to realize.

11 So the first is pedestrian. That's where there's
12 no vehicular access and that's where your parks are. So the
13 terrace and M Street Landing are that type of area.

14 The second we've labeled traditional and that's
15 Maine Avenue where there's a curb and a sidewalk. Maine
16 Avenue in this case was even expanded a little bit further
17 back so you can get that more traditional sidewalk from what
18 was in phase 1.

19 And then lastly is the shared zone. So in this
20 project we've used the delineation of different pavers,
21 bollards and planters to kind of control where the vehicular
22 access is able to go without curbs throughout the space.

23 Next is the seating. So we're creating a public
24 environment. We wanted to be in line and we also wanted to
25 provide amenities for folks in hiding space.

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1 So along with the bench seating that you can see
2 without phase 1 there's also going to be a continuation of
3 café seating as well as flexible seating throughout.

4 Here is the picture of the bench seating that
5 makes up the edge in the timbered bending. On the left is
6 the original precedent that we showed in phase 1 and on the
7 right is the completed buildout that you can see now out
8 there on the project.

9 Elevated viewsheds. We've been challenged in the
10 past and continue to take it seriously as to where you can
11 get views and how you can experience the space.

12 So we've labeled the spots that we think are most
13 significant for public gathering and public being able to
14 view the waterfront and experience the project. The grove,
15 the seat steps at parcel 10, the terrace at Waterfront Park
16 as well as the rooftop restaurants at WB 1 and WB 2.

17 Here is the retail plan. As you can see within
18 this plan you can see that the beige space forms the lobby
19 so you can see how the lobbies are at the center of parcels.

20 You can also see the significant amount of red.
21 That's going to be activated retail space weaving throughout
22 the public amenities of the open space.

23 And signage principles. So on the left row down
24 the top three are actual signage out there today, and on the
25 right are some of the precedents that we were working with

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1 originally.

2 So, while we don't have all the tenants and know
3 exactly what the signage is going to look like you can see
4 the precedents that we've done for both signage principles
5 as well as storefront principles.

6 MR. SCHIESEL: Good evening, Commissioners. Once
7 again for the record my name is Robert Schiesel with
8 Gorove/Slade Associates.

9 I'm going to be touching on some of the highlights
10 of the transportation aspects of phase 2.

11 I'd like to start by saying ever since phase 1
12 we've been in discussion with DDOT about phase 1 and the
13 planning for phase 2.

14 I'd like to say that after reading through a staff
15 report and talking with them we are in general agreement with
16 them on the mitigations they suggested in the recommendations
17 from their report. I'll go a little bit more in detail about
18 that as I go through here.

19 But I start echoing what Hillary said. There's
20 a couple of different functional breakdowns of how
21 transportation is handled.

22 The main street frontage really is the interface
23 between those internal multimodal streets that we find in the
24 wharf as were planned and as you can see in phase 1, and the
25 district streets.

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1 Things like the cycle track and the pedestrian
2 areas and how they work are all kind of designed to be the
3 interface between the wharf and the district.

4 To that in phase 2 is a new traffic center that's
5 proposed at Marina Way. It's in a nice spacing between 6th
6 Street and 7th Street, the other two nearby signals. It
7 lines up with Marina Way which we expect to be one of the
8 more prominent vehicle entries into and out of phase 2,
9 bringing the interface between those internal streets and the
10 external streets together.

11 As Hillary said there's four major areas where
12 people can access the two garages. Similar to how the
13 lobbies get turned around we're kind of strategically placing
14 where these access points are to get people on and off of
15 Maine Avenue quickly, without having to drive on a lot of the
16 internal streets, trying to keep them as pedestrian and
17 bicycle friendly as possible, still accommodating the
18 vehicular needs of the site.

19 The two parking garages underneath as Hillary said
20 are bisected. They have either of the garage access points.
21 There's two spots that go into each garage.

22 Combined there's a little over 800 spaces in each.

23 Our C20 that's on the record does have a parking
24 section where we compare parking supply and demand. This is
25 figure 27 from that report.

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1 So what we have done is done an estimate based on
2 other urban locations, what's going on in phase 1 and other
3 sites in the district of what the land use is and comprised
4 in phase 2 how parking will accumulate over the course of the
5 day.

6 Long story short, this parking on a weekday peaks
7 at about 800 spaces, very consistent with the proposed
8 supply.

9 This leads us to conclude that the parking is
10 right sized. It's not going to encourage driving as a mode,
11 but it's going to accommodate the needs onto the site.

12 The light green part of this chart here is the
13 office. As you saw there's several office components in this
14 land use and it drives parking demand on the weekdays.

15 The next chart, figure 28 from our report, is the
16 similar chart for the weekends. And it shows that the
17 parking does not reach that 800 space mostly because the
18 office parking isn't there as a man was recently saying.

19 So what this means is that while on commuter
20 hours, on weekdays we're not going to be encouraging driving
21 as a mode, on weekends and weeknights there's a little bit
22 of extra room, a little bit of breathing room to accommodate
23 these special events, marina stage parking and other types
24 of activities that the wharf could draw.

25 Similar to the parking, the loading of the plan

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1 was each loading dock as shown here shaded carefully chosen
2 location to try to minimize the amount of friction that's
3 going to happen in the internal roadways and trucks going to
4 and from the loading docks.

5 Each building has a loading facility. There's a
6 total of 17 berths and spaces identified.

7 Also, like phase 1 there's going to be flexible
8 loading straight off of the internal streets into some of the
9 ground floor retail as a possibility at certain times to
10 supplement and able to create a nice flexible loading plan
11 for phase 2.

12 Another aspect of phase 2's transportation is how
13 curbside space is managed. Internal to the site there's
14 little pockets on the internal roadways outlined that could
15 be used for things such as ride hailing, Ubers, taxis,
16 pickup, drop-off, valet parking, loading and unloading
17 depending on the time of day, what's going on at the wharf.

18 They're identified and chosen to be flexible and
19 to spread out along all the buildings.

20 Maine Avenue also plays a role in the
21 transportation plan. It handles more of the public services
22 and larger vehicles such as bus stops. There's some metered
23 parking. There could be some taxi or ride hailing spaces
24 available too, and also motor coach loading and unloading.

25 What's interesting here is there's the pier 4

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1 Entertainment Cruises site. So that which poses a need for
2 loading and unloading of motor coaches of tour groups going
3 to the cruise boats.

4 So one of the curbside management plan along Maine
5 Avenue is to accommodate those. And we've worked closely
6 with Entertainment Cruises and DDOT to come to an agreement
7 on several sets of plans.

8 Going through this quickly we have existing plans
9 with what the curbside management would be, and there's a
10 peak version and an off-peak version of each.

11 We've also gone through in detail what would
12 happen during interim, during the construction, of how the
13 contact space would use, working with Entertainment Cruises
14 to figure out how their needs can be met all the way up to
15 ultimate when phase 2 is open how it all works in concert
16 together to make sure that all the different vehicular
17 activity there in an operations plan that can get what we
18 need for phase 2 to really work and also accommodate all
19 those transportation needs.

20 So like I said Entertainment Cruises existing,
21 they currently handle their loading and unloading on Maine
22 Avenue. And they've been working with the feedback of how
23 that's been going and DDOT has come up with plans. We'll be
24 able to answer any questions in detail about how
25 Entertainment Cruises plans to do that.

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1 But the essential elements of the plan is
2 communication with drivers and motor coach operators, signing
3 and marking around the street, and having personnel including
4 extra staff during peak seasons.

5 Moving onto the bicycle facilities. Like we said
6 all of the wharf, the entire community is in the middle of
7 the Anacostia Riverwalk Trail system.

8 So we have a major dedicated facility along Maine
9 Avenue accommodate that type of traffic. It's going to
10 continue on Maine Avenue along phase 2 and we have worked on
11 plans to make sure that the connection on the southeast end
12 over towards the rest of the trail network is going to be
13 able to happen through Waterfront Park and other phase 1
14 elements.

15 But in addition, that dedicated facility, when the
16 entirety of phase 1 and phase 2 are complete it's going to
17 have a very bike-friendly network. Internal streets are
18 going to be friendly to bicycles. There's going to be
19 dedicated facilities. It's going to give options to
20 whatever cyclist is there, whatever part they're comfortable
21 on and using to get through, to and across the wharf.

22 The amount of bicycle parking exceeds the zoning
23 requirements. There's ample parking in the garages, onsite,
24 not just on Maine Avenue, near the cycle track and other
25 facilities but also along the wharf and other neighborhood

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1 public areas that cyclists are going to try to get to.

2 By the time the wharf is complete there will be
3 five distinct Capital Bikeshare stations putting several in
4 phase 2.

5 As I said the internal streets of the wharf are
6 designed to be very pedestrian friendly. And there's a
7 dedicated sidewalk along the Maine Avenue frontage and that
8 retail space.

9 One of the lessons learned from phase 1 that we're
10 backing for phase 2 like Hillary said is actually pull the
11 buildings a little bit back from Maine Avenue and provide a
12 little bit more space for café seating and additional
13 pedestrian room.

14 I'd also like to note that the PUD made a
15 significant contribution to improvement over at Banneker
16 where the Banneker stairs project is going to connect which
17 when open early next year will provide an excellent
18 connection between L'Enfant promenade, the Mall and the wharf
19 as a whole.

20 I'm not going to go into detail on our technical
21 capacity analysis from the report. That's on the record.

22 The only thing I'd like to state is we had a
23 little bit of a luxury here that we've been doing reports in
24 this area for a while now and we've been able to study some
25 of the historical volumes of transit in the area.

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1 One thing that really came out to me when I was
2 looking at the results of our report is how before the wharf
3 and before HMW activity in Southeast and Southwest, the more
4 recent development activity, a lot of the traffic dominated
5 Maine Avenue and the roads here were regional, cutting
6 through.

7 With the addition of development it's an increase
8 in local. So a lot of the new developments and the existing
9 traffic that was there isn't exactly overlapping. Some of
10 it's coming in other directions.

11 What that means is that almost all the results and
12 the recommendations that were coming to how to help traffic
13 in the future were things that are adapting to the way the
14 traffic flow patterns are changing.

15 Whether it's changing the way lane assignments are
16 here, changing a through to a left, or looking at maybe we
17 need to mix up how some of the signal timings are just
18 because there's more traffic coming in the opposite
19 direction. That's really how the results were telling me
20 what was in the end.

21 And those are the type of improvements that kind
22 of made it through to our mitigations package.

23 Like I said we are in general agreement with DDOT
24 on all the different elements. We're just right now thinking
25 about specifics on timeline implementation and some of those

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1 details.

2 This package includes a TVM plan, an extension of
3 what was agreed to for phase 1 which is standard monitoring.
4 The first set of the TVM measures which incorporates all the
5 things I talked about infrastructure wise including the cycle
6 track, the Capital Bikeshare stations, the loading management
7 plan to accompany the different loading docks at each
8 building, new traffic in Marina Way, the creation of a dual
9 southbound left turn at 9th Street to help process more of
10 the volume coming in and out of this area.

11 And the pedestrian improvements including the
12 removal of channel southbound right turn lane.

13 So all of these things combined leads me to
14 conclude that this project will have a beneficial
15 transportation impact to the area and it will continue the
16 multimodal pattern that was established during phase 1. And
17 I'd be waiting to hear any questions you have.

18 MR. GLASGOW: We'd like to have come up to the
19 witness table Morris, Hiroshi, Patrick, and Jessica.

20 MR. ADJMI: Good evening, Commissioners. I was
21 told to cover the highlights which I'll do. Thank you. I'm
22 happy to be here tonight. I'm the architect for building 10.
23 My name is Morris Adjmi. I'm the architect for parcel 10.
24 Do you need my address as well? Okay.

25 I'm just going to cover the highlights since we're

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1 short on time. Here's a view of the building at parcel 10
2 and the promenade. You can see some of the key items that's
3 here but I'll go into more detail as we go through.

4 Here's showing the site plan. Parcel 10 is
5 nestled between the M Street Landing and the terrace to the
6 south and the water to the south as well.

7 We've located an amphitheater which addresses the
8 access of the promenade on the west. On the south you see
9 the garage elevators which provide access to the onboards as
10 well as part of building 3. In the east corner is the
11 entrance to the office building and north of that is access
12 to the garage as well as the loading.

13 The previous stage 1 PUD had a bar building along
14 this street. We took another look at that. It was a 60 feet
15 building. It was a setback penthouse which is what we have.

16 We've sort of compressed that space and rotated
17 the building to address the promenade and provide -- maintain
18 views from the arena stage as well as provide better
19 visibility from parcel 11. Here's the plan again showing
20 that.

21 The next few slides are images of the building.
22 You can see the amphitheater which addresses the promenade
23 and the green space.

24 The entrance to the building was across from the
25 entrance to parcel 11. And you see those loading docks north

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1 of that.

2 This is a view from the water which shows the
3 elevator access right there. We're proposing for precast
4 space in the building and the glass and metal building above.

5 And so those are the plans showing the green that
6 comes up on the terrace and the typical plans of the office
7 spaces above.

8 We have a green roof. These are the four
9 elevations. We're showing the signage here. It appears to
10 be four signs but it's actually two because of the
11 orientation of the building on the sheets.

12 This is the section showing the setback penthouse
13 as well as the overhangs. The materials are called out here,
14 precast with the glass office building materials and some
15 spatial images, as well as the final image. Thank you.

16 MR. JACOBS: Good evening, my name is Hiroshi
17 Jacobs. I'm with Studios Architecture. We are the
18 architects for the water building 3 which is essentially the
19 maritime service building that serves the live aboard
20 community. It is the building that houses their laundry and
21 showers, restrooms, that sort of thing, the day to day
22 functions that they don't have on their boat.

23 This is a quick view of the building just to
24 orient you. As I go through it I'll discuss in more detail
25 different parts of the building as we go through.

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1 The building is located in the more quieter area
2 of the development closer to the park system. It's down at
3 water level. It will be a floating building really providing
4 great access to the building from the dock level. And it's
5 in more neighborhood like environment in the development.

6 This is pictures of the existing facility that
7 this building will be replacing. You can see it's quite
8 fortress-like and kind of uninviting so this is one of the
9 things that we wanted to focus on designing the new building
10 is how do we make that better.

11 We did do a tour of that building with members of
12 the board of GPSA. Heard their concerns about the building,
13 how they used it and came up with some ideas about how to
14 make it better for them.

15 Some of the images when we started thinking about
16 the design of the new building were trying to make the
17 building -- it's a small building so we wanted to make it
18 simple. Wanted to use materials to really bring out the
19 architecture of the building and provide a maritime spec to
20 the building feeling of the building.

21 Again, simple forms. We have a beautiful form
22 which it's a really residential building so we wanted to
23 bring that out. And then also there are other fly roof forms
24 throughout phase 1 of the development so we wanted to bring
25 that context into the design.

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1 This is a rendering of the building from the
2 north. From the upper level you can see the inviting porch-
3 like entrance environment which also acts as a security gate
4 for the dock system. And then we have the elevated porch
5 balcony that's directly off of the great room which is
6 something that they don't have now.

7 This is an image of the building from the south.
8 You can see that great room on the upper level. All of the
9 day to day services for the building are on the lower level
10 of the building. There's immediate access to the restrooms
11 from the dock level and then on the upper level is the more
12 communal spaces of the building.

13 The plan at the ground floor is --as I said a lot
14 of the security, the restrooms, the laundry all of that is
15 down at the lower level. On the upper level we have the
16 great room space, the dining and kitchen area, and then that
17 great balcony that has some really great views to the rest
18 of the wharf development.

19 The elevation of the north side of the building.
20 Again those great elements, that view towards the rest of the
21 development and you get access from the dock level.

22 And then on the upper level we have some really
23 great ceiling heights, 9 feet at the lower level and then
24 about 19 feet at the peak.

25 Material wise we're thinking it's a charred wood

1 exterior which is a very durable material. It will have a
2 nice patina over time. And then we're bringing in some warm
3 elements with the metal to give it that kind of domestic
4 feeling with the building. Thank you.

5 MS. MCINTYRE: Commissioners, my name is Jessica
6 McIntyre with Mofatt and Nickel. We're the engineering
7 consultants for the maritime elements for the project.

8 So to start just from a very, very quick
9 historical context and Matt already alluded to this in his
10 earlier testimony the project at the start was a sea of boats
11 which comprised two marinas, Capital Yacht Club which is the
12 northern end and the Gangplank Marina which encompassed about
13 two-thirds of the waterfront.

14 One of our major goals for the project was to
15 expand and enhance the public access to the waterfront and
16 in doing so we looked at creating sort of two harbors in sort
17 of the two existing marinas.

18 Capital Yacht Club was completed in phase 1 and
19 now we're moving into working with the public marina
20 gangplank marina.

21 You can see here a view of what we have today.
22 So you saw what we started with and where we are today.

23 In the phase 1 development in order to accommodate
24 that we had to relocate some of the vessels. And so
25 gangplank marina was consolidated from about 200 slips to

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1 around 100, maintaining the existing live aboard community
2 plus a few of the non-profits and commercial boaters that
3 were within that facility.

4 They're located right now within five areas of the
5 original gangplank marina. In addition to build the final
6 piece of phase 1 this gray ship here, one piece of the new
7 marina was built which is the docking you see to the far
8 right of that aerial.

9 The proposed plan is presented here. We've been
10 working with Gangplank Slipholders Association and the
11 management of the marina in optimizing the layout and also
12 working for a successful transition as we continue to move
13 the boaters from the old marina to the new marina.

14 This facility incorporates a lot of the marina
15 elements that we've been using throughout the wharf.

16 In particular what has already in place on Z dock,
17 concrete floating docks, water dock walkways, and year round
18 utility services. And trying to find some locations for
19 gathering spaces for the boaters both on the docks and within
20 the water buildings.

21 You can also see the three water buildings that
22 will be over water that sort of bring you in from land.

23 There's three access points to the marina, one
24 next to each one of the buildings.

25 So how do we get from where we are to where we're

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1 going?

2 This shows the current plan. And in order to
3 build new we have to create some space. So the first piece
4 is to relocate the few vessels that are located over at K and
5 T. It's very few vessels into existing space within the
6 gangplank marina Z dock and other areas of the wharf as
7 needed.

8 That allows us to build the first half of the
9 wharf marina, the eastern part of it which includes water
10 building 3 where the boater services are for the marina
11 slipholders.

12 This will bring us enough slips to move any of the
13 boats that will be housed on docks A through C in the old
14 gangplank onto the new facility which then opens up the
15 waterfront to finish out the rest of the marina which will
16 include 1 and 2 and then the remainder of the docks.

17 The final slide just shows contacts will overlay
18 with the rest of the phase 2 development.

19 MR. JOSEY: Good evening, I'm Paul Josey of Wolf
20 Josey Landscape Architects. We're happy to talk about the
21 open space, the landscape going forward.

22 We're going to start with the southernmost portion
23 at the terrace and then work our way north to M Street
24 Landing.

25 Looking at the park I was the project manager for

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1 Waterfront Park and worked closely with the community along
2 with Warren Bird and others.

3 And we understand the great value that the park
4 has for the community and our intention for the terrace was
5 to have a closely integrated design with Waterfront Park but
6 also providing for connections to the nearby buildings at
7 parcel 10, water building 3 as well as connections to M
8 Street Landing itself.

9 At the heart of the design is a simple raised lawn
10 terrace. There's a low arcing covered wall retaining that
11 lawn terrace drawing some of the language of forms from
12 Waterfront Park.

13 Also it's picking out the forms of parcel 10
14 itself as Morris mentioned, the upper floors of parcel 10.
15 We actually drew a seat wall, a Carderock seat wall picking
16 up the materials that are already used in Waterfront Park and
17 using that to direct people and views to the lobby itself,
18 but also have a Bosco honey locust that you would see under
19 and through out to the water.

20 And then the views themselves are framed by canopy
21 trees and under story trees that frame our views out to the
22 water and back across the marina.

23 Looking at species choices we went with a
24 Brazilian riparian canopy trees. But also under story trees
25 that represent seasonal color and interest as well as in the

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1 ground plan picking up a four season approach with perennials
2 and low grasses.

3 And then materials again, we are looking at
4 materials that area already used. You can see the boards
5 behind you. That are used within Waterfront Park, so picking
6 up with Carderock as well as a light gray and a North
7 Carolina or a Greene County granite as well as durable long-
8 lasting materials.

9 And this is again a view looking over that lawn
10 terrace now to views over the marina and to the Washington
11 Channel, then heading over to M Street.

12 MR. TREVETHAN: Good evening. I'm Nate Trevethan
13 from Michael Van Valkenburgh Associates. We're landscape
14 architects working with this wonderful team to create a
15 landscape and plaza at M Street Landing.

16 One thing we always do as landscape architects,
17 and it's actually a benefit for us kind of coming in toward
18 the end of this long project is that we kind of look to build
19 on actually what's missing from other pieces of the project.

20 So we're actually excited to come in at the
21 project at this phase.

22 So very quickly, M Street is kind of divided into
23 two kind of unique spaces. The portion on the north closer
24 to Maine Avenue is actually a quite inward focused space.

25 And at the center of that space is a joyful,

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1 playful fountain for children and families. It's constructed
2 of large pieces of marble, jets of water.

3 But in this space you're actually surrounded by
4 plants which I think will be a unique experience along the
5 wharf.

6 The southern or part of the plaza that's most
7 connected to the water is a more open flexible space that
8 could be used to be programmed by the neighborhood, by other
9 events from marina stage.

10 And there also is -- there's an amphitheater
11 that's attached to parcel 10. And as a part of that
12 amphitheater, I don't know if you mentioned earlier Morris,
13 but there are public restrooms associated.

14 In general all of the forms are driven by
15 circulation. The plaza sits at a unique space in that it's
16 at the intersection of Maine and M and has two flanking
17 pieces of stunning architecture.

18 It has arena stage across the street. So
19 providing access from all of these different points through
20 the space is very important to us.

21 There will be lots of different types of seating.
22 Again, as I mentioned earlier the narrow space which you
23 could almost characterize as a geode has lots of benches that
24 face the fountain, whereas the water plaza has seating that
25 focuses on the channel.

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1 To the far right is a programmatic diagram, but
2 it shows that the periphery of the spaces are -- will be café
3 seating for the adjacent buildings and then kind of the
4 internalized pieces of program in the waterfront promenade.

5 This is a view of the northern plaza. The
6 fountain is actually just off to the left, but this also is
7 a pretty good image that talks about the paving and the
8 quality of paving that we're talking about.

9 It's animated. It complements the paving at the
10 wharf, but then it's also expressive in that it has small
11 pieces of marble that kind of fleck through and animate the
12 space.

13 This is a section through that fountain plaza
14 along Maine. This is an early rendering of the fountain.
15 Again, big blocks of marble, jets of water.

16 The water also can turn off so that the space can
17 be programmed for other types of events if you don't want
18 water.

19 The big takeaway with planting is that it will be
20 seasonal. We would like dapple shade three seasons out of
21 the year. It needs to be a wonderful space in the winter as
22 well as summer and fall, spring.

23 We're hoping to minimize the number of light poles
24 and what we would like to do is have fewer but slightly
25 taller poles that are nestled into the trees so that there

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1 aren't kind of a big constellation of lights. But kind of
2 a softer moonlight. It needs to be safe but it also needs
3 to be respectful of context.

4 There will be a railing at the water's edge. And
5 then here are a few of the site elements, bicycle racks,
6 movable chairs, precast concrete benches.

7 This is a detail of the paving. It looks
8 complicated but it's actually comprised of probably four
9 different types of concrete paver and marble paver. Here's
10 just more detail.

11 It's also important that we preserve views through
12 the space. So all the trees will be high branched so you'll
13 be able to see through which is good for security as well as
14 preserving the views from Maine to M down to the water and
15 the water up through the space as well.

16 And in this you can see the timber amphitheater
17 space that's shared with parcel 10. Thank you.

18 MR. GLASGOW: That completes our direct
19 presentation.

20 CHAIRMAN HOOD: Thank you all for your
21 presentation. Let's see if we have any comments or questions
22 of you. Commissioner May?

23 COMMISSIONER MAY: Yes, a few. You're not allowed
24 to know specifics on the institute since you're going through
25 the Commission of Fine Arts process but the letters that we

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1 have from the Commission of Fine Arts here from July.
2 Sometimes it's a little hard to follow. But how much has
3 changed in response to the specific comments that they have
4 made specifically with regard to water building 3, the
5 terrace park, and 2 where there were some pretty substantial
6 comments.

7 MR. STEENHUEK: Sure. So we presented to
8 Commission of Fine Arts during the July meeting, September
9 as well as October.

10 When we came back in October that actually
11 included a review of that redesign I should say of the
12 terrace that they approved.

13 They had previously approved but we sort of
14 reconfigured the geometry.

15 COMMISSIONER MAY: Do we have the letter from
16 that?

17 MR. STEENHUEK: Hopefully it should be uploaded
18 for you.

19 MR. GLASGOW: We'll make sure you have it.

20 COMMISSIONER MAY: The last one I have, I see here
21 was from September 29 CFA. Unless I missed something.

22 MR. STEENHUEK: The October letters came in after
23 the 20 day submission and were uploaded separately.

24 COMMISSIONER MAY: Got it.

25 MR. STEENHUEK: In that last hearing we got the

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1 concept approval of water building 1. Everything else had
2 previously received concept approval and we received revised
3 concept approval on a couple of horizontal elements.

4 COMMISSIONER MAY: I'll look at these more
5 carefully. Yes, these are the things that I downloaded
6 today. All right.

7 With the building on parcel 10. So it's a very
8 interesting building and I like the notion of having some low
9 rise buildings along the waterfront and varying the scale of
10 things as you get down to the neighbors along that side.

11 But there's a very particular design to the
12 building not just outside but inside. I'm thinking about
13 very neatly arranged cubicles of open spaces and things like
14 that.

15 Is it actually -- do you have a tenant that's
16 going to lay out that way, or is it just speculating about
17 what it's going to be?

18 MR. STEENHUEK: At this time it's just
19 speculative. I think given the size of the building we
20 anticipate it will probably be a single user for the entire
21 building. So a small association or something like that.
22 So I think it will end up being, the interior will be more
23 of a build to suit for the eventual tenant.

24 COMMISSIONER MAY: So, the renderings that we see,
25 the glass is very clear and we can see right into everybody's

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1 workspace. So is that realistic? I mean, it's hard to tell
2 from the sample that we have.

3 And the reason that I ask this, and maybe you've
4 heard this from me before, but the trend in very glassy
5 buildings is while it's certainly very contemporary and may
6 be starting to ebb a bit, but the issue I have with it is
7 that without having some sort of treatments to deal with what
8 we can see when we look in you can wind up looking in. Get
9 some unattractive views of people's offices, cubicles. They
10 put their desks up against it and then papers start falling
11 off the back of their desk and there's junk piling up there.

12 You don't really want to have an unattractive
13 building because of what's inside of it. What's the ability
14 to see into it and what are you going to do to sort of
15 control what we can see?

16 MR. ADJMI: One of the reasons why we rotated the
17 building is we wanted to limit the views directly across from
18 parcel 11.

19 And we think that it is a smaller building and
20 addresses the access of the promenade.

21 In terms of the layout of the buildings we think
22 that this would most likely be more open space and not be
23 offices around the perimeter just in terms of the way people
24 are using office space.

25 We looked at a number of different layouts for the

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1 building and we think that the way this will be used won't
2 be with desks up against the windows.

3 COMMISSIONER MAY: So we're probably not going to
4 have an issue.

5 MR. ADJMI: Probably not.

6 COMMISSIONER MAY: Probably. Okay. Sometimes
7 there's some sort of flip that's applied to the lower level
8 of the glass to sort of obscure it a little bit. Did you
9 look at anything? It's a beautiful rendering and it's a
10 jewel box of a building, but you know, 10 years from now
11 we're going to be looking into people's offices or people's
12 cubicles or whatever gets piled up against the wall or the
13 glass.

14 I mean, have you given any thought to that?

15 MR. ADJMI: Yes, we did look at a number of
16 options and we felt that it was a jewel box and that the
17 views to the water were substantial and we thought that it
18 made sense to keep it open.

19 COMMISSIONER MAY: So people can be down on their
20 knees looking through the -- never mind.

21 All right. I'm not going to argue any on that.
22 Another design critique again. You have to satisfy CFA. But
23 I will remember this in the future and I'm going to call up
24 Morris Adjmi when there's junk piled up against the window.

25 And if there isn't any then I'll call you up and

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1 say hey, you were right.

2 MR. ADJMI: I'll give you my cell number.

3 COMMISSIONER MAY: There you go. So I'm curious
4 about what the experience has been so far with the wharf
5 development and dockless bikeshare. Are you finding a whole
6 bunch of them just laying around, or are people picking them
7 up and throwing them in the water? Because people throw them
8 into the canal, the C&O canal.

9 MR. STEENHUEK: I'm not aware of any landing in
10 the channel. Yes, they are around the site. I think because
11 we have ample bike racks throughout the site people are
12 conveniently locating them there.

13 I think when you see them sort of in the middle
14 of a sidewalk it's because they're in a bike rack desert.

15 COMMISSIONER MAY: You have enough bike racks now
16 where you really haven't had a problem with them just sort
17 of being left.

18 I mean, I saw one in an office building today just
19 in an exit corridor. Ironically at NCPC too.

20 MR. STEENHUEK: There are ones I've seen that are
21 better parked than others, but generally it's not been a
22 blight on the project.

23 COMMISSIONER MAY: Okay. Well, I did notice that
24 you have a photograph of a bike rack with some dockless
25 bikeshare bikes parked next to them. We've had them parked

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1 in bad places in parkland where they're not supposed to be
2 parked at all. But I'm just curious about what your
3 experience has been.

4 But it hasn't gotten to the point where you feel
5 like you need to take any sort of action to try to get better
6 control.

7 MR. STEENHUEK: No, sir.

8 COMMISSIONER MAY: Okay, so the cycle track along
9 Maine Avenue. This is just a suggestion for you that you
10 might need to pay a little more attention to the quality
11 control on that because I rode it not too long ago and it's
12 very bumpy.

13 And I know that they can do flex pave better than
14 that. I mean, it's just -- it's not a great ride.

15 It's better than the way Maine Ave was before you
16 repaved it because you really did a job on that, but it's
17 nice now that it's paved, I'm very happy.

18 Anyway it's something to look at. Because granted
19 you're not going to get high-speed commuters riding through
20 there except early in the morning like when I ride to work
21 but it is a lot bumpier than what we would expect when we do
22 a trail.

23 I understand you've got the Maine lobstermen in
24 the basement of your temporary quarters, right?

25 MR. STEENHUEK: Yes, we do.

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1 COMMISSIONER MAY: Okay. So we have to figure out
2 the long-term situation for the Maine lobstermen. I've
3 forgotten what your intention was. This is a statue that was
4 removed from a park site that previously existed. It's going
5 to be replaced as I understand it by the fish market. But
6 it has to be replaced according to the law within sight of
7 the water so that all makes sense.

8 But the long-term care and maintenance of that,
9 it's something that needs to be resolved once and for all.

10 I don't think you need to speak to it right here
11 and now but if you can talk with the staff at the National
12 Mall or Park Service about that I think that they would like
13 to get that resolved.

14 We have had some conversations I know but it is
15 something that needs to be straightened out because the State
16 of Maine is calling us to check on their statue.

17 The last thing is have you had conversations with
18 the Park Service about the marquee at the Anthem?

19 MR. SEAMAN: No, we have not.

20 COMMISSIONER MAY: Okay. So I'm surprised you
21 haven't because I thought they were going to contact you
22 about that but it's very, very bright and it casts a light
23 across the channel and that affects the trees and the habitat
24 that exists on East Potomac Park.

25 If there's a way to throttle that down. I mean,

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1 it is very bright and very visible and what you might expect
2 on Broadway but it wasn't really what the Park Service was
3 expecting on the water.

4 MR. SEAMAN: Okay. Was there somebody at National
5 Park Service?

6 COMMISSIONER MAY: Eliza Voight.

7 MR. SEAMAN: Eliza. We'll take a look at it.

8 COMMISSIONER MAY: She talks regularly with Price
9 I'm surprised -- maybe she already has.

10 So those are I think the particular things that
11 I have. And granted some of those things are really relate
12 to the completed phase. But since I had you here.

13 I'm very interested in hearing what the ANC has
14 to say given the previous report and what has come since
15 then.

16 And I know again additional information has been
17 uploaded but I haven't gotten all that. So thank you.

18 CHAIRMAN HOOD: Thank you. Commissioner Shapiro?

19 COMMISSIONER SHAPIRO: Thank you, Mr. Chairman.
20 I just have a few questions and then I'll reserve any
21 additional questions especially on the gangplank supporters
22 until I hear what they have to say as well because I'm sure
23 there's going to be a number.

24 I'm a bit lost of how all these competing elements
25 work along Maine Avenue. So is there a slide that you can --

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1 maybe this is a Mr. Schiesel question but is there a slide
2 that you can point to that helps me to see how the rideshare
3 and the bike lanes and the turns and the shared drives that
4 merge with the traditional drives.

5 MR. STEENHUEK: I'm trying to find the slide but
6 honestly I think the best explanation is to actually come and
7 visit the site. For future reference.

8 COMMISSIONER SHAPIRO: For future reference.

9 MR. SCHIESEL: There's a general pattern along
10 Maine Avenue. There's a curb lane and the curb lane always
11 has an associated -- it varies along the front of both phase
12 1 and phase 2 including things like metered parking and
13 loading and unloading zones.

14 COMMISSIONER SHAPIRO: Let me hold you right
15 there. So I'm looking at the red is -- okay, keep going.

16 MR. SCHIESEL: Yes, that would be that reddish
17 color. One of them being a bus stop at the boat dock as
18 planned.

19 And then a series of buffers between the curb and
20 the cycle track, and then the cycle track and the sidewalk.
21 And then the building frontage.

22 So there's a clear distinction in the pavement in
23 the materials. You can see how the cycle track kind of has
24 a high visibility to it.

25 And then another buffer that separates the

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1 cyclists from the pedestrians between the pedestrians and the
2 frontage of the retail that fronts Maine Avenue.

3 At certain points there's little gaps in the
4 buffers, and at some points where we expect more curbside
5 activity there's a little bit of a curb walk helping people
6 get across.

7 There's a kind of strategically placed along it,
8 but most of Maine Avenue kind of follows that pattern of
9 buffer, cycle track, buffer, sidewalk.

10 COMMISSIONER SHAPIRO: Maybe I should ask
11 Commissioner May, did you feel you were fearing for your life
12 from the vehicles? Were you playing Frogger with the
13 pedestrians as you were driving by?

14 COMMISSIONER MAY: I can't say that my experience
15 would have been typical because it was very early I think
16 before the bike lanes had been striped. I didn't have any
17 particular problems.

18 COMMISSIONER SHAPIRO: I'd be curious with DDOT
19 to hear how that makes sense to you. Obviously there needs
20 to be a lot going on.

21 Okay, the parking demand slot. The peak hour
22 parking demand slot, actually either one. Am I reading that
23 correctly there's the -- how many spaces -- this will
24 probably come up later, but how many were set aside for the
25 marina. Marina uses. And is that specifically associated

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1 with gangplank slipholders.

2 MR. SCHIESEL: There's several marina uses. I'm
3 sorry, this is accounting for gangplank, the recreational
4 marina and as you may recall the stage 2 for pier 4 set aside
5 some spaces too. So this accounts for those spaces.

6 MR. STEENHUEK: I'd like to be able to respond on
7 that one.

8 So, regardless of what is in the diagram right
9 here the conversation that we've been having with GPSA is
10 that right now there's about 79 people that actively use
11 parking at the marina.

12 We've agreed that -- well, if and when we reach
13 a signed agreement with them we have agreed to provide
14 parking for those individuals that are still in the marina
15 when the garage reopens. So that may be 79. Given the high
16 turnover of the marina it's likely not going to be.

17 And then as those individuals sell their vessel,
18 move on with life, that does not transfer with the marina
19 because we believe that 79 cars on 94 slips is overparked and
20 it's a vestige of sort of old urban planning and the
21 accommodations that we have with the site as it exists today.

22 So we would try to target more of a traditional
23 multifamily ratio for a market rate thing that might be more
24 of a 0.45 or a 0.5 as the marina turns over and as people
25 that may have made life decisions that require their car are

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1 no longer there and people that are moving in know what the
2 structure is with regards to parking.

3 Also to help facilitate that we've placed an
4 additional Capital Bikeshare station near the marina entrance
5 and we've already located a Zip car down there just to try
6 to help make multimodal and sustainable modes of transport
7 more viable for everyone.

8 COMMISSIONER SHAPIRO: Now part of the question,
9 and maybe I'm jumping the gun on this, maybe we'll talk about
10 this later is that the clear message from your expert is that
11 this is not -- that you've hit the sweet spot on parking.

12 So you're actually not running into issues.
13 You're probably kind of right at the right level or
14 practically speaking you're going to be a little overparked.

15 MR. STEENHUEK: I think it's more of the sweet
16 spot, but sure.

17 COMMISSIONER SHAPIRO: All right. That's fine for
18 now.

19 And then I just want to hear your articulation of
20 this, but there are no solar panels planned for building 10
21 or for water building 3. The two that are in front of us.
22 Right?

23 MR. STEENHUEK: Yes, that's correct.

24 COMMISSIONER SHAPIRO: And why not?

25 MR. STEENHUEK: When we brought this in for the

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1 setdown submission we had zero solar panels.

2 What we've done since then is add significant
3 fields on the roofs of parcels 6 and 7 which are the two
4 largest office buildings and have footprints there,
5 consolidated, makes sense for it.

6 Parcel 10 being a lower building relative to the
7 condominiums that are just to its west, we were concerned
8 about glare and visibility issues for people looking down
9 across those and felt that solar panels made more sense on
10 a 130 foot roof where only helicopters, et cetera, see that
11 and they prefer to look down on a green roof which helps with
12 DDOT and a number of other beneficial uses.

13 COMMISSIONER SHAPIRO: And for water building 3
14 it's similar because the parcel 10 building would look right
15 down onto that. Okay, that's a good enough explanation for
16 me.

17 Thank you, Mr. Chair, those are all the questions
18 I have for now.

19 CHAIRMAN HOOD: Thank you. Vice Chair, you have
20 any questions?

21 VICE CHAIR MILLER: Yes, thank you. Thank you,
22 Mr. Chairman and thank you for your presentation tonight and
23 congratulations on your grand opening which I think I watched
24 all of it on channel 16 on that chilly day in the warmth of
25 my home.

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1 I think my daughter's been down to the Anthem
2 after the opening night for another event which she thought
3 was an amazing space. But said some kinks need to be worked
4 out which you probably know about.

5 So, as I've been quoted often this is an amazing
6 revitalization project for this neighborhood and this city.
7 And I like the design materials for the parcel 10 building
8 and the water building 3 which are before us tonight.

9 I do have concerns about the ANC 6D concerns that
10 are articulated in its October 26 submission. I was having
11 trouble uploading just here tonight. I think there might
12 have been later submissions and maybe there's been progress
13 since that one week ago submission.

14 And we'll hear from the ANC, Chairman Litsky later
15 so I look forward to that.

16 But if you're able to give us an update on what
17 progress you've made and to address their concerns which seem
18 mostly transportation related.

19 But before you get to that are you agreeing to all
20 the mitigations that DDOT and conditions that DDOT is
21 suggesting in their report.

22 MR. SCHIESEL: I would say tentatively. There's
23 a couple of -- some of the wording, like some of the timing
24 specifics need to be hammered out. But not in principle.

25 Like DDOT suggested removing -- the applicant

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1 paying for removing the channels on the right turn. That's
2 agreed to in principle, it's just the timing and the limits
3 of that work.

4 But we've discussed it and some version of that
5 will happen.

6 VICE CHAIR MILLER: And if you want to address
7 what progress has been made in addressing the ANC's concerns
8 since the week ago submissions which I'm uploading and
9 reading their latest submissions. Or if you want to wait
10 till they submit and just do it on rebuttal that's fine as
11 well.

12 But I do have -- I'm looking forward to hear
13 whatever their continuing concerns are and the public members
14 who are here tonight.

15 MR. STEENHUEK: Sure. So on Halloween actually
16 we concluded our negotiation process with the ANC and they
17 had 20 items that had been presented to us to respond to and
18 we had worked on.

19 The first one was the construction timetable. ANC
20 6D accepted our response there.

21 The second was construction management plan. They
22 accepted our response and the attachments that came along
23 with it as well.

24 They had a question about electric car charging
25 which they accepted the response.

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1 Questions about rideshare services where they
2 accepted our response.

3 Regarding the gangplank slipholders they
4 encouraged both parties to work together towards a good faith
5 agreement.

6 Regarding the design of the terrace park they
7 agreed with the design but we had some discussions ongoing
8 about the use and how it might be used periodically for
9 events.

10 Regarding the public restroom we added those at
11 their specific request. They were appreciative of that but
12 noted concerns regarding just generally public access to
13 restrooms. But what we provided they thought was
14 appropriate.

15 Regarding non-profit boating they accepted the
16 information that we provided for them.

17 Regarding our approach on pedestrian friendly
18 routes through the site and pavers was accepted pending
19 wanting to see the actual materials.

20 With regard to residential permit parking and our
21 restrictions on it for the residential buildings they
22 accepted that position.

23 With regards to special needs access particularly
24 for the cruise vessels they accepted that.

25 With regard to our affordable and workforce

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1 housing they said they're inclined to support the Office of
2 Planning regarding their impressions but hadn't really been
3 able to review it thoroughly largely because of the timing
4 of those reports.

5 With the motor coach prohibition that the ANC has
6 requested in the Waterfront Park area on Water Street and M
7 Place that we are working with the district to establish a
8 covenant on and that we are putting -- or intend to put in
9 our final order on to these hearings. They accept that
10 position.

11 We're also working directly with Council Member
12 Allen to create some emergency legislation that addresses
13 that as well. So they were accepting of that position and
14 that resolution.

15 And then also included our loading and curbside
16 management in some of those slides and the operational
17 aspects that Rob Schiesel touched on earlier in his
18 presentation.

19 Regarding the establishment of the Anthem
20 operations committee, they accepted our language there.

21 Regarding public wi-fi, they were accepting of the
22 response.

23 Regarding support for increased ticketing and
24 towing in the residential community they were accepting of
25 the response.

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1 Regarding bringing in the circulator bus back to
2 Southwest and our support for inserting the residential
3 neighborhood as well they were accepting.

4 Regarding digital advertisements they were
5 accepting.

6 And finally regarding the uploading of the phase
7 2 transportation plans to our website which we agreed to do
8 they were accepting.

9 So that's the 20 items that we've been working
10 diligently on with the ANC.

11 VICE CHAIR MILLER: What's the circulator issue?

12 MR. STEENHUEK: Just knowing that when it is
13 brought back to Southwest that to the extent we can lobby our
14 friends at DDOT we will do so to try to make sure that
15 there's stops that serve the existing residential fabric, not
16 just the new project that's being completed.

17 VICE CHAIR MILLER: And was there an issue
18 regarding shuttle service from the waterfront station or from
19 some other --

20 MR. STEENHUEK: There is already an existing
21 Southwest shuttle that we've helped to underwrite and sponsor
22 that hits two exits of L'Enfant, the wharf between 7th and
23 9th, and Constitution Avenue.

24 VICE CHAIR MILLER: That you're operating.

25 MR. STEENHUEK: Independence Avenue, sorry.

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1 MR. SEAMAN: It's operated by the Wharf Community
2 Association. That's the project association that's funded
3 by the owners of the wharf.

4 And I believe that also JBG Companies are
5 sponsoring a small amount of that as well as the Southwest
6 bit.

7 VICE CHAIR MILLER: So how often does that shuttle
8 start -- or how long has that been in existence?

9 MR. STEENHUEK: It's first day in operation was
10 October 12.

11 MR. SEAMAN: We have a shuttle, SWDCshuttle.com.
12 Our hours are 7:30 to 10 Monday through Thursday, 7:30 to
13 midnight Friday, 9 to midnight Saturday, 9 to 10 on Sunday.

14 And it runs I think on 15-minute headways right
15 now.

16 VICE CHAIR MILLER: It's getting to people.

17 MR. SEAMAN: Now that people have figured out it's
18 there. It was primarily for the office users at Southwest.
19 Some of our early adopters didn't really believe how close
20 we were to L'Enfant Plaza metro.

21 But it also has provided a good conduit to get
22 tourists down from Constitution that may not want to walk all
23 the way down L'Enfant Promenade until it's in better shape
24 and more pedestrian friendly.

25 But yes, we're really excited about it. I think

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1 it'll help link some of the assets that we have in Southwest.

2 VICE CHAIR MILLER: What is the timetable for the
3 L'Enfant Banneker promenade thing?

4 MR. SEAMAN: I can't speak to the NCPD vision for
5 the length of Banneker. The portion that we control which
6 is taking the NCPD vision for the Banneker stairs where the
7 Banneker Circle is and the fountain we have a grand stair
8 that now will descend down where the dirt path is that people
9 had previously used to get from up top down to the fish
10 market.

11 That will be a grand stair as well as a bicycle
12 connection and ADA accessibility. And then that will get
13 down to the new signalized intersection that we built right
14 outside the fish market. That should be done by March of
15 2018.

16 It's under construction now if you drive by there.
17 And then the Spy Museum opening is imminent and hopefully the
18 larger vision for that connection between Smithsonian Castle
19 and the waterfront will be realized.

20 VICE CHAIR MILLER: Thank you. Thank you for
21 that.

22 And just finally you mentioned the lottery for the
23 affordable housing. How is that going? Do you have any
24 overall big picture of the number of units so far that are
25 set aside at the different affordability levels and how many

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1 have been claimed? Is that already all taken for and spoken
2 for? Should we announce it tonight?

3 MR. STEENHUEK: The phase 1 lottery was completed.
4 We did it working hand in glove with DHCD. It was a great
5 success. We posted over 4,000 different applicants for it.

6 I believe to date we've had 40 people move into
7 the building so far but all of the spots have been tagged and
8 identified, and they're just working through the paperwork
9 to make sure that folks actually can qualify. All the other
10 elements with it. That's on 200 units.

11 VICE CHAIR MILLER: Two hundred is the total.

12 MR. STEENHUEK: Yes.

13 VICE CHAIR MILLER: And remind me, I know this
14 predates the museum, remind me of what the affordability
15 levels are for those 200 units are.

16 MR. STEENHUEK: Sure. It's split between 30
17 percent of AMI and 60 percent of AMI which is the lion's
18 share of it. And then there's a workforce housing component
19 that's at 100 and 120 percent. There's a fairly complicated
20 formula for how you derive all that.

21 VICE CHAIR MILLER: So that's 200 units and
22 they've all been spoken for.

23 MR. STEENHUEK: Correct.

24 VICE CHAIR MILLER: And when is the next phase.
25 How many affordability units are going to come on for this

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1 phase 2 that we're just beginning to talk about tonight?

2 MR. STEENHUEK: It's 100 units and they will be
3 anticipated to start delivering in late 2021.

4 VICE CHAIR MILLER: And how do people sign up for
5 that?

6 MR. STEENHUEK: We will follow a similar public
7 outreach program.

8 VICE CHAIR MILLER: It'll be through DHCD or --

9 MR. STEENHUEK: We do it ourselves but we've used
10 DHCD's system and followed all of their protocols. But they
11 have some nuances to how they do typical IZ units.

12 And since our percentages are different than
13 theirs we can't quite synch it up. But whenever there are
14 sort of best practices at the time and how they like to do
15 it that's what we'll do.

16 We do the inspections with them. We do all the
17 process. They were there during the actual physical lottery
18 draw to oversee everything. Bozzuto did it, but they were
19 there to help them manage.

20 VICE CHAIR MILLER: And when does the phase 2
21 lottery process begin for those who might be interested.

22 MR. STEENHUEK: 2021 second quarter, third
23 quarter, something like that.

24 VICE CHAIR MILLER: Thank you very much.

25 MR. SEAMAN: I did want to clarify just one thing.

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1 In the lottery for each space within the building and I
2 believe there was four households that were selected so that
3 there was a pool of people for each unit or each unit type.

4 Bozzuto is going through the process right now of
5 vetting the candidates that submitted through the lottery
6 process.

7 As they get through that if all four don't qualify
8 or are over income or for whatever reason there may be a
9 subsequent lottery. I think we'll continue to work with DHCD
10 if we're putting things back out so that those that are
11 interested will know about it if there are additional
12 opportunities in phase 1.

13 At this time there's not, but I did want you to
14 know that it's not -- when Matt says every unit is spoken for
15 it's not that there's somebody waiting to move into each of
16 those at this point.

17 VICE CHAIR MILLER: Thank you.

18 CHAIRMAN HOOD: Okay. Thank you. Let me start
19 with my normal question. When you've been up here a while
20 we have normal questions. You pretty much know what each
21 Commissioner is going to talk about for the most part.

22 How many of the development team is from the
23 neighborhood?

24 MR. SEAMAN: I'm not from the neighborhood. I'm
25 from Washington, D.C.

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1 CHAIRMAN HOOD: That's my second question.

2 (Simultaneous speaking)

3 MR. SEAMAN: Matthew's from Northeast.

4 COMMISSIONER MAY: I just wanted to interrupt.

5 I heard Monty was buying a unit there.

6 MR. SEAMAN: I did want to point out that three
7 of the principals of PN Hoffman, Monty Hoffman, Mark Yorgan,
8 Paul Neseta, three of the five principals of PN Hoffman live
9 in Southwest now.

10 And I think probably four or five other additional
11 PN Hoffman employees live.

12 And then Eleanor Bacon our partner from ER Bacon
13 Development lives in Southwest. Diane Groomes who's our head
14 of security for the wharf lives in Southwest.

15 CHAIRMAN HOOD: I've heard that name.

16 MR. SEAMAN: Bob Rubenkonig who's the director of
17 our wharf community association lives in Southwest. It's a
18 great promotion of the people involved with the project that
19 live there and feel passionately about its proper operations
20 on a day to day basis.

21 CHAIRMAN HOOD: Let me just, I've asked that
22 question quite a bit and for the first time -- it took
23 another person three nights to get it right. But I
24 appreciate your question and I appreciate the roll call that
25 you just gave me.

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1 My next question. You took the thunder away from
2 me because I ask all the developers and applicants who's from
3 the neighborhood because I'm going to push that until
4 eventually it resonates.

5 But it sounds like you're already on the ball so
6 you won't hear that the next two nights that we have here.
7 I may ask you just to make sure that you repeat the same
8 thing you said tonight.

9 The other thing is I just want to ask also from
10 your development team who lives in the district but since you
11 answered the first question so well I don't need to go to
12 that next question.

13 Let me ask this about the -- I heard in your
14 testimony that you all mentioned that the two parties in
15 opposition, you were very close. There were just a few
16 things outstanding. Why didn't you get those resolved or
17 were those last minute issues? Are we so close that maybe
18 I may hear something different when they come up tonight?

19 MR. STEENHUEK: Well, I would love for you to hear
20 something different. I don't believe that's going to be the
21 case based on the submitted testimony that I saw.

22 A lot of it was schedule, frankly. There was
23 travel, there was time, there were volunteers, they're
24 working hard at it. And we've been trying to get the groups
25 together, requested sit downs a number of times but haven't

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1 been able to pull everybody back together.

2 We look forward to continuing to do that. But
3 that's where we are.

4 CHAIRMAN HOOD: My next question, I was reading
5 in one of the submissions, you may have mentioned that if you
6 lived there before you should be able to live there now.

7 And I'm kind of in line with Mann. One of the
8 issues that I want to make sure, have we displaced anybody
9 yet in this whole project.

10 I'm talking about the whole thing, I'm not just
11 talking about parcels 6 and 10. I'm talking about the whole
12 project.

13 MR. SEAMAN: No, no residents at Southwest have
14 been displaced through the construction.

15 CHAIRMAN HOOD: No residents.

16 MR. SEAMAN: Within the Southwest waterfront
17 development, no. Nobody's been displaced as we've
18 constructed the project.

19 The commitment during the stage 1 PUD was to
20 maintain a live aboard community of 94. There's been some
21 attrition, just natural attrition of people moving away from
22 the live aboard marina given the close quarters we have and
23 the limited slips we have. We were waiting till we finished
24 the second phase of construction to go back up to the 94.

25 But nobody's been displaced. And the Capital

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1 Yacht Club, both marinas were accommodated within the
2 footprint of the project development and accommodations were
3 made during the construction for both marinas.

4 CHAIRMAN HOOD: Okay. And I heard you mention
5 that a lot of residents from Ward 8 received jobs which I
6 commend you. I'm not sure if it's already in the record.
7 I know we have some PII information so I'm not asking for
8 that.

9 But whatever information you can provide or you
10 can point me to to validate that statement in the Ward 8
11 residents, or any district residents as far as I'm concerned
12 are getting those jobs.

13 When I hear that jobs in certain developments --
14 and actually, some time goes by I go by and see if it's
15 anybody I know. I like to see district residents working in
16 those jobs so I'm going to actually do that eventually when
17 I do head down there to the wharf which I have not had a
18 chance to do yet.

19 Another thing that I heard, and this just pertains
20 to these parcels, \$24 a day to park. What's going on with
21 that? Could we have a two hour free parking for somebody to
22 run out? How are we working that? What are we doing with
23 that? And I think some of this came up in the first stage.

24 MR. SEAMAN: Sure. We have different rates
25 depending how long you stay. Probably the one folks are most

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1 interested in is the fish market. We closed the fish market
2 service parking lot as we redeveloped the fish market.

3 In order to accommodate the fish market patrons
4 we were validating the parking down to \$2 for the first hour
5 which is -- district parking meter, that was the parking that
6 was available on Water Street previously so that seemed like
7 a fair rate for the fish market parking.

8 CHAIRMAN HOOD: So it's \$2.

9 MR. SEAMAN: For the first hour. And then we have
10 a half hour rate which I believe is \$5. An hour rate. It
11 goes up from there.

12 CHAIRMAN HOOD: So how are we getting that --
13 because I'm hearing a whole lot. I know \$24 to go down there
14 four hours so I know that's obviously a misunderstanding or
15 the board is not getting -- how are we getting the word out?

16 MR. SEAMAN: We have the parking rates on our
17 website. Colonial has the parking rates on their website.
18 We're trying to get better signage posted at the entrance to
19 the garage because it is not clear at this point how much
20 parking costs and I think there is quite a bit of confusion
21 about access to the garage, how much the parking costs, where
22 are valets.

23 We're working through some of those operational
24 issues as we get the kinks out in this first month of
25 operations.

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1 But the ultimate parking rate is commensurate with
2 parking in the neighborhood and the CVD.

3 CHAIRMAN HOOD: I'm glad you put -- but what are
4 we going to do to help mitigate some of that confusion even
5 if you put signs up. Well, I shouldn't say signs. My
6 colleague is not here.

7 What are we going to do to help people understand
8 that it's only \$2, not the \$24 that everybody is complaining
9 about for an hour which I don't know how that came from \$2
10 to \$24.

11 Other than that I don't really have a whole lot
12 of questions. I may have some later. I'm not going to ask
13 how the traffic is. But you know, I appreciate the -- I am
14 going to say this and this is more of a comment as opposed
15 to a question.

16 I appreciate the emphasis on the bicycles. I say
17 this all the time. Some people will disagree with me on
18 this, but I believe when you start getting 70 and 80 years
19 old you're not going to be using bicycles.

20 So we need to make sure that we also be inclusive
21 of those of us who are going to be 70 and 80 who are going
22 to be driving.

23 But I'm just saying I appreciate the bicycles, I
24 appreciate you all paving everything so some people can ride
25 on smooth roads.

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1 But I also want to make sure we consider those who
2 want to enjoy the waterfront who are up in age. I'm sure
3 you're doing that, but I don't want to lose sight of it.

4 All right. Any other questions up here? Any
5 other questions? All right, let's go to the ANC.

6 COMMISSIONER MAY: I really want to ride my bike
7 when I'm 70 or 80. You probably want to hope I'm not driving
8 when I'm 80.

9 CHAIRMAN HOOD: Driving?

10 COMMISSIONER MAY: I won't be driving those cars
11 around by then.

12 CHAIRMAN HOOD: So Commissioner Litsky, do you
13 want to head this way? Commissioner Shapiro, you had a
14 follow-up.

15 COMMISSIONER SHAPIRO: I do actually. It's a very
16 small question, but I -- did I miss where dog parks are?

17 MR. STEENHUEK: There is no dedicated dog park
18 within the project. That was something that we discussed
19 with the community when we were doing the shreds for the
20 Waterfront Park. It was decided that it was good to allow
21 dogs and it was good to allow children, but they didn't want
22 a playground and a dog park was not what they felt was
23 appropriate.

24 So we had dog pickup bags and that sort of thing.
25 One of our residential buildings has it on the roof for folks

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1 but it's not a component of the public space.

2 COMMISSIONER SHAPIRO: Thank you.

3 CHAIRMAN HOOD: Any other questions up here?

4 Okay, Chairman Litsky, do you have any cross?

5 MR. LITSKY: I do.

6 CHAIRMAN HOOD: Okay.

7 MR. LITSKY: Good evening, Mr. Chairman. For Mr.
8 Schiesel, how many workers participated -- worked every day
9 at the wharf during construction? Wharf 1. Do you have an
10 idea?

11 MR. SCHIESEL: The amount of employees? No, I do
12 not.

13 MR. SEAMAN: I hate to hazard a guess. I know
14 that, at the peak, we got up to about 1,500, I would venture
15 to guess the average was probably closer to 700 or 800.

16 MR. LITSKY: And that's kind of what I figured.
17 And I'm asking that question, again, to Mr. Schiesel, so
18 what's the plan for employee, the construction workers? Once
19 the internal portions of what had previously been used for
20 vehicles is going to be under construction, it seems to me
21 that we're going to have a lot of space that hadn't been able
22 to be used for parking, not being able to be used for
23 parking. What's your plan?

24 MR. SCHIESEL: We have not developed a --- we,
25 personally, have not developed a construction parking plan,

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1 considering the ultimate condition with Phase 2 being
2 constructed.

3 MR. LITSKY: Yes. Is that something that we might
4 be able to enter? It's an outstanding concern, so --

5 MR. SEAMAN: Shawn, we'll answer. And I'm sure
6 Matt could, as well, but I'm going to try.

7 MR. LITSKY: Sure.

8 MR. SEAMAN: So I think Phase 1 was instructive for
9 us, as we built it, we did, obviously, have more surface area
10 around Phase 1, down by the Channel end. But we generally
11 didn't allow parking for contractors during the early stages
12 of the project.

13 Larger contractors, like Miller & Long and Clark
14 actually had school buses where they brought people in from
15 off-site, so the workers were encouraged to park up at
16 L'Enfant. L'Enfant has a 1,500-car parking garage and there's
17 several additional surface lots up towards the mall. So a
18 lot of our workers would park up there and walk.

19 We had a surprising amount of people that bicycled
20 to work. We had bike racks on work and on the site, which
21 was great. When we got closer to completion, we opened the
22 then completed portion of the parking garage in Phase 1.

23 And the contractors were provided a early bird
24 rate in that garage, which is something that I think we'd
25 love to replicate in Phase 2.

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1 Once the garage is at its CFO stage, you could get
2 the later finish contractor workers in there, before the
3 project opens. So that was a good way to accommodate it.

4 I think, Phase 1, the 1,350-car parking garage
5 that we have in Phase 1, we went through the shared parking
6 analysis previously, but I think there is still going to be
7 some capacity in the Phase 1 garage during the daytime for
8 daily parkers.

9 We found that the contractors, you know, if their
10 employer's paying for the parking, they will pay the full
11 rate. So we've actually been full in our garage with
12 contractors working in there.

13 We, we do allow them to park in the garage. So
14 I think we got a few options onsite, which we'll explore.
15 I mean, we can detail it more clearly, but we would,
16 certainly, encourage the contractors to bike, alternate
17 transportation and then, also, the buses for the larger
18 contractors, like, Clark and Miller & Long.

19 MR. LITSKY: And, again, it was, particularly, for
20 the larger contractors, I don't know if they're going to be
21 the primary contractors on the second phase, but I hope that
22 they'll, whoever the primary contractors are, for the larger
23 portion of this, you'll wind up encouraging them to develop
24 a transportation plan for their workers. Because that was
25 something we didn't put in as a concern, and it was something

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1 that only I, belatedly, realized that it's a concern.

2 For, again, Mr. Schiesel, what's your belief about
3 how best we can handle Uber and Lyft vehicles to access the
4 site, and is the plan that's currently on the table the best
5 way to do it? Is it going to be sufficient?

6 MR. SCHIESEL: That's a good question. All over
7 the District, you know, our industry's kind of grappling with
8 what are the best ways to accommodate those type of services.

9 I think the best practice is that, we've been
10 seeing happen, over the months and years that we're trying
11 to adapt to this, is to try to provide flexible areas where
12 people can pick-up and drop-off somewhat scattered through
13 the pallet.

14 It's a little bit similar to some of our
15 philosophy about bicycle parking. You know, you can have a
16 reservoir where you can direct people to, but people like to
17 go to the front door, so you kind of try to anticipate that
18 activity and plan for it.

19 You know, if, say, we created a pick-up/drop-off
20 area in the middle of Phase 2, a centralized one, somebody
21 in an Uber going to the hotel is going to tell their driver,
22 go to the hotel, don't go there.

23 So it's more about looking at each building, its
24 needs, its lobbies, and trying to figure out, is there a
25 space that kind of is a natural spot that people will go to.

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1 And that is kind of what our industry is heading towards.

2 The other part of that equation is, not on typical
3 days, or when there's events, concerts, cherry blossom time,
4 how do you special events that can accommodate that type of
5 activity, whether it's value meters, creating more curbside
6 space, or working with Uber and Lyft to use some of their
7 software solutions.

8 They have a couple of techniques, geofencing,
9 vendor operations, that can actually turn off some roads so
10 that, like if the Wharf Street was closed, a few days
11 beforehand, you can let those companies know, hey, this
12 plan's going to go into effect during this Cherry Blossom
13 weekend and they'll know, they'll be able to program it into
14 the software, so their drivers know they can't turn on Wharf
15 Street.

16 So, you know, obviously, things are going to
17 change, as the industries keep on going and as we resolve,
18 but we've, kind of, tried to set up Phase 2 that, any of the
19 tools that we know in toolkit, as far as software abilities,
20 or curbside space is kind of there, so that we'll be able to
21 adapt and try to handle those services, as best we can.

22 MR. LITSKY: Okay. And the reason I asked that
23 was no for drop-off. I assume that when people need to get
24 dropped off, they're going to get dropped off to find a spot,
25 though, you push them out of the car and it's done.

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1 It's pick-up we're concerned about, because we
2 have a lot of folks over there and we've got limited space
3 for them to pick-up, so were you aware of the four spots that
4 we requested onsite to be reserved for pick-up?

5 MR. SCHIESEL: I don't -- I'm not sure I know the
6 specifics of that request. I mean, our philosophy is, like
7 I said, we highlighted areas in front of that would be
8 flexible and will be able to adapt to these uses.

9 Pick-up is similar to drop off. People want to
10 know where they are. And the key is that there's a few
11 things you can do with those services and their software to
12 kind of direct people to certain pick-up spots.

13 And a lot of times, there's certain roads you can
14 or cannot have in this system that, that people will be able
15 to use from and ideally, we'll be get the two to merge, those
16 spaces and that software to really make sure that people will
17 find those spaces that they need.

18 MR. LITSKY: And the reason again, I'm following
19 through it, you are the transportation expert and I'm just
20 me, I'm not, so what -- this is what we found, over the
21 course of the past couple of weeks.

22 And, I think, we're finding this in other areas
23 that are now nightlife zones in the city. We don't have a
24 nightlife in Mayor, yet, to sit there and hassle these things
25 out, so we've got to figure it out our self.

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1 When folks are seeking an Uber, or a Lyft, it's
2 easier for them to tell the driver, you'll be able to find
3 me over there and they point it into the neighborhood. And,
4 certainly, for the last two weeks that's what we found is
5 happening.

6 Is there a way that you can suggest that you work
7 with Uber and Lyft, so that we don't have folks coming out
8 of a concert, or, or, or folks just leaving after a night out
9 at the restaurants, to make it easier to be picked up on G
10 Street, or rather than at the Wharf, which is where they
11 happen to spend the time?

12 MR. SCHIESEL: The short answer is yes. I know
13 we've talked to both of those companies and they have, they
14 have a couple things they can do. But I get the experience
15 of what's going on right now, it hasn't really reached what
16 we think will be the smooth operations plan we're trying to
17 aim for.

18 I mean, the biggest, to be honest, hassle right
19 now was that, for months, trying to get the internal streets
20 of the work on Google Maps. Just that, that simple thing,
21 that someone that thinks that Uber and Lyft told us, oh we
22 can do these type of these things, they can't do.

23 Wharf Street just got on Google Maps, I believe,
24 a few days ago. So once the rest get in there, they'll have
25 a little bit of easier ability to kind of try a few things

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1 and get them to work.

2 One of those things is, yes, you can block off,
3 you can make it so, or you can make it, the software
4 engineers over at those two companies can make it so if
5 you're in an residential area, it will snap your address back
6 towards me.

7 They can do those type of things. And we'll be
8 working with those companies to make, to try to get them to
9 implement those type of things, you know, in the upcoming
10 weeks and months, as Phase 1 operates.

11 MR. LITSKY: We had met several times, the last
12 time, I remember we discussed this in detail, was in May.
13 But, specifically, various options for the tour buses on
14 Maine Avenue and other places, where they could have been in
15 the neighborhood that either worked, or didn't work.

16 The diagrams that I've seen in evidence, thus far,
17 are the ones that are being supported by the Wharf. What I'd
18 requested was that we also include the diagrams that had been
19 discussed and analyzed by your company, about the sites that
20 don't work, as well. Have those been put in evidence, too?

21 MR. STEENHUEK: Yes.

22 MR. LITSKY: They have, cool. Thank you. For Mr.
23 Adjmi, it's a great building. I love Building 10, thank you.
24 You went to the Commission of Fine Arts to do a refrigeration
25 of the geometry of the terrace.

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1 Am I correct that any part of that hard scape and,
2 perhaps, the grassy area below, wasn't part of the area that
3 was occupied by the Copper Beach?

4 MR. STEENHUEK: They are not in the same area.

5 MR. LITSKY: Not in the same area, whatsoever?

6 MR. STEENHUEK: The terrace, the seat steps that
7 we integrated into the building, you know, with M Street
8 landing, is a couple hundred feet from where the Copper Beach
9 had been located. There's a box of trees in the terrace that
10 Paul Josey designed and in, roughly, that same location.

11 MR. LITSKY: In roughly the same location of what?

12 MR. STEENHUEK: I'm sorry?

13 MR. LITSKY: The terrace? Or the Copper Beach?

14 MR. STEENHUEK: The Copper Beach.

15 MR. LITSKY: So then, where the terrace is, is
16 actually part of the waterfront park that had been proffered
17 to the community, as a community amenity? In Phase 1?

18 MR. STEENHUEK: The terrace is a corner of the
19 waterfront park that we're rebuilding, yes.

20 MR. LITSKY: Okay. I just wanted to get that on
21 the record. And for -- I'm sorry. For Dan Leaman, you had
22 said that, that you're going to be including a plan for
23 marketing and communication with the bus companies and adding
24 extra help, to ensure that you are employing more people on
25 --

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1 MR. GLASGOW: He wasn't a witness, Mr. Vice Chair.

2 MR. LITSKY: I beg your pardon?

3 MR. GLASGOW: He wasn't a witness for cross-
4 examination, I mean, he didn't testify.

5 MR. LITSKY: Oh, I thought he did. Well, I'm
6 sorry, I thought he did.

7 MR. GLASGOW: No.

8 MR. LITSKY: I'm sorry. Well, that's great.
9 We'll get it. Who's managing buses, going forward?

10 MR. STEENHUEK: It is Entertainment Cruises. Dan
11 was here to be able to speak to the monitoring plan, you
12 know, pointing out that, because of our time constraints, he
13 did not provide testimony, but he's provided here.

14 He's here, available today, to speak to the
15 operations plan. I don't know how it works, logistically,
16 with cross and if you've testified or not.

17 MR. LITSKY: Okay. Maybe we can get that figured
18 out.

19 (Simultaneous speaking.)

20 (Off-microphone comments.)

21 MR. LITSKY: Oh, well, I'd like to ask the
22 question then.

23 (Off-microphone comments.)

24 MR. GLASGOW: I think it may be in the record.

25 MR. LITSKY: Yes. Norman, it's fine. I'd just

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1 like to clarify the plan that you have for operating the
2 buses going forward. So you spoke about hiring extra help
3 and having a marketing plan and communicating with the bus
4 companies and having walkie-talkies, or something, to move
5 in and out, and I'm just curious, whether that plan is
6 something that's in the future, or was that used this year,
7 as well?

8 MR. GLASGOW: So, parts of that we used this year.
9 We've certainly added more shipmates to manage our buses than
10 we've ever done before.

11 This year we were managing four bus areas, and
12 some of the different seasons in the new plan, it's as many
13 as 16 spaces.

14 So it's a much more robust situation than what you
15 saw this year. We took everything that we learned,
16 certainly, added more communications, even though we do
17 communication with the, the buses before, more staff, more,
18 you know, so a much more robust plan.

19 MR. LITSKY: Helpful. Thanks. I appreciate it.
20 I have no more questions, Mr. Chair.

21 CHAIRMAN HOOD: Okay. Thank you, Chairman Litsky.
22 Let's go to the -- we're going to do the parties in support
23 first. Any cross-examination from 525 Water?

24 (No audible response.)

25 CHAIRMAN HOOD: Do you have any cross?

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1 PARTICIPANT: No.

2 CHAIRMAN HOOD: Any questions of --

3 (Off-microphone comment.)

4 CHAIRMAN HOOD: Okay. Any cross-examination,
5 Tiber Islands Cooperative Homes?

6 PARTICIPANT: No.

7 CHAIRMAN HOOD: No cross. Okay. Let's go to the
8 party in opposition. Any cross from Gangplank Slipholders
9 Association?

10 PARTICIPANT: Not at this time.

11 CHAIRMAN HOOD: Okay, not at this time. Okay, any
12 cross from Tiber Islands Condominium?

13 PARTICIPANT: No.

14 CHAIRMAN HOOD: Okay. All right, Chairman Litsky,
15 I should've told you to stay up here, we're ready for your --
16 oh, no we're not. No we're not. Let's go to the Office of
17 Planning and District Department of Transportation. And
18 we've been joined a while ago by Mr. Henson with the city,
19 so let's do the Office of Planning, then we'll go to DDOT.

20 MR. JESICK: Thank you, Mr. Chairman. I'm Matt
21 Jesick with the Office of Planning. And OP is very
22 supportive of the Wharf, in general, and, particularly, this
23 second stage PUD and the requisite first stage PUD
24 modifications.

25 We support the overall site plan and the

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1 architecture of the buildings. We also support continuation
2 of elements from the first phase of development that are
3 being continued in this second phase.

4 Things, such as the design of Water Street, or,
5 excuse me, Wharf Street and the major cisterns for storm
6 water reuse, as well as, lead gold on the commercial
7 buildings and the job training and apprenticeship programs
8 that the Applicant has undertaken.

9 And, since setdown, the Applicant has addressed
10 some of the items that the Commission and the Office of
11 Planning raised, at that time. For example, the Applicant
12 now requested first stage modification for the layout of the
13 piers, docks and water buildings.

14 Particularly, for this hearing this evening, they
15 have clarified that they will paying for the cabbng bike
16 share station at M Street landing and they've also provided
17 a wealth of additional renderings, but sought details and
18 other project information.

19 We did identify, however, items that we've asked
20 the Applicant to examine further in our public hearing
21 report. And I'll just highlight a few of those this evening.
22 Some of the fall under the umbrella of items that could be
23 considered in each public hearing. Some are specific to this
24 evening's hearing.

25 Under that first group with the items, like, solar

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1 power, which the Commission has already discussed this
2 evening. I think we'd also like to see more detail on the
3 signage, especially, as it relates between Parcels 10 and 11.

4 For all buildings, we'd like to see more
5 information on the phasing and the timing of the development.
6 The Applicant has requested some flexibility in that regard
7 and we just want to try to nail that down a little bit.

8 We strongly support their overall designed of the
9 M Street landing, but we have identified a few areas that
10 we'd love to have you, have the Applicant take another look
11 at.

12 One is the seating area, the, the elevated steps,
13 which can be a real focal point, it's right at the end of the
14 Wharf Street. The renderings that have been provided for
15 that area, show that it might be exposed to the sun at all
16 times of the year, which would make it, perhaps, not as
17 usable during the summer months.

18 We want it to be as usable, as possible, so we'd
19 like to have the Applicant look at ways that shade could be
20 provided for those, for that seating area.

21 Similarly, the plaza area on the waterside of M
22 Street landing, is, it seems to be, anyways, a rather large
23 area of hard scape, which is rather undifferentiated across
24 its breadth. We'd like to see incorporation of some sort of
25 additional greenery, or something to break up that space, so

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1 it's not quite as barren, as it appears to be.

2 Overall, however, OP does support the design of
3 Parcel 10 Water Building 3, the Wharf Marina and associated
4 open spaces. So for the rest of our testimony we'll rest on
5 the record and we are happy to take any questions.

6 CHAIRMAN HOOD: All right. Before we go to Mr.
7 Zimmerman, there's someone here with a baby, or a young
8 person. I'm going to bring them up, so they can go ahead and
9 take them home.

10 I'm not sure, I think they're in here, but if they
11 are, I'm going to come back, if they're sitting right here --

12 (Off-microphone comments.)

13 CHAIRMAN HOOD: Can you let them know that I'm
14 going to bring them up, so they can take the young one home,
15 get some rest. I'll bring them up shortly after, after we
16 get through with this part. Mr. Glasgow, I'm sure -- does
17 anybody have a problem with that?

18 (Off-microphone comments.)

19 CHAIRMAN HOOD: I didn't think you would. Nobody
20 has a problem with that. Okay, Mr. Zimmerman.

21 MR. ZIMMERMAN: Good evening. And thank you,
22 Commissioners and Chairman Hood. My name is Aaron Zimmerman.
23 I'm the Transportation Planner of the District Department of
24 Transportation.

25 With me is Jamie Henson, also with the Planning

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1 and Sustainability Division within DDOT. Our testimony
2 tonight is on the entirety of the Phase 2 PUD and not any
3 specific building or area.

4 We're pleased to have worked with the Applicant
5 and their team, over the last year, to ensure a smooth
6 opening month at Wharf Phase 1, with respect to traffic flow,
7 pedestrian and bicycle accessibility, drop-off/pick-up
8 operations, curbside management, loading, motor coach
9 parking, et cetera, and we look forward to doing so on the
10 coming years, to ensure a smooth, a similarly successful
11 Wharf Phase 2 opening.

12 We've also been working with the Applicant over
13 the last year to evaluate site circulation, trail connections
14 and the impacts from the Wharf Phase 2 development on
15 surrounding transportation network and we feel that the
16 package of mitigations and the TDM Plan and the expansion of
17 the performance monitoring plan to include the PUD Area 2,
18 Phase 2 area, as recommended in our report, will sufficiently
19 address our traffic impacts in the area.

20 As you heard the Applicant's presentation, they've
21 tentatively agreed with DDOT on a package of mitigations and
22 our proposed revisions to the TDM plan and the expansion of
23 the existing performance monitoring plan. We will continue
24 to work in the Applicant in the coming days on refining the
25 final language.

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1 As part of the mitigation package, the Applicant
2 is proposing significant, is agreeing to significant
3 improvements to the bike and ped network, along Maine Avenue
4 at 6th Street, 7th Street, M Place, and they are,
5 additionally, they are adjusting the turn lanes and traffic
6 signal operations at 9th and M, as well as installing a new
7 signal at Maine and Marina Way.

8 So with the conditions recommended by DDOT and
9 agreed to by the Applicant, pending final language, DDOT has
10 no objection to the approval of the Stage 1 modification and
11 the Stage 2 PUD.

12 CHAIRMAN HOOD: Thank you, both, Mr. Zimmerman
13 and Mr. Jesick. Let's see if we have any questions of me,
14 also Claimant, DDOT, Commissioner Shapiro?

15 COMMISSIONER SHAPIRO: Thank you, Mr. Chair. And,
16 excuse me, if this is my ignorance, but who, who has the
17 oversight over the water transportation plan?

18 (No audible response.)

19 COMMISSIONER SHAPIRO: Or, who comments on that,
20 or who looks at it?

21 MR. HENSON: That's an excellent question. This
22 is Jamie Henson with DDOT. I'm not sure if we have the
23 statutory authority to do that, or not. We can surely check
24 in to that and potentially file a follow-up here, a
25 submission on that, but, currently, I'm not sure.

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1 COMMISSIONER SHAPIRO: I appreciate that and I
2 would encourage you to do that, and this might be a question
3 for the Applicant when it's appropriate to redirect the
4 Applicant, but just looking at the -- there's water taxis,
5 there's a -- I know that there's regional conversations about
6 a water ferry, and I imagine that this is a key piece of it,
7 and so I'm wondering what the projections are for congestion?

8 You know, how far down the road are you looking?
9 Because this is, it's, this is going to be a pretty busy
10 area. I don't even know how it's managed, but I'm, I'm
11 wondering where you are with the conversations about it and,
12 and whether it's in our purview of, if I can use your words,
13 Mr. Chair, to, to even consider this, I'm not sure.

14 And are there other services that are to be
15 protected? This is a, maybe it's an Entertainment Cruises
16 question, because I know that they've been right in the
17 middle of these questions about expanded regional service.
18 You know, are you planning for excess capacity for that?
19 Maybe that's the way of putting it.

20 (Off-microphone comments.)

21 COMMISSIONER SHAPIRO: Yes, I'd like to ask it of
22 you, and perhaps with Entertainment Cruises, as well.

23 MR. SEAMAN: Okay, I can't fully answer the
24 question, as far as who oversees transportation planning on
25 the waterside. I can tell you the players that are involved,

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1 currently.

2 The plan, as you see it on the waterside, was
3 approved by the Army Corps of Engineers. So that went
4 through the necessary 106 process that involved Fish and
5 Wildlife, EPA, all the current --- not EPA, I'm sorry, the
6 Park Service and other federal agencies.

7 The Coast Guard is probably the most involved, as
8 far as boating and safety goes, so they're, they have a
9 presence at the Washington Channel and the Anacostia and
10 Potomac River there, the Coast Guard.

11 The District Harbor Master, who's, he's within the
12 District and Metropolitan Police Department is stationed on
13 Pier 5, really has the purview over safety within the, the
14 Washington Channel and the waters of the District of
15 Columbia.

16 So they have a couple of police boats and they're,
17 they really are the enforcement mechanism for people behaving
18 badly in the Channel, or parked in the wrong place.

19 As far as transportation planning, I don't believe
20 that there's, sort of a regional network or transportation
21 planning. I think that may be something that the District's
22 exploring now. I'd seen something about it from, from DMPED
23 or one of the District agencies. But --

24 COMMISSIONER MAY: If I can, there, there has been
25 a fair amount of discussion of it, but it's not like there's

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1 a very clear lead on how that's going to develop. There are
2 lots of studies of water taxis and, you know, the potential
3 to go to down, you know, certain locations in Virginia and
4 then fairing out to this location.

5 Certainly that's part of what is ultimately
6 planned with the water taxis. I know that they're investing
7 in a bigger fleet. And it's costly. I mean, maybe, you
8 should have brought along Paul down here, he could've told
9 us all this stuff, right?

10 MR. SEAMAN: Yes. We'll get more information.
11 I know that they deal more on a regional basis. I know
12 they're looking to expand the water taxis to other places,
13 like the airport and the Yards and --

14 COMMISSIONER MAY: Right. But I think there's a
15 basic question of whether there was actually an issue with
16 too much traffic at the Channel and I don't know whether
17 there is, but maybe, you know, if there are boaters in the
18 audience that can answer that question, we thank you.

19 COMMISSIONER SHAPIRO: I mean, I'd like to ask a
20 question. There may be boaters in the audience, I think.

21 COMMISSIONER MAY: Maybe.

22 COMMISSIONER SHAPIRO: I'd like to ask the
23 question of the -- and I forget your name, and return your
24 praises. Because I know that you've been a part of regional
25 conversations, relatively recently, and what are you

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1 planning, are you asking for excess -- I don't even know how
2 you measure -- I don't think you measure what you do in
3 headway, and I don't know how you --

4 (Simultaneous speaking.)

5 MR. LEAMAN: So I'm the general manager for the
6 dining cruises at Pier 4, so I can't speak to water taxis,
7 or transportation, or things like that.

8 You'd asked, you know, the regulating body. We
9 are highly regulated by the Coast Guard, you know, with our
10 annual inspections and, you know, their focus is on safety
11 and security and training of our staff and things like that,
12 so we work closely with the Coast Guard in that capacity.
13 I can't speak to --

14 COMMISSIONER SHAPIRO: I appreciate that.

15 MR. LEAMAN: -- and taxis and things like that.

16 COMMISSIONER SHAPIRO: I mean, I, I would ask if,
17 if we can, if we can get more information about that. And,
18 and, and maybe it's also an interesting question, as well,
19 I just, I think, for me, the issue, it's not so much around
20 that policing and safety and it really is around capacity and
21 congestion and, I'm not sure, at what point this becomes an
22 issue that we've never had to face, but now we might have to
23 face it. So --

24 PARTICIPANT: Thank you, Mr. Chair.

25 MR. SEAMAN: We did have quite a bit of discussion

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1 during the first stage PUD, about boating safety. We
2 actually, we de-authorized a portion of the Channel and
3 actually expanded the marinas out, which allowed us to create
4 that central harbor. So we had a lot of discussion.

5 I think the Army Corp has reviewed the plans.
6 The, the net boat slip count that we've done is not
7 materially different from than where we started with the just
8 parking along the waterfront. It's just, sort of -- it's
9 reconfigured. It might be slightly larger.

10 We did, we did add the water taxis to it. The
11 dinner boats were always there, though. The, the sightseeing
12 tours were always there. We'll have more transient boaters
13 coming in to our, to our day docks.

14 I think, probably, the largest up-deck I've seen,
15 just anecdotally, in the District is the personal water
16 crafts. It's not the, sort of, regional transportation, it's
17 stand up paddle boards, canoes, kayaks, scuttles. There are
18 a lot of people getting out on the water.

19 You see it in Georgetown and the Potomac River.
20 You see it in the, in the Channel and that -- I mean, that'll
21 be a challenge for us, is just making sure that the small
22 personal water crafts are safe with the commercial traffic.
23 But, I -- we'll, we'll try to get a better response for you,
24 as far as regional numbers.

25 COMMISSIONER SHAPIRO: Great. And the, I guess,

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1 the short answer is, at this point, you are not planning any
2 excess capacity, dock capacity, for taxis services or ferry
3 service, at this point you're not?

4 MR. SEAMAN: No. At this point, no. We have two
5 slips for the water taxis and they cycle in and out into
6 those two slips, it's, you know, --

7 COMMISSIONER SHAPIRO: Thank you.

8 MR. SEAMAN: All right.

9 COMMISSIONER SHAPIRO: Thank you, Mr. Chair.

10 CHAIRMAN HOOD: Okay. I thank you, Misters
11 Zimmerman and Jesick, we had a very exhaustive discussion
12 about that whole thing. I remember that, and the first
13 thing, I think that's a great question we need to be visiting
14 and following up on what Commissioner Shapiro's asking.

15 Any other questions of Office of Planning, or
16 DDOT?

17 (No audible response.)

18 CHAIRMAN HOOD: Okay, let's see, does the
19 Applicant have any cross?

20 COMMISSIONER SHAPIRO: Mr. Chair, I'm sorry. So,
21 just related to solar panels. I think it was also Planning
22 had a similar question, and I'm curious as to whether you
23 were satisfied by that answer, as well, that, that it, in
24 part, is about the aesthetics for these two lower buildings
25 and that's why the solar panels aren't there? Do you have

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1 any objection to that, in response?

2 MR. JESICK: I think we're satisfied with that
3 response.

4 COMMISSIONER SHAPIRO: Thank you. Thank you, Mr.
5 Chair.

6 CHAIRMAN HOOD: All right. Let's go to the ANC,
7 do you have any cross?

8 (Off-microphone comments.)

9 CHAIRMAN HOOD: Office of Planning and DDOT --
10 okay. And I understand that the, the baby's parents would
11 not like to testify. So I want you all to know, this is
12 nothing against the Commission, because we're considering it.

13 But I do notice that the baby's very-well asleep,
14 so any time you can't go to sleep at night, just turn us on
15 and you'll go right to sleep.

16 (Laughter.)

17 MR. LITSKY: Thank you, Mr. Chair. To DDOT, Mr.
18 Zimmerman, I know we had conversations, and transferred
19 documents back and forth, over the course of the past several
20 weeks.

21 We had responded to the request to give input to
22 what we would like to see in the DDOT report, because that's
23 the way that we now do things, according to the new Zoning
24 Regs.

25 And so the Agency did ask for certain things to

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1 be addressed in the DDOT report and certain things were not
2 addressed in the DDOT report and what I'd like to do is to
3 see if we can get some information from you tonight, about
4 what DDOT feels about these areas.

5 One is about Uber and Lyft. I didn't see those
6 particularly addressed in the report and I'm curious if you
7 can tell me, whether you think that what has been provided
8 by the Applicant is sufficient?

9 MR. ZIMMERMAN: Yes, we feel that what the
10 Applicant has provided is sufficient. As you may have seen
11 in their presentation, earlier, there are areas onsite that
12 they have designated as a pair of drop-off areas.

13 And, in terms of pair of drop-off areas on Maine
14 Avenue, I mean, we're, we're constantly evaluated and
15 reorganizing on parking spaces and what their, their uses
16 are. And, I mean, we do envision having some spaces, at some
17 point, along Maine Avenue for pick-up/drop-off of Uber and
18 Lyft and taxis.

19 MR. LITSKY: And, again, as it had been discussed
20 by one of the Commissioners, I can't remember who, there was,
21 you know, concern about everything that's happening on Maine
22 Avenue.

23 I just want to know whether you are comfortable
24 with the way that Maine Avenue was now going to be handled
25 in Phase 2 and when the whole project is built out?

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1 MR. ZIMMERMAN: Yes, we are, in fact. We've been
2 observing how operations that have been happening over at
3 Wharf Phase 1, since that opened, and we have not observed
4 any issues with cars swerving on Maine Avenue, or blocking
5 other vehicles, or blocking lanes, or backing up in those
6 spaces that are currently out there. So as of right now, we
7 don't see any issues with the operating and don't envision
8 that at this moment with Wharf Phase 2. But we will, I mean,
9 in the coming years we'll be working with the development
10 team here on exactly what the best plan is for those spaces
11 along there.

12 MR. LITSKY: One of the other things that we had
13 asked about to be included in the plan, was more expansive
14 discussion and there wasn't a discussion, about the
15 Entertainment Cruise buses. Why wasn't that put in and,
16 what's your feeling about the plans that have been put
17 forward?

18 MR. ZIMMERMAN: Yes, we did not, specifically,
19 call that out in our report, because we had, we didn't think
20 that was an issue that it rose to the level of including it
21 in our report.

22 I mean, we've been working with the Applicant for
23 quite some time on a plan and what they show in the CTR
24 report is along the lines of what we were envisioning with
25 bus parking, for cruise ships, either, pick-up/drop-off, or

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1 parking, along Maine Avenue between 6th and 7th, you know,
2 we envisioned having some spaces designated for those
3 purposes, similar to what's shown in the CTR.

4 And then, related to that, given the concerns
5 about having buses along Water Street at 6th, the lower 6th
6 Street, and Maine, and Place, you know, that area, DDOT is
7 envisioning having bus restrictions on, when that becomes
8 public again.

9 So we, we would prefer, of course, that, as much
10 takes place on private property, as possible, but we have
11 been working with the Applicant on having spaces designated
12 on Maine Avenue for that purpose.

13 MR. LITSKY: Okay. Another thing that we had
14 asked about, specifically, from the ANC, was the
15 reintroduction of the Circulator. We've been told by your
16 previous director, and I think, Jeff Marootian, as well, the
17 present Director, and the Mayor that the Circulator is going
18 to be coming back to Southwest this spring.

19 So since it's now under DDOT's control and --
20 well, now he's not part of it, still, or are they, I don't
21 even know. Where do you see that the stops should be in, in
22 Lyft2?

23 MR. ZIMMERMAN: So currently, our circulator team
24 has recommended expanding the union station to Navy Yard
25 circulator line over to 7th Street.

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1 That's in the transit development plan for the
2 District of Columbia. And it's going through the public
3 process right now and early indications are that the
4 community has been supportive of it.

5 And assuming that they continue to be supportive
6 of it, in all likelihood, it will be extended, at some point,
7 next year over to, I believe, 7th Street is where a
8 circulator stop would be. So that's currently what our
9 thinking is on that.

10 MR. LITSKY: Okay. And that's, and that's, that's
11 fine. Again, and the larger question is, if, if ANC, as part
12 of the process that we have been asked to engage in, asks the
13 Department to inquire of an Applicant, or to make a statement
14 about certain issues that we feel are important, why doesn't
15 your Department address those things, especially, if you're
16 doing a report on a project this massive?

17 MR. ZIMMERMAN: Yes, I mean, we certainly could've
18 included it and we, you know, in retrospect, probably, should
19 have. But, you know, we did have discussions with the
20 Applicant about those issues behind the scenes and just in
21 the end, ultimately, didn't include it in our report.

22 MR. LITSKY: Okay. I have one other thing. I
23 have one other thing. We have had, over the course of the
24 past several months, discussions with members of DDOT, who
25 have suggested that, that in, in, in, in, in PUD

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1 negotiations, even though an ANC, or a community organization
2 and a developer might have certain agreements that they work
3 out, as a consequence of the PUD that pertain to
4 transportation that DDOT doesn't necessarily have to approve
5 of what's been put in final Zoning Order, because, almost
6 verbatim, Zoning handles the land and DDOT handles the
7 streets.

8 So at the risk of inciting a riot, in communities
9 across the city, who are negotiating with developers, and
10 coming to Zoning, I'd like to know whether they are
11 negotiating properly, or whether any of those things are just
12 going to be cast to the wind, once it comes forward. Is DDOT
13 supposed to be responsive to what is decided at a Zoning
14 Commission hearing on transportation?

15 MR. HENSON: Why don't I take that one. And
16 again, Jamie Henson, at DDOT. So there are separations, as
17 you've noted. The Zoning Commission and, from an agency
18 perspective, the Office of Planning, generally have purview
19 over the private space, and that's private from the DDOT
20 perspective.

21 So for example, parks, from a DDOT perspective,
22 are generally considered private space. DDOT has purview
23 over the public space. The private space is zoned. The
24 public space is not.

25 And so we've worked really hard over the years to

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1 try to, to work hand in hand with both our partners at the
2 Office of Planning, but also with the Zoning Commission to,
3 to try to define where we have purview and, and not step into
4 where they have purview.

5 And, generally, I would say that, over the years,
6 we've had a fair amount of success in that. But that being
7 said, DDOT does control the public space.

8 But I would also add that, you know, we listen
9 and, and, and value what the public says about that public
10 space and, specifically, how we control curbsides, because
11 that's really the question here, is how we control curbside.

12 So what we've done to include the public is, one,
13 have outreach. We've had lots of outreach in various forms.
14 But then next, we've gone to an approach that goes to a
15 notice of intent approach to announce the changes to curbside
16 management, so that folks know when it goes to ANCs there's
17 a process that which those changes come, so that we're able
18 to listen and hear and understand the public.

19 MR. LITSKY: Yes, and I, I, I think I understand
20 the process, the public process. But, but I'd, I'd like to
21 just take this one step further.

22 We have and other communities have spoken about
23 restricts to RPP, as a consequence of allowing development
24 to happen. We've done that, because OP and the process has
25 lowered the number of spaces that are necessary to build and

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1 buildings that are being constructed and are getting more
2 people moving into neighborhoods, so we feel like there ought
3 to be restrictions at some of these buildings.

4 Now, is there something that DDOT would similarly
5 not approve of? Because this has been going on for a number
6 of years and, so far, we've heard nothing from DDOT. I want
7 to make sure that that's something you consider closure?

8 MR. HENSON: So we've actually had a fair amount
9 of discussion over the years with the Zone Commission on this
10 topic, as well. This has come up a fair amount, is what
11 DDOT's role is and what the role of the Zoning Order is, is
12 on RPP.

13 Our understanding is that a Zoning Order can't
14 necessarily restrict RPP. That being said, in the Wharf, you
15 know, the Wharf is a development that's not really consistent
16 with being included in the RPP Program, right.

17 The Wharf is a commercial development that has
18 residences, but it's no, you know, from an RPP perspective,
19 it's no different than my neighborhood in H Street, where
20 there wouldn't be RPP, because it's commercial, even though
21 there's plenty of residential going, you know, and now
22 expanding almost the entirety of the quarter.

23 So I would argue that the Wharf development,
24 really, is inconsistent with the RPP Program. I, I can't
25 recall, off the top of my head, if it's in the RPP system,

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1 if those blocks are, I don't think they are, but I don't
2 image a situation where they would be allowed, because of the
3 type of development.

4 MR. LITSKY: And, again, when we do this, we talk
5 about blots that are not in the RPP system. So be clear that
6 that's how we put this into the PUD agreements.

7 So although we're going a little bit far field
8 from Wharf, if that is something that you're stating that,
9 if it's not in their RPP system that's something that would
10 not be a problem, then I will take that as --

11 MR. HENSON: I would say --

12 MR. LITSKY: -- it's very --

13 MR. HENSON: -- is it something we can't enforce,
14 right, it's not something on the RPP side that we can
15 enforce. There's been any number of developers who've come
16 and have worked towards private enforcement of that, and I
17 don't know what level of success that they've had over the
18 years with that, but that's not something that, that we could
19 enforce. We have control over the studies of RPP blocks that
20 are the input in the DMV database.

21 (Simultaneous speaking.)

22 MR. LITSKY: All right. Thank you. I appreciate
23 it. I, I have no more questions.

24 MR. HENSON: It is a complicating question and
25 just to be clear --

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1 MR. LITSKY: Yes, I know.

2 MR. HENSON: It's an incredibly complicated
3 question. I can't tell you how many times we've had this
4 conversation with the Zoning Commission over the years, too.

5 CHAIRMAN HOOD: Especially with RPP, we've had
6 that quite a bit. I'll leave my comments alone on RPP for
7 the night. Okay. Thank you. I have a few more. You can
8 hold your seat and I'll just ask, while other people come,
9 because we want to bring you right up. Mr. Neilley, for
10 Water Street -- I mean, not Water Street, 525 Water, do you
11 have any cross?

12 MR. NEILLEY: Yes, I do.

13 CHAIRMAN HOOD: You can come forward.

14 MR. NEILLEY: Do I need to state my name and
15 address, or are you satisfied?

16 CHAIRMAN HOOD: State your name and address and
17 your --

18 MS. SCHELLIN: Turn your mic on.

19 CHAIRMAN HOOD: -- who you represent.

20 MR. NEILLEY: Sure, my name is Brad Neilley. I'm
21 a homeowner at 525 Water Street, and I'm also the President
22 of the 525 Water Street Condo Association for the Board, for
23 the Board, itself.

24 So my question of DDOT, have you seen the current
25 staging area for the buses on Maine Street, where they're

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1 staged right now, not on the plan, but physically seen them?

2 MR. ZIMMERMAN: Are you referring to closer to
3 Water Street, or further down to Banneker Circle?

4 MR. NEILLEY: The, right, Water Street and Maine
5 Street.

6 MR. ZIMMERMAN: Yes, I mean, we've seen, seen
7 buses out in that area. Yes.

8 MR. NEILLEY: Okay. Are you, are you aware that
9 they park right on Maine Street, right at the intersection
10 of Maine and Water and it creates a blind spot coming out of
11 Water Street where you can't see down the street when you
12 pull out of Water Street?

13 MR. ZIMMERMAN: I was not aware of that.

14 MR. NEILLEY: Are you aware that -- you've seen
15 a current, the current plan for the drop-off and pick-up area
16 for the final product of Phase 2, when it's completed?

17 MR. ZIMMERMAN: Yes, we've seen those plans.

18 MR. NEILLEY: Okay. And does that keep the buses
19 where they are, or does that move them further towards Phase
20 1 on Maine Street? Because I've seen some contradicting
21 information that they're moving, either, further up close to
22 the St. Augustine's Church, or further back towards Phase 1.

23 MR. ZIMMERMAN: I can't 100 percent confirm that
24 for you, right now, but I -- my understanding of reading the
25 gross-related drawings that were in the transportation study

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1 is that, they look like they're a little bit further away
2 from the intersections than they are, currently, but I don't,
3 I can't tell you that 100 percent for sure.

4 MR. NEILLEY: Okay. I will ask that DDOT revisit,
5 both, the current, as well as the future state for the buses,
6 for the drop-off and the pick-up area, because I think it
7 does create a safety hazard, both, currently and in the
8 future state where they are proposed to be.

9 MR. ZIMMERMAN: Okay, we'll do that.

10 MR. NEILLEY: One other question. Will the future
11 plan keep the buses off of Water Street?

12 MR. ZIMMERMAN: Yes, yes they will. Are you
13 specifically referring to the cruise ships, the cruise ship
14 buses, or --

15 MR. NEILLEY: Any bus off of Water Street.

16 MR. ZIMMERMAN: Because as --

17 MR. NEILLEY: Going forward.

18 MR. ZIMMERMAN: Because as of right now, we have
19 bus restrictions along Water Street, so we do not envision
20 any buses using that. So --

21 MR. NEILLEY: So those restrictions will be
22 permanent?

23 MR. ZIMMERMAN: That, that is the intent. They
24 are, you can see all the bus and truck restrictions that DDOT
25 has and the website go, godcgo, there's a truck and bus map

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1 on there and it shows this street, along with M Place and 6th
2 Street, the lower part of 6th Street, as, as restricted for
3 buses, no buses allowed.

4 MR. NEILLEY: Okay. Thank you.

5 CHAIRMAN HOOD: Excuse me. Did you say your last
6 name was Neilley?

7 MR. NEILLEY: Neilley.

8 CHAIRMAN HOOD: Neilley.

9 MR. NEILLEY: Neilley, N-E-I-L-L-E-Y.

10 CHAIRMAN HOOD: Okay. I want to ask DDOT, did we,
11 I want to make sure that we memorialize it and finalize that
12 in some kind of amended report, some of the concerns he had,
13 and I want to make sure that gets done and doesn't get lost
14 just in conversation, okay?

15 (Off-microphone comments.)

16 CHAIRMAN HOOD: All right. All right. Thank you.
17 Let's go to Tiber Cooperative, Cooperative Homes. Okay.
18 Yes, Ms. Vanler. Ms. Vanler.

19 MS. VANLER: Vanler.

20 CHAIRMAN HOOD: Vanler, sorry.

21 MS. VANLER: Thank you. I guess my concerns are
22 going to be, to a large extent, mirror my neighbors'. We are
23 right across of 6th Street from 525 and we have had similar
24 history of dealing with tour buses, usually, you know, very
25 late at night, they make a lot of noise, and we're, we're

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1 quite pleased to see that these, the buses have now been
2 moved on, onto Maine Avenue.

3 I will say that one of our Board members,
4 actually, was struck by a car at the intersection there on,
5 at, at Maine and 6th. So in terms of visibility, obviously,
6 there remains some work to be done. We thought he was
7 showing up in a costume with a bandaged head, but it was, in
8 fact, an injury.

9 Also, I, I guess, my, my question to mirror all,
10 again, some of it what Commissioner Litsky has said, I'm a
11 little bit distressed by being told that we don't envision
12 this to be done by DOT in the future, we, we'd like to do
13 this, but we're not sure.

14 I, you know, my day job is with the EPA, where
15 I've worked for almost 30 years and I've heard a lot of
16 Departments of Transportation making promises over those
17 years, so I, I guess, I would like to see what kind of
18 assurance the neighborhood can have that some of these
19 improvements will, in fact, remain once the District takes
20 over control of the streets again?

21 (No audible response.)

22 MS. VANLER: So I guess my question is, what
23 assurance can we get, from DDOT, beyond this is not our
24 intention, trust us?

25 MR. HENSON: On, on the bus, on the bus

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1 restrictions, is that what your question is --

2 MS. VANLER: On the bus restrictions specifically.

3 MR. HENSON: Right. You know, I can't necessarily
4 give you anymore, anymore certainty, you know. I don't know
5 that there's any other mechanism that we can use, other than
6 saying that, you know, it's really clear that we don't want
7 that.

8 It's not public now, the private owner has
9 restricted it. We intend to do the same exact thing.
10 There's no intent. I know that, you know, I hear your, I
11 hear your concerned of, of wanting to know intent, but I
12 don't know that we have any other mechanism to say that we've
13 taken that off, we've prohibited it and we don't intend to
14 do, we don't intend to change it.

15 MS. VANLER: If you could just help me, because
16 I'm a bit of a neophyte in some of the terminology, what is
17 an RPP?

18 MR. HENSON: Residential Parking Permit or
19 Program.

20 MS. VANLER: Okay. That's helpful. So I guess,
21 for the future, if we wanted to intervene in this process to
22 maintain these restrictions, we would need to be
23 participating in the Residential Parking Permit Program
24 hearings, process, whatever that may be?

25 MR. ZIMMERMAN: Well, I mean, that depends on

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1 exactly what street you're referring to. If it's a private
2 street, then the RPP Program is not applicable.

3 MS. VANLER: Well, once it becomes public again,
4 I think that's the concern here.

5 MR. ZIMMERMAN: Well, I can tell you, as Jamie
6 said, you know, we envision this to stay with bus
7 restrictions. And I think the thing that's most important
8 is, this is a connector, a major bike path connection in the
9 Anacostia River Walk Trail, and the road is fairly narrow
10 through there on Water Street. And so this is an important
11 connection in that trail. So, if anything, we want this to
12 be more bike and pedestrian friendly than automobile and bus
13 focus.

14 MS. VANLER: Okay. So, I go find the bikers and
15 go with them to storm the DDOT offices.

16 (Laughter.)

17 MS. VANLER: Thank you. That's helpful.

18 CHAIRMAN HOOD: Okay.

19 MS. VANLER: I'm sorry, it's on.

20 CHAIRMAN HOOD: Okay. Thank you very much. Okay,
21 let's go to parties in opposition, Gangplank.

22 (Off-microphone comments.)

23 CHAIRMAN HOOD: You don't have any, okay. And
24 then, Tiber Condominiums, do you have cross?

25 (Off-microphone comments.)

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1 CHAIRMAN HOOD: Okay. All right. All right,
2 good. Okay, Chairman Litsky, let's hear your testimony.

3 MR. LITSKY: Okay. Thank you, Mr. Chair. My name
4 is Andy Litsky. I lived in Southwest on the waterfront for
5 40 years. For the past 19, I've represented this single-
6 member district, all of the parties that have spoken both pro
7 and con, thus far. I live in my single-member district. And
8 the entire Wharf project is in my single-member district.

9 Once again, I want to remind you that this ANC has
10 historically supported the redevelopment of our Southwest
11 waterfront, in one form or another, over the course of, going
12 back decades.

13 Indeed, some of you may recall the, we spent our
14 summer vacation together in 2012 discussing the Wharf and I
15 hope that we will wind up not having to spend that much time,
16 this is, over the course of the next three hearings.

17 Before we dive into the ANC's testimony, I'd like
18 to state the obvious. The Wharf is pretty damn spectacular.
19 Let me just get that out of the way. It has blown me away,
20 and has blown away many of the residents who live in
21 Southwest. It's clearly a game changer that virtually all
22 of us have been looking for in the neighborhood for a very
23 long time.

24 It's success is a testament to the developer, to
25 the development team, to city agencies, who have participated

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1 in this, to the Zoning Commission, who's worked long and hard
2 on this plan.

3 And, certainly, thousands, because there have been
4 thousands of Southwest residents, who have participated in
5 various events and public meetings over the course of ten
6 years. And so what opened up on October 12th is a game
7 changer for us. It's a game changer. It's extraordinary.

8 Additionally, I just wanted to point out to you
9 and I want to convey the message -- I wanted her to do this
10 directly, but she hasn't thus far. We had a resident of
11 Tiber Condos, who five years ago, Leslie Randolph, was in
12 opposition to the 525 Building, serious opposition.

13 I was walking down on the Wharf, the second night
14 I was down there and I saw Leslie Randolph walking her dog.
15 And I said, Leslie. I mean, I mean, she was against --
16 Leslie, what do you think?

17 And she had stardust in her eyes. And she
18 literally started to tear up. And she gave me a big hug and
19 she said, please, please, apologize to Monty Hoffman for me.

20 (Laughter.)

21 MR. LITSKY: So I just want to make sure what you
22 hear that.

23 (Laughter.)

24 COMMISSIONER SHAPIRO: I think he took notes.

25 (Laughter.)

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1 MR. LITSKY: And, anyway, this is, this is really
2 the first portion of this development and it certainly has
3 marked along it, when Southwest came into its own, as the
4 most exciting neighborhood on the entire East Coast.

5 And considering that the other half of our ANC has
6 been named by Money Magazine, as one of the top ten
7 communities in the country, we've got the most exciting, we
8 got the most exciting ANC, clearly, in our, in the world.

9 So I imagine that, that, that this Commission
10 found it perplexing that a regularly scheduled meeting that
11 we held about two weeks ago that ANC voted to oppose the
12 application for the reasons we provided in our Zoning Report.

13 The Commissioners had also interested the
14 negotiation team comprised of Commissioner, Commissioners Ron
15 Collins, Gail Fast, who's here this evening, and myself, to
16 continue to meet with the Applicant to address, as to any
17 concerns, which we have done.

18 We were further authorized by ANC 6D in that
19 recorded vote, to alter the recommendation of our committee,
20 of our commission, should we find that, during the process
21 that we met with the Applicant and various government
22 departments, namely, DDOT and DMPED, that they were
23 responsive to our concerns.

24 So over the course of the past month-and-a-half
25 the negotiating team with the Applicant five times. I met

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1 with him four hours over the past week alone.

2 During those meetings we addressed in great detail
3 a list of items that we insisted required more wholesome
4 answers, before we can embrace second phase. ANC 6D is
5 always hopeful with continued and constructive engagement
6 that, that, that you can win the day, and so it was here.

7 So two ago we arrived at a point where, I believe,
8 we can probably say that ANC 6D has a much greater level of
9 comfort with the majority of the answers we have sought and
10 that therefore, our negotiating team now can commence
11 supporting this project.

12 As we counseled in the first phase hearings, and
13 what remains a challenge in this project, is its scope. You
14 know, how do we wind up addressing this so that, with full
15 assurance, so that what we're talking about, at any one
16 particular time, everybody's on the same page.

17 And we had that problem five years ago, I expect
18 we'll have it over the course of the next of the hearings.
19 And especially because negotiations may be ongoing with
20 several of the parties, still. So it behooves us to ensure
21 that we're all on the same page, as this process moves
22 forward.

23 And I do wish to apologize for the Commission and
24 to Applicant, some of what, normally, would have been in our
25 ANC report, will, by necessity, have to be addressed tonight

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1 in testimony, or testimony over the course of the next two
2 nights, or we'll have to clarify them in cross.

3 As OP found, there's a lot on the plate. The
4 Applicant came with a retinue of, of, of people, I came with
5 Commissioner Fast and myself, so there are only two of us to
6 doing this tonight.

7 I say, on behalf of the negotiating committee, but
8 also the SMG Commission, representing the residential
9 waterfront that, I have also met with the representatives of
10 adjacent residential complexes, Tiber Island Condominium,
11 Tiber Island Cooperative, 525 Water Street, the Gangplank
12 Slipholders Association, representing the residents of the
13 marina, who will be most directly impacted, as a result of
14 this proceeding.

15 Each of them had rightly put forth party status
16 and obtained it. I want to put on record that the ANC's
17 embrace of this project is not meant to diminish in any way
18 the importance of any of the outstanding items that these
19 individual parties may bring to the table that they feel have
20 not been properly resolved to their satisfaction.

21 Yes, there's additional work to do, between the
22 Wharf and some of the parties. I also look forward with
23 greater level of specificity what those remaining issues are
24 and how they may still be resolved.

25 It's the ANC's hope that, during the course of

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1 these three hearings, perhaps, a little bit longer that
2 solutions would present themselves.

3 In particular, I want to encourage the
4 Commissioners to pay close attention to the concerns of the
5 Gangplank Slipholders Association. They are the largest
6 community of live-aboard residents on the East Coast of the
7 United States. You can't have a waterfront neighborhood
8 without waterfront neighbors and that's what they've been for
9 50 years.

10 The residents of the Gangplank Marina have a
11 special place in the hearts of the people of Southwest and
12 in their city. They are the virtual symbol of our very
13 diverse neighborhood. And remember, they started out as an
14 affordable community. That's why people are living on boats.

15 They are, as some have characterized them, our
16 Pandas. This ANC wants to ensure that, as Wharf 2 proceeds
17 that we don't remove too much of their bamboo.

18 We ask the members of this Commission to direct
19 the Applicants to continue to work with GPSA leadership and
20 the ANC to direct and address their major concerns, so that
21 they're simply not pressed out of existence. And I know that
22 that is a concern that they hold, significantly.

23 This intrepid band of live-aboards, still feel in
24 danger. The ANC embraced first phase with the strict
25 assurance that we will be maintaining a sustainable community

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1 through our construction and beyond the post-construction
2 error.

3 As we proceed with the development of this
4 enormous project, this ANC insists that we hold fast to the
5 honorable insurances that we have made, were given five years
6 ago.

7 And in particular, ANC wants to be sure that the
8 Wharf and GPSA will work toward an agreement in a timely
9 fashion and there will be no backtracking on commitments
10 previously made to that community, or as negotiations move
11 forward, you can't move forward and then move back into
12 forward motion.

13 So I look forward to hearing what GPA says in
14 their testimony, GPSA says in their testimony, in much
15 greater detail, they'll be able to deliver than I could ever
16 hope to convey to you now.

17 Let me continue to bring this Commission up to
18 date on one of the major aspects of this commission, on this
19 project, about which we've been concerned for more than a
20 decade, on virtually all of the areas that have come before
21 you and that's transportation.

22 Our ANC didn't receive a whole lot of, of guidance
23 from DDOT on the issues where they were of most concern to
24 us, as I stated, on the buses on Maine Avenue, on the Lyft,
25 on the Circulator, even though we specifically asked to

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1 address them in their report on this matter.

2 So the ANC, you know, feels, felt the need to
3 address these issues of the Applicant lacking any
4 professional guidance. I hope we got it right.

5 But, I mean, I've also got to tell you, since we
6 now have a process in Zoning where we are expected to go to
7 OP, to go to, to go to Transportation, to DDOT, to ask them
8 to include certain things in reports and it would be nice if
9 they did. Because, if we're asking for guidance, we'd like
10 to have that guidance provided and, right now, we have not
11 had it provided. So again, I just hope we got it right.

12 On the bus management drop-off and loading for
13 Entertainment Cruises on Maine, our neighborhood's primary
14 concern regards the curbside management plan advanced by the
15 Applicant for motor coach operations along Maine Avenue
16 serving Entertainment Cruises.

17 Entertainment Cruises has demonstrated on normal
18 nights they can do adequate management. If it's during, if
19 it's during evening cruises, during March through, through
20 July, you can't even bar the door.

21 Sixteen buses get lined up, some are picking up,
22 some are discharging. It's been nothing but a hot mess and
23 we have to make sure that that's fixed.

24 Addressing the interim condition when some of
25 these spots are next to big holes in the ground won't be a

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1 simple task. I know we've got a plan, I want to make sure
2 that plan's going to work.

3 If Maine Avenue continues to be a challenge and
4 I hope it won't, it's up to the Wharf to meet that challenge,
5 and DDOT, of course, since it's in the public realm.

6 But what DDOT's buying is on the plan, that the
7 Applicant has put forward, we have not a whole bunch of idea,
8 because we haven't been told.

9 One thing for certain, you know, once second phase
10 built out, the traffic's going to be a heck of a lot greater
11 than it is now. And we would appreciate DDOT understanding
12 that.

13 In our discussions with the Applicant, the ANC
14 made clear that the Entertainment's cruise bus situation has
15 to be made better. We have to have more confidence in the
16 way that that's going to be handled and they have to advance
17 a plan that's going to provide an opportunity to work itself
18 out.

19 Again, this is something that's in process, we
20 recognize that. I think the neighborhood recognizes that.
21 But, there's certain constants. I mean, if there's
22 constantly going to be 16 buses every evening, or most every
23 evening, from March through July, on both sides of Maine
24 Avenue that's a challenge.

25 I think we have to recognize that that's a

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1 challenge. And frankly that's something that DDOT ought to
2 be addressing. At least, if ANC asks them to and we haven't
3 heard from them.

4 So we also want to make sure that the streets can
5 accommodate -- we also want to make sure that, if this plan
6 doesn't work, that there's a bad stop, and so I just want to
7 make sure that DDOT and OP are acknowledging that that may
8 occur at some point.

9 So as we are putting it in Phase 2, if we have to
10 make amendments, because the public realm is not working, we
11 may have to make amendments. So I'm just putting that out
12 there.

13 I don't suggest that we do, because frankly I
14 think Phase 2 is spectacular. Our neighborhood has been
15 wowed, by several presentations that the developers have
16 made, one at a arena stage, which was SRO, standing room
17 only, we had more than 300 people in the library to see the,
18 the, the, the development plans and everybody was blown away.

19 And these are some gorgeous buildings and we want
20 to make sure that, and, and public spaces, we want to make
21 sure that that's going to continue to work.

22 We don't encourage the buses to be moved onsite,
23 but we just want to make sure that, if that's an option, we
24 just have to make sure that this bike thing is going to work.
25 And it's up to DDOT, it's up to Entertainment Cruises and

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1 it's certainly in the interest of the Wharf and Wharf
2 management, to make sure that this thing works absolutely the
3 way that they claim it's going to work, because, otherwise,
4 it's going to be a challenge. A problem.

5 On the preservation of the waterfront parks on
6 adjacent streets remaining bus-free. Well, the reason why
7 Paula Vanler was asking questions about this is because, I
8 think there is concern that when DDOT says, well, it's our
9 intention, we know what that means, or we feel that we know
10 what that means, and we don't want to have to have anybody's
11 intention, we want some certitude.

12 And so toward that end, the ANC had requested of
13 the developer, early on, what do we do to preserve that space
14 around Waterfront Park, 6th Street, M Place, and 6th Street
15 south of M, M Place and waterfront, Waters, Water Street, to
16 be continuing no bus zones, because that's what was agreed
17 to on the first PUD.

18 I guess, we haven't totally recognized that this,
19 that this property was going to be turned back to the
20 District in such a quick fashion. Frankly, I thought it was
21 going to be turned back after 99 years, I was wrong.

22 And so when I realized that I said, oh my God, you
23 know, now it's going to be back at the District, DDOT's in
24 control of it, this is an easy out, if, if the buses don't
25 work on Maine Avenue, I thought, that's not going to happen.

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1 Not going to happen.

2 So we went to the Wharf and we asked them to put
3 in a new covenant in the reconveyance documents and there was
4 some discussion about that, in any case, they have agreed to
5 do that and I'm pleased that they've agreed to do that.

6 I spoke, also, with the General Counsel with DMPED
7 today, she had told me that, indeed, the DMPED is in
8 agreement about this and they will allow that to go forward,
9 and, and so that'll happen.

10 On a separate course, entirely, we had also asked
11 Counsel Member Allen to introduce special legislation and to
12 continue -- you got your three separate bills, when you pass
13 special legislation, to make sure that we were covered, if
14 that prohibition was not going to be appended to the
15 reconveyance documents, we wanted to make sure that we're
16 covered six ways from Sunday.

17 In any case, he is introducing legislation. It
18 has gone to the Chairman to put on the agenda on the 7th of
19 November, and so special legislation specifically and talk
20 about those streets an emergency and final bill will, will
21 begin to be addressed on, on the 7th of November.

22 So we, at this point, we feel pretty confident
23 that that's going to be taken care of and that no longer will
24 our neighborhood have to feel as though the neighborhood park
25 that have been given to us, as a community amenity, will be

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1 in danger by buses, again, circling the park.

2 I, I, I, I, I could move ahead a whole bunch. On
3 Uber and Lyft, when the Zoning Commission held hearings, you
4 know, 12, in 2012, Uber had been in operation in the District
5 for a little over six months. Nobody had an inkling that
6 such services would upend town car services, the taxis
7 industry in major cities across the country and, and, and
8 really didn't recognize that these ride share services were,
9 you know, going to be what they are today.

10 We certainly didn't realize that they were going
11 to be even more important to us when Metro closes at 11:30
12 p.m. at night. These things are critical and we have to
13 acknowledge that they're critical, any place where we're
14 doing projects of this size in the city.

15 So this is a task in progress. You know, we've
16 got our, our 6,000 standing room venue, which is pretty
17 terrific. If you haven't gone, you got to go. Commissioner
18 Vanler's daughter's been there. I've been there and it's
19 pretty swell. It's pretty swell, trust me.

20 But, again, when you have 6,000 people out on the
21 street and Metro's close to closing, it's an interesting
22 proposition.

23 And Uber and Lyft are making business. It's good
24 and they're moving people in and out of the site, but it's
25 a work in progress.

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1 And Phase 2 isn't built yet, so the ANC was
2 concerned that, with second phase plan giving no guidance as
3 to how the Wharf was specifically to accommodate Uber and
4 taxis that we asked the Wharf to place four Uber pick-up
5 sites, within the property, which indeed they've done.

6 Absence strict rules and regulations with this
7 administration seems to, seems local development in Southwest
8 neighborhood residential blocks have been at risk, as I
9 stated before, and that was a question that I'd asked to, to
10 Rob Schiesel.

11 We have seen that folks, who are leaving the Wharf
12 and, as expected, at least more frequently, they will hail,
13 or tell the Uber drivers to meet them in the neighborhood
14 where it's more easily, more easy for them to park and more
15 easy for them to find their car when they show up.

16 Because we're dealing with a very congested space
17 on Maine Avenue, which is, it's going to be difficult to
18 handle it, so I would like to see a better plan advanced of
19 how Uber's actually going to work, recognizing that, even
20 Uber, which is very lightly regulated in the city, you know,
21 does what they want to do. That's just the way that it
22 works.

23 They, there's no car commission for Uber here, so
24 we're -- this is a process for everybody and it's not easy.
25 And, frankly, I'm not ready to wait for a nightlife Mayor to

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1 fix it. We need to figure out how this is going to be dealt
2 with in the city.

3 Again, so, so I'm happy that we were able to
4 suggest to the Applicant that they include four spaces on
5 their site for Uber.

6 On the return of the Circulator, again, it would
7 be nice if we could finally get, from DDOT, some answer to
8 where the Circulator's going to be running in our
9 neighborhood and, specifically, where it's going to be
10 running on the Wharf, so that the neighbors who have been
11 there for a long time and had been promised this to come back
12 for more than five years can finally get some assurance where
13 these stops are going to be. It's just, this is absolutely
14 critical.

15 We would like to know, particularly, as it comes
16 to Phase 2, where the stop is going to be in Phase 2, not
17 just on 7th Street, Phase 2 was a lot longer than that.

18 The Construction Management Plan we'd asked for
19 was provided to us. We didn't have one at the beginning of
20 the process. After sitting with the Wharf and negotiating
21 with them, we now have a construction management plan, as
22 part of this PUD.

23 There are a lot of moving pieces. We understand
24 that the contract's contractors need to be hired, through
25 them, subs, but where the ANC voted to oppose Phase 2, we

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1 didn't have a construction plan and now we do.

2 We've clarified how trucks move in and out of the
3 space. This is critical. I can't tell you how many dump
4 trucks and cements trucks we had on Maine Avenue and into the
5 neighborhood, during first phase. So now, we will no longer
6 have dump trucks, or construction, cement trucks going down
7 7th Street in front of the, the middle school and in front
8 of the elementary school and on residential blocks.

9 On I Street, they will be banned during, during,
10 during cement pours and during excavation. And that's an
11 important gain for us in the neighborhood.

12 On vector control, vector control is a problem
13 along the city and it can be even more of a problem at the
14 Wharf, because it's by the water. These new rats are large,
15 they are brazen.

16 And because, the construction is going to be
17 taking place in Phase 2, closer to residential property than
18 it had been before, we're particularly attuned to the need
19 to ensure that we are upping the vector control program that
20 could be put in place and we would significantly urge you to
21 make the most of it, because we don't want to be having to
22 dodge rats for the next three years.

23 Construction worker parking, DPW enforcement.
24 Again, we addressed a little bit with that before, when we
25 spoke about construction worker parking. The Wharf has to

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1 be attuned to the notion that, yes, there are still
2 construction workers that park in the neighborhood.

3 We see West Virginia plates, we see Pennsylvania
4 plates, so we know that. These people are not, you know,
5 they're there on a regular basis. Now they're towed, but,
6 and they're ticketed, but that has been a long time in
7 coming.

8 And I also wanted to say that we continue to
9 address DPW with bi-weekly meetings over the past three
10 months, to make sure that October 12th opened up properly.
11 But our district government has to step up the enforcement
12 in and around Southwest. We're ground zero.

13 And, right now, DPW, you know, I think is the only
14 District department that doesn't work on Sunday. They're
15 closed for business. That means that anybody, who goes down
16 to the waterfront, or any other place in this city, they park
17 with impunity and they do. And they do.

18 This is a problem. This is a problem we've
19 addressed with the Mayor. This is a problem we've addressed
20 with the Director, and so that's something that's got to be
21 addressed.

22 But, frankly, we don't want to have to be closed
23 in on Sunday. It's not just parking, it's looking for
24 parking. We've got very narrow streets in Southwest and, as
25 these folks go cruising around looking for spots, they make

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1 it impossible for them to get, for us to get in and out of
2 out of our, our one-way streets and our streets that are cul-
3 de-sacs that provide our only in and out for the entire large
4 complexes.

5 The bosque. ANC had asked for a more clearly
6 articulated plan when Building 10 bosque. I was pleased to
7 see some of that this evening. But we also wanted to submit
8 that the Waterfront Park is a community amenity, and that's
9 something I want to enforce with, with, with the
10 Commissioners.

11 The Waterfront Park is an amenity. Part of the
12 Waterfront Park, includes the area where the bosque is, and
13 we want to be ensured that, number one, the restaurant that
14 may be located over there in Building 10 facing, facing the
15 park is not going to be a grab and go kind of restaurant,
16 because we're not encouraging people to grab their lunch and
17 go sit and eat in the park.

18 But Terrace Park, it is, I believe, part of
19 Waterfront Park. Waterfront Park was specifically provided
20 as a community amenity by the Applicant, as a consequence at
21 first phase PUD.

22 Consequently, Waterfront Park ought to be
23 restricting prohibited from commercial use that removes any
24 portion of that amenity from public use and enjoyment.

25 At this time, the ANC does not support the notion

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1 that the Terrace should be used for special events, let alone
2 events that include music, even unamplified music, at any
3 time.

4 We strenuously object to the hours that the
5 Applicant has proposed for those use. Further, we believe
6 that this, that should those issues be granted by the
7 Commission that the question hours and occupancy and music,
8 amplified, or otherwise, probably, falls under the ABC, since
9 undoubtedly, alcohol's going to served and they're the ones
10 that handle that issue. It doesn't deserve to be in a Zoning
11 Commission proceeding.

12 These issues will be dealt with at a time, by that
13 specific ABC Applicant, as per our usual ANC procedures and
14 the Applicant well-knows they're in place.

15 Special needs access. We -- it, it had been, it
16 had been asked by Mr. Neilley, about buses on Waterfront Park
17 and buses going over to, going over to the Entertainment
18 Cruises.

19 There, there, there's a restriction on larger
20 buses, but the legislation that is currently before the
21 Counsel, have the agreement that we have with the Applicant
22 and with Entertainment Cruises, it is that smaller buses
23 that, that carry seniors that carry the disabled community,
24 and smaller kind of chitlins that will pick up folks, who are
25 not able to, to traverse from where the bus drops them off

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1 on Maine Avenue to Entertainment Cruises, there are going to
2 be non, non, electric vehicles that will transport them back
3 and forth, so those buses will be allowed on the property and
4 the ANC is in complete agreement that they should be allowed.

5 But the large buses, as, as, is, is contained
6 under the, the, the definition of what an actual bus is, in
7 the District of Columbia, I think, is, is less than 25 seats,
8 so that's what we're talking about. And we, we, we're
9 concerned about the big buses.

10 Public restrooms. It's already been spoken about
11 that the, that we had asked, the agency, had asked for more
12 restrooms to be put onsite and we had, specifically,
13 requested that they be put on the, the, the, the western part
14 of Building 10, which is where they were placed at, they,
15 there are three public restrooms there.

16 Again, this, this solves a portion of the larger
17 problem, the distinct proximity of private restrooms on the
18 larger site and we hope that, that this will be addressed
19 going forward, by the Applicant.

20 For non-profit boating. ANC wanted to make sure
21 that we had some assurance that the non-profit boating
22 associations will be fully incorporated into second phase,
23 and they will.

24 The Applicant provided us with the assurance with
25 a chart that shows location and dockage, but out of context,

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1 we don't really know what's being provided and how. There's
2 nothing specifically that names the existing non-profit
3 users. Dragon Boats, D.C. Sail, Carefree Boat Club, who may,
4 or may not, be a part of that process going forward, nor what
5 percentage of the 14, the 415 feet of dockage will be
6 provided for non-profit versus for-profit, canoe, kayak, and
7 paddle board rental.

8 We are pleased the Applicant has stated that D.C.
9 Sail will -- we hope D.C. Sail relocate to the yards. We
10 hope D.C. Sail will be able to come back, but we would
11 request specifically that the Applicant put in documentation
12 that we will be able to have their larger schooner
13 permanently at the Wharf, during construction of Phase 2 and
14 have a permanent dock after completion.

15 On pedestrian and family pavers. We have received
16 a number of complaints about the pavers in Phase 1. They
17 hurt your feet. They hurt your feet. Not all the pavers,
18 but the pavers in the middle of the street that's supposed
19 to be used by autos. Remember, this 60 feet promenade is
20 kind of, used by everybody. And that's fine, I think we've
21 grown used to that.

22 Unfortunately, when we wind up having restaurants
23 on one side and then other restaurants and kiosks, an
24 extension of restaurants, on the side of, on the water side,
25 pedestrians are forced to walk in the middle and it's not an

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1 easy trick.

2 I, I, I, the placement of these unanticipated
3 restaurant seats, along the seawall, require baby carriages
4 and walkers and wheelchairs to use the space that had
5 otherwise been designed to slow down vehicles.

6 The experience, as I have observed for us, first-
7 hand, and some of the people have observed here, first-hand,
8 is teeth-chattering. It isn't easy. We would have been
9 assured that the Applicant plans had more flat pavers in
10 second phase, we would still like to see those samples and,
11 perhaps, we'll see them in the coming, coming hearings.

12 The electric car charging stations. We had asked
13 for car charging stations the first phase, I think we got one
14 or two, we asked for ten in this phase, and we're happy that
15 they were provided in, in the, in the parking area.

16 And in terms of illuminated signage, I am glad
17 that Commissioner May brought up illuminated signage. This
18 is something I thought that we had agreed on in first phase.

19 We had extensive discussions about the lighting
20 and illumination on the entire first phase and, the subtlety
21 of it and the blue lights and I, I, you know, and, and the,
22 the -- I remember, distinctly, a discussion about the, the
23 sign on the Intercontinental Hotel and how big it was going
24 to be, and, and, and, and what, you know, how bright it was
25 going to be.

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1 And then, we wind up having the marquee lights at,
2 at, at, at, at, Anthem, and I think that that is, is,
3 follows, it doesn't follow the plan and it doesn't follow the
4 agreement that we had all embraced in first phase.

5 And so I bring that up, because I also want the,
6 the, the Commissioners to understand that, in all these
7 projects when we wind up making agreements with, with
8 developers, and these are good developers, you know, the
9 follow-up, sometimes, all that stuff doesn't come to pass and
10 sometimes the community's just got to say, what are you going
11 to do next, you going to go over there and build them, it's
12 built. What do you do? What, are you going to fine them?
13 We're not.

14 We're depending upon the honesty and, and, and the
15 professionalism of these people that come before us and come
16 before you, to uphold their end in all of these cases. And
17 I'm not just saying that, that the sign in any way diminishes
18 the, the, the quality of, of, of these developers, or the
19 project, itself, but this is something that we all have to
20 acknowledge going forward.

21 I mean, we're doing this with the assumption that,
22 that what you agreed to and what we agreed to and what, not
23 just this Applicant agrees to, it's going to be carried
24 through and sometimes it's not.

25 And, and so I just think that everybody has to put

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1 that on the table, too, because there is no alternative in
2 this city, if a developer doesn't really listen to what it
3 is that you put in a Final Zoning Order, it just happens and,
4 and that's a concern.

5 So one of the things I did want to bring up, you
6 had asked about, who oversees the waterside, I can give you
7 a little bit of that. Right now, yes, nobody.

8 Currently, the only District entity that oversees,
9 District entity that, that oversees any portion of the
10 waterside, would be MPD, because of, because of, because
11 they, they, they run the boats and so therefore, it is,
12 because it's nowhere else, under Charles Allen's Committee
13 at the Judiciary.

14 Currently, he is developing legislation, at our
15 request, the ANC has asked for this, the Southwest Neighbor
16 Assembly has asked for this, Jason Cock, who I think is going
17 to be testifying later, has headed, for more than a year, a
18 group of people that are interested in waterfront
19 development, to, to urge the city to develop a waterfront
20 commission to deal with a lot of these issues that currently
21 are simply not dealt with.

22 Everybody goes, well I don't know who does that,
23 it's like, we're Washington, we have to know who does that.
24 And so I'm glad to tell you that, there's legislation that's
25 currently in place. So with that, I'm finishing my testimony

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1 and I'll, I'll await questions, if you have them. Thank you.

2 CHAIRMAN HOOD: Great. Thank you, Chairman
3 Litsky. And thank you for the very detailed report and it
4 shows that you and your party, we know it, but I'm going to
5 say it again, all the work that you and the ANC and your
6 Commissioners do out there, especially with all the
7 development you all have had to tackle and deal with, you
8 know, we appreciate all the time that you put into this.

9 This is similar to a full-time job, believe me.
10 I, I, I can see it and I can see it in your submissions, so
11 thank you. Let's see if we have any questions, or comments
12 of Chairman Litsky.

13 VICE CHAIR MILLER: I would just add to your
14 remark. Thank you for your --

15 MR. LITSKY: Thank you.

16 VICE CHAIR MILLER: Thank you for all your hard
17 work.

18 CHAIRMAN HOOD: Okay. Do we have any cross, Mr.
19 Glasgow?

20 (Off-microphone comments.)

21 CHAIRMAN HOOD: Okay, let's go down my list here,
22 525 Water, any cross?

23 (Off-microphone comments.)

24 CHAIRMAN HOOD: Okay. Tiber Cooperative Homes,
25 any cross?

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1 MS. VANLER: No, sir.

2 CHAIRMAN HOOD: Gangplank -- thank you. Any
3 cross? This must be late.

4 (Off-microphone comments.)

5 CHAIRMAN HOOD: And Tiber Condominiums, any cross?

6 (Off-microphone comments.)

7 CHAIRMAN HOOD: Okay. Thank you very much, we
8 appreciate it. Okay, now we'll go to the two parties --
9 let's have both parties come up, at the same time, with any
10 support, if you don't mind. Ms. Vanler, our fellow EPA,
11 okay.

12 I guess, I may see you, now that I know you, maybe
13 I'll see you around the building sometime. And also, Mr.
14 Neilley. So would start with you, Ms. Vanler.

15 MS. VANLER: Oh, okay. My name is Paula Vanler
16 and I'm the President of Tiber Island Cooperative Homes. We
17 are a historic complex of 390 units at the southeast end of
18 the project.

19 We're located between M and N and 6th and 4th
20 Street Southwest. The complex was built in the 1960s and the
21 Cooperative was formed in 1980.

22 And I, I would like to, first of all, say that we
23 are delighted that the long, as that the long-awaited, long-
24 awaited development of, of the southwest waterfront is, is
25 finally happening. As I said, I've lived in the neighborhood

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1 for 23 years, so it's been a long wait.

2 We are particularly pleased by the high quality
3 of the design and construction of Phase 1 of the Wharf. I've
4 already expressed our concern with the bus issue.

5 What I want to say on the positive side is that
6 the current practice of diverting the buses away from 6th and
7 Water Street is a significant help, improvement of the
8 situation in the past.

9 We had, you know, late every summer night, you'd
10 have a dozen buses that are snorting and puffing under our
11 windows and you know, my earlier beating about, meeting with
12 the DOT representatives about the head and shoulders, was
13 just to make sure that we don't go back to those bad old
14 days, or worse, because, you know, we know there's going to
15 be a lot more attractions now, you know, once Phase 2 is
16 completed.

17 Again, also, as I indicated earlier, there's been
18 some pretty wacky driving out there and I think that's
19 probably inevitable, as people get used to the, the new
20 situation and new stuff. We have new people coming into the
21 neighborhood.

22 But, you know, I really urge us all to take
23 traffic safety fairly seriously, I don't want to lose any of
24 my directors entirely. So that, that's just, I think, in the
25 implementation of the pick-up that's, that's, perhaps,

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1 inevitable.

2 I would also like to express our appreciation for
3 our lovely new park, which isn't just adjacent, it's across
4 the sidewalk from our great lawn.

5 It's a gem. And it has improved the views from
6 the west side of our property. Our residents are using it
7 and, again, as Chairman Litsky said, you know, we'll be
8 looking at the implementation of, during Phase 2 to, you
9 know, make sure that the connections and the transitions
10 between the park and the rest of Phase 2 really, you know,
11 contribute to that amenity, that neighborhood amenity.

12 And I think that we also feel that there are
13 enough entertainment venues down there on the Wharf that
14 we're looking at in Phase 1 and Phase 2, and I think that we
15 would not want to see the Waterfront Park become another,
16 another entertainment for you.

17 So with that, I would just like to say, thank you,
18 to the Commission, for the opportunity to speak to you and,
19 particularly, for your recognition of Tiber Island
20 Cooperative Homes, as a party.

21 CHAIRMAN HOOD: Great. Thank you. You can have
22 a seat, Mr. Neilley.

23 MR. NEILLEY: Yes, again, for the record, my name
24 is Brad Neilley from 525 Water Street, which is the
25 condominium building in Parcel 11, right next to Parcel 10

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1 that is just about fully occupied.

2 We did see the documents on the website with
3 exhibits, I just want to confirm those were received, because
4 I have additional copies, if they, for some reason, wasn't
5 received.

6 (Off-microphone comments.)

7 MR. NEILLEY: Because I'll be referring to some
8 of the exhibits in there.

9 CHAIRMAN HOOD: Yes, give us a minute to pull them
10 up, since you want to refer to them.

11 MR. NEILLEY: I also have paper copies, if that's
12 easier.

13 CHAIRMAN HOOD: We're trying to go electronic.

14 MR. NEILLEY: Okay.

15 CHAIRMAN HOOD: We're trying.

16 MR. NEILLEY: I just, I came prepared.

17 CHAIRMAN HOOD: All right. Thank you, though.
18 Okay, we're ready.

19 MR. NEILLEY: Okay. First of all, I just want to
20 thank the Zoning Commission for the opportunity to speak here
21 today. I also want to thank PN Hoffman and everyone else
22 involved in Phase 1 for what, for all the hard work that went
23 into completing it.

24 You know, we watched the countdown clock every
25 day, during the construction, as it increased and the pace

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1 increased towards meeting the deadline.

2 And what's been done in Phase 1, as it's been
3 stated before, is quite impressive and something to be proud
4 of. It's what I would consider to be one of the best
5 development areas in D.C., if not the whole DMV area, and
6 we're proud to be a part of it.

7 That being said, it's not perfect, as it was
8 mentioned before, and in the spirit of continuous
9 improvement, I'm encouraged to hear that we're talking about
10 things we can do better.

11 I think the difference is in Phase 2, can the
12 adjustments made, can make it an even better place, and I'm
13 encourage to hear that the developer is considering the
14 lessons learned from Phase 1 and apply those to Phase 2.

15 It should also be noted that Phase 1 had no
16 existing residential communities next to it, as the
17 construction was going on, and as the only residential
18 building that is located directly amongst to Phase 2, we hope
19 that the Commission and the developer will work closely with
20 us for a win-win outcome, which is what we're striving
21 towards.

22 Keep in mind, when all of the construction is
23 complete, the residents of 525 Water Street will forever live
24 with whatever decisions are made.

25 So specifically, we want to call your attention

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1 to a couple of items. Parcel 10 is the first item. While
2 we support the overall plan for the Parcel, we believe that
3 its current design will create some major safety and traffic
4 concerns.

5 And, if I understand the drawing that I saw that
6 was exhibited earlier, it overhangs into Water Street, if I
7 understand that correctly, and will actually overhang past
8 even the setback line and property line right into a good
9 portion of Water Street.

10 Specifically, the loading dock that goes into
11 Parcel 10 an underground access around Water Street, which
12 is in Exhibit 1 that I attached, which will direct all
13 vehicular traffic, including truck deliveries, trash pick-up,
14 underground parking, directly onto Water Street.

15 And we believe this will create, increase
16 commercial traffic resulting in increased safety concerns and
17 risks for our building residents, neighborhood, residents who
18 would frequently walk, or bike, increase frequency of trucks,
19 stuck at a, at one of the multiple pinch points that I've
20 listed in here on Exhibit 2A and 2B.

21 2A shows where the road narrows and, I believe,
22 2B shows a truck, a 4x4 going by, and if you look at 2B, when
23 that goes by one of the pinch points, you can't even fit two
24 cars down Water Street, let alone a truck or a car.

25 And we've seen, already, countless times where a

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1 truck enters from one side, another one comes in, or a car,
2 and they end up backing out of the street, in order to get
3 back out of Water Street. So that is, is one of our
4 concerns.

5 And where the building overhangs, also, with the,
6 the entrance, if only one truck can go in, because if there's
7 multiple trucks coming in, they'll stage on Water Street,
8 which is right across from the garage entrance to 525 Water
9 Street and we're concerned we won't even be able to get into
10 our garage, or out of our garage.

11 So we respectfully ask the developer to consider
12 moving the loading dock entrance and a dual parking entrance
13 to a different location and relocate the footprint of the
14 building and the angle, if it does protrude into the street,
15 then consider a different option.

16 The second area, which I addressed before, is the
17 cruise staging and transportation. And we don't believe that
18 the motor coach and pick-up area, identified in the plans,
19 is sufficient to accommodate the amount and demand of
20 anticipated an access point that is not tenable the way it's
21 positioned.

22 And, you know, currently the motor coach staging
23 areas of Entertainment Cruises is on Maine Street, at the
24 corner of Water Street, just before St. Augustine's Church,
25 as you see on Exhibit 4, and it appears to be, actually, in

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1 violation of the DDOT Guidelines in causing safety concerns,
2 in Exhibit 5, as you see the blind spots.

3 That's actually a picture of the staging area for
4 the buses. And I literally pulled up right next to those
5 yellow cones and markers. And, as you can see that car
6 coming down the street, if you're looking at Exhibit 5, if
7 there's a bus there, which there is when there's a cruise,
8 you can't see down Water Street, at all, and we've seen
9 already potential accidents that were about to happen and
10 we're concerned that could increase. And the other points
11 I wanted to make, real quickly, is just the, and we know that
12 the --

13 CHAIRMAN HOOD: Sir, let me, let me just, say
14 this, our regulations state that the party has 60 minutes.
15 And this is where I get into trouble, because the parties in
16 opposition also have 60 minutes, then, typically, since I've
17 been here, we have not been able to go on 20 years, so we've
18 always cut 60 minutes.

19 MR. NEILLEY: Okay.

20 CHAIRMAN HOOD: So I'm going to give you a minute,
21 now, I hope --

22 MR. NEILLEY: I'll finish in a minute.

23 CHAIRMAN HOOD: -- everything else, I'm going to
24 give you an extra minute. So if the parties in opposition
25 need that extra minute, I'm going to give them, I'm going to

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1 have to give them the same thing and then we're going to cut
2 it off. Okay. And we'll the rest of what you have, we'll
3 look at your exhibits and stuff.

4 MR. NEILLEY: Okay.

5 CHAIRMAN HOOD: Okay.

6 MR. NEILLEY: I promise to finish within a minute.

7 CHAIRMAN HOOD: Okay.

8 MR. NEILLEY: The other thing I want to bring to
9 your attention is the increase in ride sharing, as well as,
10 the floating bike services. And that's what, we really
11 consider that, you know, the comments that were made earlier
12 about the floating bikes, I think you have to put those in
13 perspective that that's a new service and what we just don't
14 want to see is just bikes all over, left all over Phase 2 or
15 Phase 1.

16 We'd like to be part of the signage, so we can
17 actually just see the signage, we don't want it to look like
18 Times Square and just have some input on what that looks
19 like.

20 And the last comment, real quick, is just to the
21 cobblestones. I would echo the concern. While there is a
22 flatter area on Phase 1, because some of the dining tables
23 have been moved and covered the flat area, people are walking
24 on the cobblestones, or baby carriages, or wheelchairs, so
25 I ask that the developer does look at that. Fourteen

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1 minutes, 14 seconds is fair.

2 (Laughter.)

3 CHAIRMAN HOOD: Thank you. So the opposition just
4 subtract 14 minutes off their extra minute.

5 (Off-microphone comments.)

6 CHAIRMAN HOOD: Fourteen seconds, I'm sorry.

7 MR. NEILLEY: Thank you for your time.

8 CHAIRMAN HOOD: All right. Thank you. Let's see
9 if we have any questions up here now. Any questions? Hold
10 tight, we may have, somebody may have some cross, or some
11 questions. Any questions up here?

12 (Off-microphone comments.)

13 CHAIRMAN HOOD: Okay. Mr. Applicant, have any
14 questions?

15 (Off-microphone comments.)

16 CHAIRMAN HOOD: Okay. Let's see, Gangplank, do
17 you have any questions?

18 (Off-microphone comments.)

19 CHAIRMAN HOOD: I'm sorry, ANC, do you have any
20 questions?

21 (Off-microphone comments.)

22 CHAIRMAN HOOD: Okay. And then, Tiber
23 Condominiums, do you have any questions?

24 (Off-microphone comments.)

25 CHAIRMAN HOOD: Okay. Thank you, both, very much,

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1 we appreciate it.

2 MR. NEILLEY: Thank you.

3 CHAIRMAN HOOD: Okay, do we have any persons --

4 MS. SCHELLIN: In support, no, but two in --

5 CHAIRMAN HOOD: Do we have any persons, who are
6 here in support?

7 (No audible response.)

8 CHAIRMAN HOOD: Okay. Let's go to the parties in
9 opposition. They both will have 61 minutes.

10 MS. SCHELLIN: No.

11 CHAIRMAN HOOD: Oh.

12 MS. SCHELLIN: They have 61 minutes to share.

13 CHAIRMAN HOOD: They both -- what did I say?

14 MS. SCHELLIN: Sixty-one minutes each.

15 (Laughter.)

16 CHAIRMAN HOOD: You know, after 10 o'clock,
17 someone's up here turning into different things, so okay.
18 They both have 61 minutes to share, so we don't have any
19 persons in support, testimony, which -- okay. Let me have
20 both, the two parties, Gangplank and Tiber Condos, come
21 forward, please. You both have 61 minutes to share.

22 (Off-microphone comments.)

23 MS. SCHELLIN: Have you guys decided how you're
24 going to split up your time?

25 CHAIRMAN HOOD: Split them up. But if you don't

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1 need all the time, trust me, you don't have to take it.

2 (Laughter.)

3 CHAIRMAN HOOD: I'm doing five minutes, okay.

4 PARTICIPANT: He said two.

5 CHAIRMAN HOOD: Oh, somebody said two, okay. You
6 go right, you guys go right ahead and do it how you want to.

7 (Laughter.)

8 MR. BROWN: Good evening, Commissioners. My name
9 is Richard Brown. I am the President of the Tiber Island
10 Condominium in the Southwest. We are bordered by 4th Street,
11 6th Street, M and N. We're 64 townhouses that really
12 encapsulates the Tiber Island Coop.

13 We are -- and I think we messed up, because we are
14 really a support. Our opposition is, just so we could flag
15 a concern about the parking, the traffic along 6th Street
16 South and M-Place that rolls around into the Wharf.

17 We're concerned about them, because some of our
18 townhouses face 6th Street. We saw the development of 525,
19 it was a challenge for us then and we're looking at Phase 2
20 maybe the same thing.

21 We love the water, the Wharf. We love the park
22 that was given to us by PN Hoffman, so we are very much in
23 support of this, but we just want the Commissioners to take
24 it under advisement to make sure that those streets that
25 circle that area without compromise.

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1 We have, we talked about the traffic and the
2 movement. One of my co-owners was killed by traffic and a
3 bus. It wasn't, it was really a truck, right there.

4 So the buses that line at Maine Avenue, they come
5 right up to Water Street. We have seen buses that go beyond
6 that and cross even 6th headed towards Wharf Street. So if
7 we can get some assurance that it'll stop at Water, or you
8 can move further back down to the water, it would be
9 appreciated.

10 All 64 homeowners support my speaking today,
11 because we're concerned about the memory of that co-owner
12 that we lost. So that's it for me.

13 CHAIRMAN HOOD: All right. Thank you very much.
14 Next.

15 MR. BLUMENTHAL: Mr. Chairman, Commissioners,
16 first, thank you for allowing us to be a party to this
17 process. My name is Gary Blumenthal. I'm President of the
18 Gangplank Slipholders Association and we all live at 600
19 Water Street S.W. I'm here to present our concerns. Sorry
20 to save the biggest problem for last, but we would like to
21 share with you our concerns.

22 We've sort of framed them up as livability,
23 affordability, and sustainability. And this Zoning
24 Commission has recognized our unique status in the past and
25 the, the challenges that we face and how we need to be

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1 accommodated.

2 First, for those who weren't here back in 2012,
3 I'd like to help you to become more familiar with us. The
4 Gangplank Slipholders are a small community with unique
5 history and lifestyle and ongoing contribution to the
6 Southwest D.C. community.

7 The Wharf, itself, celebrates our unique roll with
8 a historic marker, which we submitted, as an exhibit, they
9 erected noting how the live-aboard community was started as
10 affordable housing, rather than filling the Southwest
11 waterfront with just pleasure crafts.

12 Despite us being a small in number, we are, it
13 turns out, the largest live-aboard board community on the
14 East Coast. And, likely, due to the protections that were
15 afforded to us, by this Commission, back in 2012, we have
16 suffered only a five percent attritional loss of live-aboards
17 over the past four years.

18 Since the last time this Commission met with us,
19 we've had four babies born at the marina, and so I -- we
20 greatly appreciate your being child friendly. That is a baby
21 Margaret, back there in the corner that we, we understand is
22 a fifth baby, due on sea dock. We also have a teenager,
23 Reya, she's back here. She got a lot of homework done
24 tonight, I understand.

25 (Laughter.)

1 MR. BLUMENTHAL: Actually, you know, I wondered,
2 can all the live-aboards stand, so that the Commissioners can
3 see what a Southwest Panda looks like, to quote Commissioner
4 Litsky. So this is a, a part of, just a small part of our
5 community and they, they've come here to share with you their
6 concerns.

7 We continue to demonstrate the vibrancy of a
8 naturally occurring mixed income community, united by a
9 shared love of the water and a willingness to accept the
10 challenges of living aboard. And it can be a challenge.

11 As a tight-knit Southwest D.C. community, we, we
12 make positive contributions to our neighborhood. Our
13 residents volunteer regularly at local schools and community
14 associations and last month we hosted, again, our home boat
15 tour in which we invite the incredibly curious about our
16 lifestyle, to come aboard, look at our boats.

17 And then, we take the money that we have raise
18 from that and we donate it back to organizations in our
19 community and this year it included St. Augustine's Church,
20 Emmett & Bone PTA, Friends of Southwest Library, D.C. Sail,
21 and the Potomac Riverkeeper.

22 To talk about some of the direct construction
23 impacts on us and our live-aboard concerns, we are unique in
24 another way in that we are the only residences of Southwest
25 that literally live physically within the proposed

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1 construction zone.

2 We've been adjacent to and impacted by
3 construction for the past four year in Phase 1, but now we
4 face five years of direct construction impact.

5 So we have concerns about the safety, noise,
6 ingress and egress and the continuity of the services and
7 facilities that are necessary for our community.

8 We've asked for our work hour limits to advanced
9 notice on anticipated disruptions and services. We've not
10 yet reached an agreement with the Wharf on a transition plan
11 that will protect us through this construction process.
12 We're working on it, though.

13 We remain particularly concerned about
14 transportation. During the period in which our current
15 parking lot, which we've submitted a sign to show you,
16 Exhibit 2, becomes a large hole in the ground.

17 The Wharf proposes moving our parking as much as
18 three-quarters of a mile away, limiting access to it and not
19 providing us with shuttle service to our lot. Nor are they
20 willing to connect us to the new Southwest shuttle service
21 being provided to their new residents in the Phase 1
22 buildings.

23 So I think you heard Matt refer to the attrition
24 they expect that would reduce the parking impact. You know,
25 some in our community think this is, sort of, the plan to

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1 make us park really far away, make it difficult, so that
2 reduces the number and then the natural attrition in the
3 community, so that we, as a parking burden, disappear over
4 time.

5 We would note that when Mill Creek Residential
6 took away 75 parking spaces, during the expansion of the View
7 Apartments, they agreed to provide those residents with round
8 the clock transport to a remote parking lot, which is to
9 provide a possible solution.

10 Additionally, we will not have adequate drop-
11 off/pick-up spaces for temporary ingress and egress of goods
12 and people to our floating homes.

13 They propose just two unenforced spaces for
14 everyone. Us live-aboards, Entertainment Cruises, which they
15 have to load those ships with gear every day, all day, the
16 other contractors and this just contrasts sharply with the
17 guarantees that we were given in Phase 1 construction.

18 Post construction, we have three major concerns.
19 Affordability. And we recognize that the cost of living is
20 rising for everyone in Southwest, and we have agreed to a 42
21 percent increase in our fees over the next four years.

22 We've also agreed to pay commercial rates for
23 parking. And, by the way, in their submission they said our
24 parking's free now, it isn't free. It's right in the slip
25 license agreement. We get parking, as part of what we pay

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1 for our slip fees, so that will increase substantially that
2 we will admit that, and we've accepted that.

3 The Wharf claims to not know what they will
4 charge, beginning in 2022, and so we've asked for both a
5 greater certainty and a reasonable bilateral mechanism to
6 ensure that we're not driven out of our Southwestern
7 community.

8 GPSA wants the Wharf to define how market rate
9 will be determined and wants further fee increases to be
10 incremental, so that our family budgets can absorb them.

11 Now they've told us they don't know what it will
12 be, they don't know how to calculate it. And they may have
13 said that we used flawed assumptions, but we did come up,
14 through a lot of research, the cost of building and running
15 marinas and, and the cost of other marinas in the area, so --
16 and we've submitted this, for the record, for the Commission.

17 We would note that multiple appraisers were used
18 when there was a question about, what was the market that
19 should be applied to the small vendors at Eastern Market, so
20 there are processes that can be used. But, without
21 meaningful and enforceable commitments, many in our community
22 face economic displacement.

23 Two, on post-construction, continuity of services.
24 We also want to ensure that existing services and amenities
25 continue after the completion of construction, the same

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1 promise that was made by the developer during Phase 1. These
2 are services that were necessary to maintain our households
3 and our boats.

4 The Wharf PUD is vested within the 1958 Zoning
5 Regulations that recognize that we need a one-to-one ratio
6 of parking spaces, due to the unique nature of our floating
7 homes.

8 Neither marina uses, nor floating home uses have
9 been adequately represented in the Comprehensive
10 Transportation Report for Wharf Phase 2.

11 The Wharf is providing designated parking areas
12 for residents in its apartments and its condos and we request
13 an area in Parcel 10's public garage be allocated to our
14 community's needs.

15 There are currently 79 spaces being used, as they
16 noted, by the live-aboard slipholders, so we want them to be
17 available for future.

18 We request that, during construction of Phase 2,
19 until we have complete access to Parcel, Parcel 10 parking
20 garages, that interim parking be within a walkable half mile.
21 As you can see, not everybody is a spring chicken in these
22 Amanda, Panda bears out here. And then a shuttle service,
23 if it's not a reasonable distance.

24 As an example of how the CTR does not provide for
25 live-aboard specified needs, this plan's loading and drop-off

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1 areas, as I mentioned, are too far away on the other side of
2 Parcel 10, to be of meaningful use by those of us in the
3 marina, much less in an emergency situation. And, as I said,
4 we're forced to, basically, compete for these two drop-off
5 spots with commercial vessels and everybody else.

6 Finally, enforceable variable commitments. Our
7 concern has been heightened, basically, because everything
8 they said they would do in Phase 1 hasn't necessarily been
9 true. They said they were fully committed to a vibrant
10 community of 94 live-aboard slips. Well, I think, as they
11 admitted, it's 89.

12 They called it structural vacancy. But, in fact,
13 they told us, it just makes their job a little bit easier if
14 we're not there. They could be filling them.

15 We note that Final Order 11-03 says that parking
16 for the marinas was to be built during Phase 1, but now we're
17 told there's no parking for us in Phase 1.

18 The Marina will be completed in 2019, but there's
19 no plan to even commence restoring the community until after
20 the entire Phase 2 is complete and then there isn't a
21 concrete plan for how that's going to be executed. And we
22 see it in other things, the mention of Anthem lighting, we
23 have those same concerns going forward.

24 In exchange for rebuilding the marina, the Wharf
25 is asking the live-aboards to be legally prohibited from any

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1 future challenges of the development.

2 Given our concerns about some Phase 1 processes
3 and outcomes, plus the lack of adequate solutions to ongoing
4 problems, such as bus traffic, our live-aboards are reluctant
5 to grant such unlimited support.

6 Conclusion. In the Final Orders for ZC11-03 and
7 ZC11-03A, issued by this Commission, the live-aboard
8 community was provided with some limited protections to
9 ensure our survival.

10 Unlike the agreement incorporated into that Order,
11 we are currently being offered the following, a reduction in
12 necessary facilities, a substantial increase of fees and
13 parking costs, the direct and inconveniences of construction,
14 and little, or no accommodation for the above.

15 As we face Phase 2, which includes direct
16 redevelopment of our marina, we ask that these existing
17 commitments be extended and modified to circumstances, as
18 they now exist, to protect our vulnerable community.

19 And I, I, we were struck by, Mayor Muriel Bowser
20 came to the Waterfront back in May, for our flag raising
21 ceremony, and she explained how her family actually had had
22 a boat down in the Washington Channel.

23 And what she said is, if you live on the water
24 now, you should be able to continue to live on the water.
25 Well, at this juncture, we just don't feel we have that

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1 confidence, from what the Wharf has put on the table with us.

2 We fully are committed to continue to negotiate
3 this, we ask for the Commission's support in getting the
4 Wharf to the table with us to get this done.

5 And with that, we thank you for your attention.
6 We, especially, thank you for your public service that keeps
7 you here late too many nights and I'm happy to take the
8 questions.

9 CHAIRMAN HOOD: All right. Thank you, both, for
10 your presentations. Let's see if we have any questions.
11 Commissioner Shapiro?

12 COMMISSIONER SHAPIRO: Thank you, Mr. Chair. Just
13 a quick question on process. What's the last -- when was the
14 last conversation that you had with the, with the Applicant
15 and, you know, just give me a little bit, from your
16 perspective and I, briefly, a little bit of how he's going,
17 how -- when was the last conversation, how they're, you know,
18 frequently been having?

19 MR. BLUMENTHAL: Sure. Well, we were on a every
20 other Thursday schedule. It has sped up here in the past
21 couple of weeks. As recently as about, I believe, 4 o'clock,
22 they passed their document back to us on transition plan.

23 So I think, as Matt explained, we get into
24 complications. We have regular day jobs. They were trying
25 to get Phase 1 built, but we're trying to give it as much

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1 time as we humanly can.

2 COMMISSIONER SHAPIRO: Okay. And the other quick
3 question is, I heard lots of concerns and I hear you loud and
4 clear, it's a little bit harder for me to separate out which
5 of the ones that are around a lack of trust and which are
6 specific issues that still need to be addressed.

7 And, if there's a way to tease that out for us,
8 I think it would be -- and I don't, I'm not saying you do it
9 right here, right now, but there will be opportunities when
10 we have continuing hearings, to be very specific around
11 separating those two out.

12 I, there's not a lot we, I can do about the, the
13 trust issues, beyond encourage ongoing communication, but
14 there's more that we can do about very, very specific
15 concerns.

16 For instance, the parking distance in the interim
17 period, or the, the, you know, loading spaces and the
18 locations of them required, those are specific things that
19 we can take on, if, if that makes sense.

20 MR. BLUMENTHAL: Absolutely. We greatly
21 appreciate that latter part. And we agree you on trust. I
22 mean, our goal is to get it on paper, as best we can. I
23 think even Chairman Litsky spoke to the problem of
24 enforcement, in the end.

25 Let me reinforce what Andy said: these are good

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1 people. We've had very good negotiations with them. Like
2 any negotiation, we're down to the really tough stuff and
3 that really is affordability and accessibility, how do we get
4 in and out.

5 I mean, there's so many complicating parts. I
6 found one just when we were sitting here listening to buses.
7 Right now, we are on Z Dock, which is going to be the main
8 entrance, eventually.

9 There's only 18 of us there, boats, there. We
10 have a choke point where those 16 buses dump off all the
11 cruise line people and then we can't hardly get through our
12 gate.

13 Well, in the future, all 94 slipholders will be
14 trying to squeeze through this choke point, where all the
15 cruise line people come through.

16 There are a lot of issues, but if we boil it right
17 down to what's the most concern to us, it's affordability and
18 being able to get in and out with our equipment. You know,
19 we do have unique needs living on a boat.

20 COMMISSIONER SHAPIRO: Access, access and parking.

21 MR. BLUMENTHAL: Yes. We, we have to get stuff
22 in and out of that marina. It's not like a high rise
23 building where you just call maintenance and they come and
24 fix it. We have obligations in our license agreement about
25 things we have to do in stormy weather, for example, we move

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1 --

2 COMMISSIONER SHAPIRO: I appreciate it. It's
3 clear.

4 MR. BLUMENTHAL: Yes.

5 COMMISSIONER SHAPIRO: It's clear.

6 MR. BLUMENTHAL: Sorry.

7 COMMISSIONER SHAPIRO: No, I'm sorry. And the
8 last question that, well, maybe it's more uncommon, I didn't
9 hear a thing about the building. It sounds like, for you all
10 that building is a home run?

11 MR. BLUMENTHAL: Yes, but, you know, we would
12 frame it slightly differently.

13 COMMISSIONER SHAPIRO: A triple?

14 (Laughter.)

15 MR. BLUMENTHAL: Okay, it's a great improvement.
16 I will say that the fact that they took our input, actually
17 made it a better marina for them.

18 When they first put up their plans, they had the
19 slips going perpendicular to the Channel's direction, which
20 meant that any boat, whether it was us, or the future
21 boaters, would be rocking like this in your bed. With that
22 building, you know, they had the windows facing in a less
23 optimal position, so we think we gave them some uncompensated
24 good advice.

25 (Laughter.)

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1 COMMISSIONER SHAPIRO: Okay. Thank you. And
2 thank you, Mr. Chair.

3 CHAIRMAN HOOD: We have any questions or comments
4 up here? I will say that, I've heard a lot of things and I
5 know Mr. Glasgow and, and the legal team, the Counsel, has
6 heard that, because I've heard, not just from the party in
7 opposition, or a party in support, I think some of that's
8 going back and forth, but I hear concerns, from every person
9 who was asked, who's asked party status, as well as from the
10 ANC.

11 So what I'm going to ask is what I've always
12 asked, is that we continue, and it sounds like it's going to
13 happen, whether I said it or not, but I wanted to put it on
14 the record, I'm going to ask that ABRA to continue work, as
15 you've already said, I think you all are still trying to
16 still close, get the gap closer.

17 And I know Mr. Neilley also mentioned some issues,
18 even though they were in support. Ms. Vanler, the same way.
19 I, I've heard enough to where I think that those discussions,
20 from my standpoint, can continue to happen.

21 And I'm hoping, as we evolve and go through these
22 next series of hearings that, each night they got to get
23 closer and closer, okay. So that's what I'm looking for.

24 I'm sending a strong signal and I'm looking to see
25 how we can work it out. Because, at the end of the day, like

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1 the slip or, the slipholders and, and everyone else that --
2 did I pronounce it right?

3 (Off-microphone comments.)

4 CHAIRMAN HOOD: Yes. Yes, so at the end of the
5 day, like, I think somebody's already stated, what's going
6 to happen is, it's going to get developed, at some point,
7 some kind of way, with community input, as far as this
8 Commission is concerned, and, and I'm sure the rest will
9 probably agree, as well, but it's going to get developed and
10 it's probably going to move on.

11 Everybody's talking about why they enjoy it. I,
12 particularly, have not been down there for specific reasons,
13 because if I show up down there, then this becomes an issue,
14 I don't want any conflicts.

15 So one of the things that it sounds like is that
16 there's still a lot more to be done, but when everybody's
17 said and done and gone home, the people who live around there
18 and live there will still be there.

19 So that's why I take that very seriously in making
20 sure that we can close the gap and hear those concerns,
21 because the impacts are going to be felt by the ANC Chairman
22 Litsky, and the ANC and his community and the community there
23 from everyone who's here, whether you are in support or
24 opposition, live in the area, so we need to continue to have
25 those discussions.

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1 We might not always agree, and I think that, I
2 know there's a lot of people across, sitting here, who don't
3 always agree with the Commission, but for those who come
4 down, as opponents and proponents, totally upset with the
5 project -- I heard someone mentioned somebody said they
6 wanted to, I think Chairman Litsky said somebody wanted to
7 apologize to PN Hoffman.

8 But I think those make better projects in this
9 city. Because I can tell you, the people who are against the
10 COSCO, when I'm there now, I use this example all the time,
11 when I'm there standing in the back of the line, they're the
12 ones in front of me. They're the first ones who got there.
13 So we'll all benefit after that.

14 So I think that it's important that we continue,
15 Mr. Seaman and others, to continue to have those discussions
16 with all these neighbors and all these parties and see how
17 we can close the gap. Okay. And that's my one-on-one spill
18 for continuing to work together.

19 And I'm going to be looking forward to seeing
20 that, before we go, before I go too far with this. Okay.
21 I don't know if I have a whole lot of support here, do I have
22 your support on that?

23 VICE CHAIR MILLER: You have, you have total
24 support.

25 (Off-microphone comments.)

1 VICE CHAIR MILLER: I say the same thing at the
2 Giant in my neighborhood.

3 CHAIRMAN HOOD: Yes.

4 (Laughter.)

5 CHAIRMAN HOOD: I didn't want to talk about that
6 giant, since it was in your neighborhood.

7 (Laughter.)

8 CHAIRMAN HOOD: But I do remember --

9 VICE CHAIR MILLER: I'm glad I wasn't, I wasn't
10 on their case.

11 CHAIRMAN HOOD: You weren't? Well I was.

12 VICE CHAIR MILLER: I know you were.

13 CHAIRMAN HOOD: I spent many nights here. I
14 figured it would be empty, but I probably go up there and
15 can't get in there, either. But anyway.

16 COMMISSIONER MAY: Well, I wasn't on the COSCO
17 case.

18 CHAIRMAN HOOD: Here we go.

19 (Laughter.)

20 COMMISSIONER MAY: And I would go there.

21 CHAIRMAN HOOD: Oh, okay. No, I'm not going to
22 ask you what your goal was. But anyway --

23 COMMISSIONER MAY: I want that into the record.

24 CHAIRMAN HOOD: Oh, okay. All right. All right.

25 So you tell --

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1 COMMISSIONER MAY: But you're absolutely right.
2 I think, and in fact, my other recollection was that we went
3 through something similar, and the hearing was five years
4 ago, but that, I think Gangplank Slipholders were in strong
5 opposition.

6 And then, over the course of hearings, eventually,
7 you came to support. So I think quite, I think we're kind
8 of expecting that that will happen here that there will be
9 negotiations and everybody will get on the same page.

10 And I, certainly, didn't know that that was what
11 Hoffman's intention was to have some cleared for their
12 testimony and they, they, obviously, have fallen short, but
13 we're still willing and there's time.

14 CHAIRMAN HOOD: Let me also say about traffic, I
15 had some issues with traffic, working with EPA several years
16 ago, and you see how traffic's evolving around it.

17 I want to thank Mr. Zimmerman and Mr. Henson, I
18 want to thank both of them for making sure we include --
19 that's one of the things we did in the first days, make sure
20 traffic is included throughout this whole process, and not
21 just for specific projects.

22 So, I wanted to say that to you, Mr. Brown, how
23 important traffic is to this Commission as well. So, we also
24 are monitoring that because we want to make sure that there's
25 some relief out there as well.

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1 So, with all that said and done, there's still
2 some more work to do, I know the hours everybody's putting
3 in. But I think when it's all said and done, we will have
4 much better waterfront project.

5 Even though it's evolving now, imagine what we can
6 do if we continue working together to make it work.

7 All right, any cross-exam? Does the Applicant have
8 any cross? Okay, does Chairman Litsky, do you have any cross?

9 Ms. Vanler, do you have any cross? And Mr.
10 Neilley, do you have any cross?

11 MR. NEILLEY: No, sir.

12 CHAIRMAN HOOD: Okay, we thank you all very much.
13 It looks like -- I don't know if I -- did I do it?

14 I'm mixing up. Okay, that's really helping me
15 out. You can go ahead and cross with each other.

16 (Laughter.)

17 Actually, you can shake hands. All right, I think
18 we're going to have four. Is this four? Okay, we have four
19 people who are testifying opposition.

20 I'm calling the first, Michael Noble, Ed Lazere,
21 William Shickler, hopefully I pronounced that right, Chris
22 Otten.

23 Do we have anybody else besides those four who are
24 here as individuals who'd like to testify in opposition? If
25 you can come forward at this time.

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1 Just make sure we don't have -- let me see, so we
2 have eight. Okay, all those in support, if you could come
3 forward.

4 So, we have four. Anyone else who's here in
5 opposition, if you can come forward at this time.

6 Okay, so this is the last panel. Mr. Noble, we're
7 going to begin with you.

8 MR. NOBLE: Good evening, my name's Mike Noble.

9 I'm a business representative for the
10 International Association of Sheet Metal, Air, Rail and
11 Transportation Workers, SMART Local 100 in the D.C. area.

12 I'm testifying here today representing the D.C.
13 and Baltimore Building Trades Organizing Committee.

14 Our committee consists of organizers from all 15
15 building trade unions in Washington, D.C. We represent over
16 24,000 members. We create middle-class jobs in the
17 construction industry in the District and in the metro area.

18 We're part of unions that have world-class
19 training programs to create careers for residents in the
20 construction industry, and spend over \$22 million a year on
21 those education programs.

22 We are opposed to the changes to the first-stage
23 PUD, without modifications to reflect the commitment to job
24 quality standards.

25 In the first phase of the project, the developer

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1 refused to make any commitment to create high-quality jobs
2 at the Wharf.

3 Since that time, they have refused to even meet
4 with us regarding our concerns about this project.

5 The developer's lack of commitment to high-quality
6 jobs hurts construction workers in the District.

7 We have met a sheet metal worker from a company
8 called Airway that was a subcontractor on the Anthem on Phase
9 1. His name was Oscar Orellana. He, unfortunately, wasn't
10 able to make it this evening, but he wanted to share his
11 story. Oscar was hurt while working on Phase 1 and he was
12 ordered to continue working and not report the injury.

13 His foot got infected, he was in the hospital for
14 three weeks, and he lost two toes. After working at Airway
15 for 16 years, Oscar has not been hired back.

16 In fact, we are currently investigating possible
17 overtime allegations in Oscar's case over several years.

18 When a developer like PN Hoffman supports low-road
19 contractors like Airway by having them work on one of the
20 biggest publicly supported projects ever constructed in D.C.,
21 it impacts all of the construction industry.

22 Workers like me and Oscar and our families suffer
23 because projects like the Wharf lower the working standards
24 in our industry across the city.

25 As part of our job, we share information with

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1 workers on sites about their legal rights to fair pay and
2 health and safety protections.

3 We see impacts of low-road contractors as we talk
4 to workers from these non-union companies.

5 In D.C., organizers hear about practices like mis-
6 classification, wage, staff, and lack of respect for worker's
7 health and safety every day.

8 What is the role of the Zoning Commission in
9 this? Why are we here?

10 Because this planned unit development cannot be
11 lawfully approved if it is inconsistent with the
12 comprehensive plan.

13 We believe this proposal contradicts a number of
14 comprehensive plan policies, including ED 2.5, the
15 production, distribution, and repair economy, ED 4,
16 increasing access to employment, and ED 4.2.7, living-wage
17 jobs.

18 The policy on living-wage jobs couldn't be more
19 clear, stating that the comprehensive plan must, quote,
20 promote the attraction and attention of living-wage jobs that
21 provide employment opportunities for unskilled and semi-
22 skilled workers, use marketing strategies and incentives to
23 encourage the relocation of firms with such positions to the
24 District, 717.15, end quote.

25 The labor movement in D.C. has a track record and

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1 is an essential part of creating the types of careers called
2 for these policies.

3 Through our extensive experience in the
4 construction industry, we can say that having a union is the
5 only way we've seen consistently -- I'm sorry.

6 We can say that having a union is the only way
7 we've seen that consistently insures living wages, decent
8 working conditions, and a safe working environment.

9 The developer of the Wharf should do the right
10 thing and sign a Project Labor Agreement, a PLA, to ensure
11 high-quality construction jobs on Phase 2.

12 PLAs are improvement tools that create middle-
13 class careers and develop and deliver quality projects on
14 time and on budget.

15 Unfortunately, PN Hoffman has failed to make any
16 commitment that we are aware of to ensure that the
17 construction jobs, or any jobs at the Wharf, will conform to
18 high standards for wages, benefits, and worker protections.

19 The Zoning Commission must ensure that the project
20 complies with the comprehensive plan.

21 The Applicant should thoroughly document that it
22 has and will promote the creation of quality jobs in
23 construction, which are living-wage careers for District
24 residents and which have career advancement opportunities on
25 this project.

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1 We encourage you to decline to approve the
2 proposal, unless the developer agrees to enforce job-quality
3 standards in the construction and operation of this project.

4 We and our partners would be happy to work with
5 the Commission and the developer to prepare a set of
6 employment standards that would help ensure that Phase 2
7 development can succeed where Phase 1 failed, and truly
8 promote the inclusive growth in the District of Columbia.

9 I want to thank you very much for your attention
10 to the critical issues of inclusive living-wage jobs in this
11 proposal under consideration.

12 CHAIRMAN HOOD: Thank you. Mr. Lazere?

13 MR. LAZERE: Good evening, Chairperson Hood,
14 members of the Commission. Thank you for the opportunity to
15 testify.

16 My name is Ed Lazere and I'm the Executive
17 Director of the D.C. Fiscal Policy Institute.

18 We are a nonprofit organization that promotes
19 economic opportunity and widespread prosperity for D.C.
20 residents through thoughtful policy solutions.

21 I'm here today to echo the concerns of Mr. Noble
22 and the comments that you, yourself, Mr. Hood, made to the
23 developer, Mr. Hoffman, about whether there's really
24 impressive development that has improved a portion of the
25 District and that we can all be proud of as a major economic

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1 project, but that it also resulted in good, paying jobs for
2 D.C. residents.

3 And the conclusion, unfortunately, is that it did
4 not.

5 I'm going to focus my comments on the findings of
6 an October 2017 analysis conducted by the D.C. Fiscal Policy
7 Institute of Phase 1 of the Wharf.

8 That analysis found that while this project was
9 impressive in many ways, it failed to create good, quality
10 jobs or adequate, affordable housing for D.C. residents.

11 This is especially notable because the project
12 received nearly \$300 million in cash and land subsidies from
13 the District, as well as support from the Zoning Commission
14 through the PUD process.

15 I have attached our full report to my testimony.

16 These findings are important for the Zoning
17 Commission to consider as it works through the PUD for the
18 next phase of the Wharf.

19 We encourage the Commission to stress the
20 importance of using the city zoning process to create living-
21 wage jobs, and to take whatever steps it can to ensure that
22 Phase 2 of the Wharf results in better jobs than Phase 1.

23 The redevelopment of D.C. Southwest Waterfront is
24 one of the largest real-estate developments in D.C.'s
25 history.

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1 While the District set requirements for the
2 developer to hire D.C. residents for some of the jobs, there
3 were no requirements aimed at ensuring that those jobs came
4 with good wages and benefits.

5 And while the District initially required the
6 developer to set affordability standards for 30 percent of
7 the newly-built housing units, our elected officials later
8 relented and allowed the developer to offer roughly ten
9 percent of the units as truly affordable.

10 This project comes at a time when the District
11 faces growing income inequality and skyrocketing housing
12 costs that are oppressing many families around the city.

13 The average income in the top five percent of the
14 District's households is nearly half a million dollars, and
15 that's 54 times the average income of the bottom 20 percent,
16 where the average income is \$110,000.

17 We know that a growing number of residents are
18 facing unaffordable housing costs, and the risk of being
19 displaced from the city they call home.

20 The D.C. Fiscal Policy institute's report,
21 Lessons from the Waterfront, finds that when you don't
22 include requirements for job quality in major development
23 projects, the District is encouraging developers to compete
24 for projects and profits by aggressively cutting labor costs
25 at the expense of workers' ability to live in the District

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1 and support their families.

2 This impact of this kind of low-road approach is
3 substantial.

4 Many of the Wharf's construction jobs pay about
5 \$15 an hour, less than \$30,000 a year without benefits, which
6 is too low for workers to afford housing and provide a stable
7 and supportive environment for their families.

8 Most of the jobs are non-union and pay far less
9 than union jobs would have.

10 The hotel, restaurant, and retail jobs at the
11 newly-opened Wharf also are likely to be non-union, and to
12 have similarly low pay and benefits.

13 Our report finds that if the developers and
14 businesses associated with the project had taken steps to
15 focus on high-quality jobs, in this case by working with
16 unions through the construction phase and through ongoing
17 operations, that workers at the Wharf could have earned as
18 much as \$6,400 to \$11,000 more per year depending on the
19 industry, and would be far more likely to have employer-paid
20 health insurance and retirement benefits.

21 I am concerned that Phase 2 of the development of
22 the Wharf will bring the same as Phase 1, with jobs that have
23 low wages and benefits too low to allow workers to keep up
24 with D.C.'s rising housing costs.

25 I understand the Zoning Commission does not have

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1 the lead responsibility for ensuring that economic
2 development projects lead to equitable outcomes.

3 D.C.'s economic development officials hold that
4 responsibility, and they need to do more to build equity into
5 their development plans.

6 That said, the Zoning Commission's voice is
7 important and can play a role.

8 It is worth noting, as Mr. Noble did, that the
9 compound's economic development component stresses the
10 importance of bringing living-wage jobs to the District.

11 The Zoning Commission can use this and other PUD
12 processes to encourage and, hopefully, require developers to
13 follow specified living-wage, quality standards for both
14 construction and operational stages of the Wharf to, in
15 effect, spell out what it means to meet the compound's goal
16 of promoting living-wage jobs in major development projects.

17 Thank you for the opportunity to testify.

18 CHAIRMAN HOOD: Thank you. Mr. Shickler, I
19 believe I pronounced that correct?

20 MR. SHICKLER: Yes, my name is William Shickler.
21 I'm reside at 1301 Delaware Avenue Southwest, Apartment
22 number 305, Washington, D.C. 20024.

23 Let me state at the outset for the record I
24 testified before this Commission on December 14, 2016,
25 considering the dangerous project then under your

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1 consideration, the soccer stadium.

2 At that time, I advised this Commission to quote
3 "lawyer up" because our community was not going to take yet
4 another assault by this Commission lying down.

5 I've taken my own advice and filed a legal appeal
6 to the Commission's dangerous action. Empower D.C. has
7 joined me in fighting back against this assault on our
8 health, safety and wellbeing.

9 In addition, I've joined the organization D.C. for
10 Reasonable Development headed by Chris Otten here. This
11 group provides legal aid to citizens fighting back against
12 dangerous commercial development.

13 The basic facts concerning Phase 2 of the Wharf
14 development have not changed since Phase 1 was proposed. To
15 this day, an actual real environmental impact study has not
16 been conducted.

17 This in contrast to environmental quote "plans"
18 unquote that have been offered to take the place of the
19 legally-binding impact studies.

20 The difference between the two has been defined
21 innumerable times at ANC 6D meetings.

22 Also, former ANC 6D Chairman Roger Moffatt stated
23 to me around Christmas time in 2014 that he had spoken to not
24 only the former head of DDOE, the District Department of the
25 Environment, but that head's successor.

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1 They both stated that they would not impact any
2 environmental impact study until the project was completed.
3 This is against both D.C. and federal law.

4 Hugh Youngblood, head of the D.C. chapter of the
5 Sierra Club, has pointed out in court no less that D.C. law
6 requires any project that uses more than \$1 million in D.C.
7 funds for infrastructure and other improvements, to have an
8 environmental impact study done prior to the project going
9 forward.

10 On the federal level, in the process of me
11 pursuing legal remedies to all of this lawlessness, I met
12 with officials of the D.C. Office of the Federal Highway
13 Trust Administration, which is the Agency actually tasked
14 with monitoring projects possibly involving federal
15 properties.

16 They determined that the exit ramp from Interstate
17 395 on the 14th Street Bridge onto Maine Avenue Southwest,
18 does indeed involve federal requirements.

19 One of those requirements is an environmental
20 impact study. To date, none have been done either for D.C.
21 or the federal government.

22 Another glaring environmental threat ignored by
23 this Commission is the hazards aren't building in a 100-year
24 flood plan. I am including -- I you look at the -- I gave
25 you guys an exhibit there.

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1 There's a Presidential Order 11988 issued by
2 President Obama through FEMA that prohibits federal long-term
3 and short-term development in these flood plain. They are
4 a threat to the health, safety, and wellbeing of those in the
5 affected area.

6 Although this directive is only legally-binding
7 for federal projects, the truth of the environmental dangers
8 are not changed by that. But perhaps the most obvious --

9 CHAIRMAN HOOD: Mr. Shickler, I think you had your
10 three minutes, so I'm going to ask you give us your closing
11 statement.

12 MR. SHICKLER: Okay, my closing statement is that
13 air pollution is going to increase 14 times according to a
14 study done by the developer through Gorove/Slade. Fourteen
15 times, and that's the elephant in this room.

16 102,000 cars coming through Maine Avenue, and it's
17 just rearranging chairs on the deck of the Titanic.

18 All these other issues get blown out of the window
19 with 102,000 people going through Maine Avenue.

20 CHAIRMAN HOOD: Thank you. Chris Otten?

21 MR. OTTEN: My name is Chris Otten, I am
22 representing D.C. for Reasonable Development. I'm glad Mr.
23 Shickler is here. I wanted to correct him on the co-
24 facilitator, it wasn't quite --

25 Mr. Shickler, I appreciate the service that you

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1 have given to our organization, it's invaluable.

2 Mr. McKinney, as well in Southwest, has asked me
3 to be here tonight as well as others, and our Southwest
4 Safety and Planning Group under D.C. Crews and Development.

5 We've been a city-wide group but we have this
6 focus in Southwest and we're open to all Southwest residents
7 who feel this process is not letting them get to where they
8 need to be in terms of this project and others.

9 We are talking about former public land, \$100
10 million paid for by the city to take the land by imminent
11 domain in the zone layouts and give it away to Mr. Hoffman
12 for \$100. Residents on Maine Street into the residential
13 areas in the Northeast will be affected by this project.

14 As Mr. Shickler pointed out, we're in a flood
15 plain. This is why the Tiger co-op was built the way it is,
16 and it seems that as we moved closer to the water, that this
17 flooding issue has been overlooked here.

18 Further, the problem with that will be that as the
19 first floor is flooded out and the building starts to mildew
20 and mold, that will be displaced onto the surrounding
21 community, and that building, which is formerly luxury will
22 become a favela.

23 This will reduce property taxes in the area and
24 reduce the overall property values in the area.

25 This is a serious problem and it's as if this

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1 Commission and the Office of Planning is living on another
2 planet.

3 There's no equitable share in the cost in what
4 should be a whole-neighborhood approach to these types of
5 major developments.

6 That is, the developments get very cheap money
7 from corporate banks to build their highly profitable condos
8 and retail spaces, after being granted the valuable air
9 rights entitlements by this Commission without little weight
10 of strings attached.

11 The Commission and the City Planning apparatus
12 externalizes all of the costs onto the public by having us
13 pay for the upgrades to the infrastructure and transit ways,
14 and other public services that we rely on and enjoy now.

15 That further increases gentrification pressures
16 on residents and small businesses alike, as the externalized
17 costs gets passed through to rate-payers in their bills, and
18 onto us through our taxes, and other tips and gifts, and
19 other things given to these developers, including Mr.
20 Hoffman.

21 And the Commission is granting these public
22 entitlement -- by granting these public entitlements, they
23 are giving great substantial land value depreciation.

24 We must see mitigation conditions that demonstrate
25 equitable sharing of the costs if they're going to fall on

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1 the public, and this is in the comprehensive plan.

2 In Phase 2 of the Stage 1 modification, it gets
3 worse; more hotel rooms, more hotel rooms without looking at
4 the impact of this high-intensity commercial use, or little
5 affordability.

6 As Mr. Lazere pointed out, the affordable housing
7 in this project is a joke. 120 percent AMI is being
8 considered workforce housing. That is so illegitimate is has
9 to be unethical.

10 This type of Orwellian language can ultimately
11 result in volume of affordable housing, with almost none for
12 families, it will destabilize the property values for the
13 existing surrounding communities.

14 And it is absolutely inconsistent with the
15 overarching goal of building an inclusive city. This will
16 be a segregated, exclusive community.

17 What about all of the other issues in terms of our
18 community facilities, the capacity of our local schools,
19 libraries, recreation centers, senior centers, fire/police
20 stations, associated emergency response time, hospitals,
21 refuse removal?

22 There is no sense of the baseline levels of
23 existing public services now, which we enjoy now, which we
24 may need them to be after these types of large projects come
25 on site.

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1 How can any of this be called planning?

2 We enjoy the community character and aesthetic
3 now, of Southwest.

4 Phase 2 brings Monty Hoffman's high-density profit
5 spectacle even closer to the existing residential community
6 where Members live, coupled with the lack of comprehensive
7 review of basic development impacts, and adverse effects on
8 public services like infrastructure and social service
9 capacity is wholly unacceptable.

10 Either identify these issues and mitigate them,
11 or just say no.

12 We are saying this -- in conclusion, let us see
13 the first experiment settlement before jumping to Phase 2.0.

14 We have and ANC that is acquiesced on their duty
15 to protect Southwest neighbors. They do not represent our
16 members.

17 Doing so will art opposition and the others on
18 this Panel is -- we're doing this in an effort to save this
19 city from itself and the developer's classic offense.

20 We want to protect our members who enjoy the
21 character and aesthetic of Southwest. We want to continue to
22 rely on our local public services and public facilities we
23 enjoy now.

24 This is all at risk without rational mitigations,
25 and these allocations must be denied.

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1 Thank you.

2 CHAIRMAN HOOD: Thank you. Next?

3 JUDY YANG: My name's Judy Yang and I'm a resident
4 of 525 Water, and I submitted a formal letter, Exhibit 31,
5 as my letter of objection.

6 I'd like to summarize a few concerns I have on
7 Parcel 10.

8 So, Parcel 10's initial design, that was shown to
9 potential buyers of 525 Water, was rectangular in structure.
10 The rotation was not designed until later.

11 My concern on the 45-degree rotation of Parcel 10
12 is that it protrudes outside of parcel area, and half way
13 across Water Street. By estimates from their plans, the
14 corner of Parcel 10 that protrudes across Water Street is
15 almost thirty feet. So, that covers the entire sidewalk and
16 halfway into the street, cars will be driving underneath that
17 overhang.

18 Another concern about the corners that overhang
19 Parcel 10 is that it appears to actually be outside of the
20 limits of Phase 2 construction, as well as Parcel 10 itself.

21 So, for evidence of that, I point to the surveys
22 plaque, which is Exhibit 2B in your file system.

23 So, from that image you can see clearly delineated
24 perimeter for Phase 2, and the corners of Parcel 10 appear
25 to be outside this perimeter.

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1 I feel like just that simple zoning violation
2 should be a concern, not just the protrusion of the building
3 onto the condo across the street, but also they're building
4 outside of what has been designated for Phase 2.

5 My third point in the letter is the congestion
6 from the placement of the loading dock, and that was pretty
7 well detailed by the 525 Board Members, so I'll skip that
8 one.

9 And the last point is on the use of the building
10 itself.

11 This comment may be a little late in the game, but
12 I don't see any positive value of having an office building
13 in the space of Parcel 10.

14 Parcel 10 is next to a church, a condo building,
15 a future condo building, parks and residential community of
16 Gangplank Marina. One thing is having mixed use, another
17 thing is just random.

18 So, my comment on -- so, those conclude my
19 comments on Parcel 10 and my concerns.

20 CHAIRMAN HOOD: Thank you very much. Let's see if
21 we have any questions from this Panel? Mr. May.

22 COMMISSIONER MAY: Yes, Mr. Lazere, we had read
23 something the last week about how the development of I guess
24 the extended development of housing units in the District is
25 actually starting to have an impact on the growth of rental

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1 prices.

2 Do you know what I'm talking about?

3 I don't know who did that study or where that's
4 coming from, but do you agree that there actually is starting
5 to be an effect, even though they're largely building units
6 on the luxury end of the spectrum?

7 MR. LAZERE: So, I think it's too early to tell,
8 you don't take one year, one day at a point and make an
9 inclusion.

10 Certainly, there's the logic that the more housing
11 there is, it creates less pressure on housing prices.

12 I don't think that anyone would think that we
13 would get rid of our affordable housing problems simply by
14 building more housing, but certainly having more might take
15 some pressure off the housing market.

16 COMMISSIONER MAY: I appreciate everything that
17 you gave us in your testimony and you're seeing some of
18 those, some of your analysis is helpful.

19 The bigger picture, I'm not sure how much it's
20 going to affect decisions made here, but I appreciate it.

21 MR. LAZERE: Well, I appreciate the opportunity
22 to raise the issue.

23 I think it's an important issue to raise and I
24 hope you will do everything you can in the powers you have
25 to bring this attention in your work.

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1 COMMISSIONER MAY: Okay, I don't think I have any
2 further questions, thank you.

3 CHAIRMAN HOOD: All right, I too want to piggyback
4 on Commission May.

5 I appreciate everyone's testimony but I was
6 looking to hear the D.C. Fiscal Policy Institute and I want
7 to see.

8 I need to talk to counseling a little more about
9 this because I think this is very important.

10 And when I look at jobs, whether they're union,
11 non-union, I look at benefits, and we want to make sure we
12 are -- and the city has been going this way for a while --
13 trying to make sure that we get people jobs that they can
14 live off of and stay in the city.

15 So, this is a big piece.

16 I don't know how it ties in but I'm sure I'll
17 figure it out, and I want to ask my counsel on this what
18 jurisdiction I may have in this, as a Commissioner.

19 But I'll find that out and I'll go from there.
20 So, I just want to piggyback on what Mr. May mentioned as
21 well. Mr. Shapiro?

22 COMMISSIONER SHAPIRO: Thank you, Mr. Chairman.
23 I would join with you comment on Commissioner May's. I would
24 also, I'd be curious to hear Deborah's response to these
25 comments.

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1 This is very much in their purview and I'm sure
2 they've thought long and hard about it but I'd be curious to
3 see what they say.

4 Very specific projects like this, and we have two
5 more Hearings ahead of us at least.

6 So, it may be helpful to get them to weigh in.

7 CHAIRMAN HOOD: Maybe we can ask the Office of
8 Planning and Finance to get that information for us. Mr.
9 Lawson, can you work on that? Okay, thank you.

10 Vice Chair?

11 VICE CHAIR MILLER: Thank Mr. Chairman, thank you
12 each for your testimony.

13 And in addition to what my colleagues have
14 requested, we would expect to get from the Applicant, the
15 developer, a response to all of the concerns that have been
16 addressed here in this Panel, and from the parties who are
17 in support and in opposition.

18 Whether it's loading dock, traffic issues, jobs,
19 I think we need that in the record, we need the record to --
20 I don't know if we need the rebuttal testimony tonight but
21 we need it as part of the record to help this case.

22 COMMISSIONER SHAPIRO: Thank you. Mr. Chairman,
23 just one more quick question. This is related to Ms. Yang's
24 concern about the protrusion of the building because of the
25 rotation.

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1 I wouldn't mind a technical response to that, to
2 see how it does or doesn't mesh, if or how it does or doesn't
3 violate.

4 Are we providing some flexibility by doing it,
5 just so we're aware of it, if we are.

6 Thank you.

7 CHAIRMAN HOOD: All right, any other questions up
8 here? Okay, does the Applicant have any cross? Do you have
9 a cross?

10 MR. GLASGOW: We're going to save everything for
11 rebuttal.

12 CHAIRMAN HOOD: Okay, and we need to work on that
13 too. Okay, is there anything on ANC, Chairman Litsky? 525,
14 have any cross? 525?

15 Tyra, Department of Homes, gone. Gangplank? No
16 cross. Tyra Condos, Mr. Brown, gone. All right, thank you
17 very much.

18 Okay, thank you all, we appreciate it.

19 Mr. Glasgow, if you want to talk about rebuttal,
20 I'm not sure what time the Metro closes.

21 I don't know where they're going anymore. So, is
22 it 11:00 p.m.? 11:30 p.m.?

23 I know some people are going to be on the Metro.
24 So, here's what I want to propose. When is our next meeting?

25 MS. SCHELLIN: The next one for this case is

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1 Monday.

2 CHAIRMAN HOOD: How much rebuttal do you have?

3 MR. GLASGOW: It could be an hour. There's going
4 to be a lot of different people raising a lot of issues, and
5 we're not taking it lightly.

6 CHAIRMAN HOOD: Okay, what I would like to do is
7 continue this Hearing Monday. I didn't know it was an hour.
8 I'll use the notes.

9 MS. SCHELLIN: You're continuing it this evening
10 as publicly announced.

11 CHAIRMAN HOOD: Is 6:00 p.m. a bad time for
12 everyone to be here, on Monday? Monday at 6:00 p.m., we're
13 going to start at 6:00 p.m.

14 We're going to start a rebuttal, and we're going
15 to do cross on rebuttal, and then we're going to do closing.
16 And then we will go into the next case.

17 And if that happens again, if we get late again,
18 we'll keep going. All right, so any other questions? We're
19 all straight?

20 Commissioner May?

21 COMMISSIONER MAY: Yes, I just had some thoughts
22 on what happens in rebuttal and I may be stating things that
23 Mr. Glasgow already knows should be done.

24 But I think it's going to be helpful since we have
25 a lengthy OP report the number of issues, it would be good

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1 to have sort of a point by point explanation of those, you
2 responses to those issues.

3 And it would be best if we could actually have it
4 on paper.

5 I know it's a lot to ask between now and Monday,
6 but if it's possible, if you can have it on Monday on paper,
7 that would be helpful to have it. Rather than having to just
8 hear it all, and then take copious notes.

9 I think, let's see, I think similarly, it would
10 help with the DDOT. I don't think it's quite the same sort
11 of point by point.

12 I think that there's general agreement, but
13 understanding what some of those scheduling issues are would
14 be helpful.

15 That may require discussions with DDOT so that
16 would make it even harder to get it done, but whatever you
17 can do in that regard.

18 And then the ANC issues as well, I think there
19 were just two or three that Chairman Litsky mentioned in his
20 testimony that still seem to be outstanding issues and those
21 in particular I would be concerned about.

22 And then, of course, the other issues that were
23 raised by those who testified in opposition, and the concerns
24 raised by the Commission.

25 Thank you.

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1 CHAIRMAN HOOD: I don't have an exhaustive list,
2 but I will be reviewing the video.

3 Let's just make sure we comment on all those
4 issues that I've heard, and I'm just going to leave it there.

5 I don't have a knowledgeable list like
6 Commissioner May but we know what they are. And this case
7 is fresh in our minds so we know what they are. Is there
8 anything else? Are we good, Mr. Glasgow?

9 MR. GLASGOW: You've got the information.

10 CHAIRMAN HOOD: So, 6:00 on Monday we'll all be
11 back here together and we'll continue on in this case.

12 Okay, so with that, I want to thank everyone for
13 their participation tonight and we'll continue on Monday.
14 Good night.

15 (Whereupon, the above-entitled matter went off the
16 record at 10:54 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Hearing

Before: DCZC

Date: 11-02-17

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was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

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