

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

W4444444444444444444444444444447

IN THE MATTER OF: 5
5 Case No. 04-14

FLORIDA ROCK PROPERTIES 5

W4444444444444444444444444444448

Monday,
September 18, 2006

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

The Public Hearing of Case No. 04-14 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Office of Zoning Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Carol J. Mitten, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

CAROL J. MITTEN	Chairperson
ANTHONY J. HOOD	Vice-Chairperson
GREGORY N. JEFFRIES	Commissioner
JOHN G. PARSONS	Commissioner (NPS)
MICHAEL G. TURNBULL	Commissioner (AOC)

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN	Secretary
DONNA HANOUSEK	Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER
JOEL LAWSON

The transcript constitutes the minutes
from the Public Hearing held on September 18, 2006.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

<u>AGENDA ITEM</u>	<u>PAGE</u>
<u>WELCOME:</u>	
Carol Mitten	4
<u>ZC CASE NO. 04-14 - FLORIDA ROCK PROPERTIES:</u>	
<u>WITNESSES:</u>	
David Briggs	7
David de Villiers	17
Davis Buckley	21
Ron Kaplan	34
Steve Sher	40
<u>COMMISSION QUESTIONS:</u>	
<u>OFFICE OF PLANNING:</u>	
Joel Lawson	111
<u>DDOT:</u>	
Chris Delfs	124
<u>AWC:</u>	
Adrian Washington	134
Uwe Brandes	136
<u>EARTH CONSERVATION CORPS:</u>	
Robert Nixon	150
Glen O'Gilvie	153
<u>PERSONS IN SUPPORT:</u>	
Richard Westbrook	160
<u>RESCHEDULE FOR HEARING ON NOVEMBER 27TH:</u>	
<u>ADJOURN:</u>	
Carol Mitten	169

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

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

6:39 p.m.

CHAIRPERSON MITTEN: Good evening, ladies and gentlemen. This is a Public Hearing of the Zoning Commission of the District of Columbia for Monday, September 18, 2006. My name is Carol Mitten and joining me this evening are Vice Chairman Anthony Hood, and Commissioners Michael Turnbull, John Parsons and Greg Jeffries.

The subject of this evening's hearing is Zoning Commission Case No. 04-14. This is a request by Florida Rock Properties Incorporated for approval of a second-stage Planned Unit Development and a Zoning Map Amendment for property located at 100 Potomac Avenue, S.E., which consists of Lots 800, 801 and 802 in Square 707, Lot 809 in Square 708, Lots 807 and 808 in Square 708E and Lot 806 in Square 708S.

Notice of today's hearing was published in the D.C. Register on June 18, 2006 and copies of the hearing announcement are available in the wall bin by the door. This hearing will be conducted in accordance with the provisions of 11 DCMR Section 3022, which is the order of procedure for contested cases. So we will proceed as follows:

We will take up any preliminary matters.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 We'll have the presentation of the applicant's case;
2 report by the Office of Planning; report by any other
3 Government agencies; the report by the affected
4 Advisory Neighborhood Commission, in this case it's
5 ANC-6D; organizations and persons in support and
6 organizations and persons in opposition.

7 The following time constraints will be
8 maintained in this hearing. The applicant will have
9 60 minutes to present their case. Organizations will
10 have 5 minutes and individuals will have 3 minutes.
11 The Commission intends to adhere to the time limits as
12 strictly as possible in order to hear the case in a
13 reasonable period of time. The Commission reserves
14 the right to change the time limits for presentations,
15 if necessary, and notes that no time shall be ceded.

16 All persons appearing before the
17 Commission are to fill out two witness cards. They
18 look like this. These cards are on the table by the
19 door. Upon coming forward to speak to the Commission,
20 please, give both cards to the reporter who is sitting
21 to our right. Please, be advised that this proceeding
22 is being recorded by the Court Reporter and is also
23 being webcast live. Accordingly, we ask you to
24 refrain from making any disruptive noises in the
25 hearing room.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 When presenting information to the
2 Commission, we ask you to take a seat at the table,
3 then turn on and speak into the microphone, first,
4 stating your name and home address. When you are
5 finished speaking, please, turn the microphone off so
6 that it is not picking up background noise.

7 The decision of the Commission in this
8 case must be based exclusively on the public record.
9 To avoid any appearance to the contrary, the
10 Commission requests that persons present not engage
11 the Members of the Commission in conversation during
12 a recess or at any other time. Staff will be
13 available throughout the hearing to answer any
14 procedural questions that you might have and you can
15 direct those to Mrs. Schellin or Ms. Hanousek.

16 We ask you to turn off all beepers and
17 cell phones at this time, so as not to disrupt the
18 hearing.

19 At this time, I would like anyone who is
20 planning on testifying this evening to stand now,
21 raise your right hand and direct your attention to
22 Mrs. Schellin and she will administer the oath.

23 (Whereupon, the witnesses were sworn.)

24 MS. SCHELLIN: Thank you.

25 CHAIRPERSON MITTEN: Mrs. Schellin, do you

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 have any preliminary matters?

2 MS. SCHELLIN: No, ma'am.

3 CHAIRPERSON MITTEN: Mr. Briggs, any
4 preliminary matters?

5 MR. BRIGGS: None, Madam Chairman.

6 CHAIRPERSON MITTEN: Okay. Then we're
7 ready to proceed.

8 MR. BRIGGS: Thank you very much. Good
9 evening, Members of the Commission, my name is David
10 Briggs. I'm with the Law Firm of Holland and Knight.
11 I'm joined here with our team presentation group.
12 David de Villiers, who is President of Florida Rock
13 and representing the applicant, our architect, Davis
14 Buckley, our retail consultant, Ron Kaplan of City
15 Street Properties, Lou Slade and Rob Schiesel from
16 Gorove/Slade Associates, our traffic and
17 transportation consultants, our urban planning
18 consultant is Steven Sher of Holland and Knight, Jon
19 Fitch of LAB, who is our landscape architect, and then
20 Jim Prost from BB&P Associates, our economic
21 consultant.

22 All right. The presentations tonight
23 that will be made will be by Mr. de Villiers, Mr.
24 Buckley, Mr. Kaplan and Mr. Sher. Mr. Fitch, Prost
25 and Lou Slade will be available for questions. Their

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 materials having been fully presented in the materials
2 submitted in our August submittal to the Commission.

3 For your information and just to bring all
4 Commissioners up to this important project, the site
5 location is 100 Potomac Avenue, bounded on the north
6 by Potomac Avenue, on the east by the west right-of-
7 way of incomplete, unimproved First Street, S.E., on
8 the south by the Anacostia River and on the west by
9 the Frederick Douglass Bridge. The site presently has
10 a very regular property line on the west, much of it
11 arising out of the siting and the land acquisition
12 activities for the Frederick Douglass Bridge that
13 occurred in the 1940s.

14 The irregular property line in the
15 proposal for the new Frederick Douglass Bridge and
16 South Capitol Street approach result in one of the
17 principal changes that we will be presenting you
18 tonight as part of our presentation, this being a
19 change from our first-stage applications submission
20 that was made in 2004. The site, as you all know, is
21 located across Potomac Avenue from the new baseball
22 stadium. The site is currently a concrete batching
23 facility supporting in excess of 350 truck visits a
24 day.

25 The proposal. As Ms. Mitten identified,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 this is the second-stage review and approval. For the
2 context, this is a mixed-use development project of
3 office, retail, housing and hotel containing expansive
4 open space, including a waterfront esplanade along the
5 Anacostia River for the full length of the site's
6 frontage on the river, which is, approximately, 900
7 feet. The total development proposed is,
8 approximately, 1,100,000 square feet and contains four
9 distinct building sites. The heights of the buildings
10 range from 92 feet on the east to 112 feet on the west
11 approaching the bridge right-of-way.

12 I think history is very important for this
13 case, especially for many of you who have not been in
14 the Commission for this stage. This is a case that
15 has been around and back and forth before the
16 Commission for many years. The first-stage
17 application was presented to this Commission in 1996
18 as an all commercial project with an off-site
19 residential amenity in a square that is no longer part
20 of the case.

21 The first-stage was approved in 1998 by
22 the Commission and a second-stage approval was granted
23 for this commercial project in 1999. At the first
24 request for the extension of the first second-stage
25 approval, the Commission decided in 2003 not to extend

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 the second-stage grant, because of numerous changes
2 that had been identified in the area, in the vicinity
3 of the project. And it was felt by the Commission
4 that the height mix of use and density, including
5 matters arising out of the Anacostia Waterfront
6 Initiative Study that was done by the Office of
7 Planning need to be re-evaluated.

8 In the denial of the second-stage
9 approval, however, the Commission did agree to extend
10 the first-stage approval and incorporated into the
11 first-stage order a very extensive set of design
12 guidelines for this project that caption many ways the
13 elements of the Capitol Gateway Overlay that had
14 recently been adopted by the Commission.

15 The present second-stage application was
16 submitted in 2004 and was based upon the first-stage
17 approval and those design guidelines and the
18 Commission set this case down for Public Hearing in
19 September 2004. Shortly thereafter, however, in
20 October, the District selected the adjacent site for
21 the baseball stadium and soon after that new proposals
22 came for a new Frederick Douglass Bridge and a
23 redefinition of South Capitol Street and its
24 approaches.

25 This left Florida Rock in a quandary to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 have a project that had been redesigned in accordance
2 with the guidelines that now was confronted with new,
3 in many ways, more challenging changes than had been
4 originally proposed when it was an all commercial
5 project, the stadium immediately to the north and the
6 bridge to the west.

7 The Commission -- Florida Rock decided at
8 that point in time that it was best to try and work
9 over the period of time from the set down in September
10 2004 to work with the various stakeholders, others who
11 are interested in the area to try and make sure that
12 its context for its stadium fit within the overall
13 context and the larger context of the environment. In
14 that regard, we set a Public Hearing down for December
15 2005.

16 It became quite clear as that hearing date
17 approached that neither the stadium design nor the
18 design and the location for the bridge in the South
19 Capitol Street right-of-way were going to be finalized
20 sufficiently enough for Florida Rock to propose
21 appropriate modifications. Anacostia Waterfront
22 Corporation, which had then, by this point in time,
23 become an active player in the area, had counseled and
24 then with the Office of Planning encouraged Florida
25 Rock to delay the hearing in December 2005 to a date

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 in 2006 when those parties could further evaluate the
2 concept, the baseball district of which the Florida
3 Rock Property is part and the impacts of the stadium
4 design on the project.

5 And that brings us to tonight. We are
6 here. We think we have, as an applicant, done all we
7 can do at this point in time to extensively
8 participate, evaluate, understand and advocate for
9 this project with all the many participants, the
10 Office of Planning, the Waterfront Corporation, the
11 Department of Transportation, the Sports and
12 Entertainment Commission and others that have been
13 involved in the planning in this immediate area.

14 We are presenting tonight what we think is
15 a very responsive and creative modifications to our
16 original second-stage plan proposal that we had
17 submitted in 2004. I would like to note we have the
18 full and unqualified support of ANC-6D. We have been
19 to them twice in November of 2005 and as early as --
20 as late as last week and they gave us unanimous
21 support for this project. Something unheard of from
22 ANC-6D.

23 We also have the support of Council Member
24 Ambrose. I believe there is a letter in the record of
25 support from the Sports and Entertainment Commission.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 And a letter of support from the new ball team owners.
2 We also have, I believe, the support of the Waterfront
3 Corporation and the Office of Planning, but I will let
4 them make their reports and presentation later on.

5 We have been working with the Department
6 of Transportation concerning the bridge siting and the
7 South Capitol Street approaches. This would allow our
8 application to be most appropriately reflective of
9 what the options are for the bridge location and the
10 reconfiguration of those approaches. A memorandum is
11 included in Tab B of our August 25th submittal, noting
12 those discussions.

13 We did just today receive the DOT report.
14 As you note, it does recommend approval of the second-
15 stage application and requests continuing coordination
16 with Florida Rock on several matters. Several of the
17 matters that were raised in the report today are
18 matters that we don't think it's appropriate to try
19 and respond tonight and we will be making a request
20 specifically to the Commission to have the record held
21 open, so that we can have further consultations with
22 the many components with DDOT to be able to address
23 some of the issues that were raised in that report.

24 With regard to the modifications that we
25 have made, there are no material changes in the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 height, bulk, open space commitments of the proposal,
2 although I will remind you that we had made a request
3 in response to discussions with the Office of Planning
4 to increase the height of each of the buildings by 2
5 feet to allow the ground floor retail spaces to
6 incorporate a floor to floor 14 foot height.

7 There is a slight increase in the amount
8 of density that we have proposed, but that has not
9 exceeded the amount of density permitted under the
10 design guidelines that were captioned in the first-
11 stage order. We have multiples of increase in the
12 amount of retail space in this project, 2.5 times as
13 much retail space as was originally proposed in the
14 first -- in the second-stage submittal that was made.

15 We have, in response to the stadium
16 activities and the design, enhanced the articulation
17 distinctiveness of the architecture along Potomac
18 Avenue and along the waterfront adding additional
19 fenestration, building siting and I will call
20 something shape-shifting of the residential and the
21 hotel buildings, which I think you will find
22 intriguing. All of these to intend to hopefully
23 compliment this project to the stadium to the north.

24 The proposed scheme for the buildings on
25 the west end of the project, we think responds very

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 strongly to whatever alternatives the Department of
2 Transportation selects for the bridge right-of-way and
3 the approaches. We have done everything we can to
4 visually even more open up the project from various
5 viewpoints to ensure that there is multiple and
6 opportunities for access from Potomac Avenue, from the
7 South Capitol Street approaches and from the First
8 Street river approach to the First Street Terminus at
9 the river.

10 We have had to make a modification in the
11 amenity package that had been previously put on the
12 table. Previously, we had offered to have and take
13 charge of redeveloping landscaping and maintaining a
14 reservation, called Reservation 247, which was on the
15 north side of Potomac Avenue. That reservation has
16 now been incorporated with the stadium footprint and,
17 thus, is no longer available for that offer.

18 What Florida Rock has proposed to do and
19 is in consultation with the Anacostia Waterfront
20 Corporation on how to specifically implement this
21 amenity will be committing, approximately, \$3.5
22 million towards the design, development and ongoing
23 maintenance of this public space at the end of First
24 Street, which has been known as the First Street Plaza
25 or Diamond Teague Park, as I understand has been

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 designated.

2 In support of that, Florida Rock has
3 agreed to put up a letter of credit for that amount of
4 money as well as allowing some monies to be used for
5 the initial design prior to actually commencing the
6 project to allow for AWC to be able to begin some
7 design work on the First Street Plaza.

8 Finally, we are adding a pedestrian
9 viewing pier into the Anacostia River. There is an
10 existing pier site within the river currently
11 permitted by the Corps of Engineers, but it is almost
12 unseeable at this present time. Pilings and piers are
13 still there. This will be added to it and there will
14 be a pedestrian viewing pier out into the river from
15 the fourth phase of our project down by the hotel and
16 Mr. Buckley will show that to you in a little more
17 detail.

18 Closing up, I just wanted to make sure
19 that you understand that from an amenity standpoint
20 and to these changes, we are otherwise committed to
21 all the other amenities we set forth in our proposal.
22 That includes the enhanced esplanade design, a LEED
23 certifiable project with green roof technology and I
24 think one of the first of its kind of the urban
25 biofiltration program that we had presented to you,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 which we believe will have a material impact in
2 mitigating the environmental conditions on a very
3 sensitive river.

4 We continue with our set aside for
5 housing, work force housing in the residential phase
6 of the project as well as the enhanced first source
7 and LSDBE programs. With that, let me turn it over to
8 Mr. de Villiers, President of Florida Rock, to provide
9 the applicant's presentation. Thank you.

10 MR. DE VILLIERS: Good evening. My name
11 is David de Villiers. I'm the President of Florida
12 Rock Properties. Florida Rock Properties is a
13 subsidiary of Patriot Transportation Holding, which is
14 a publicly traded company engaged in the trucking and
15 real estate development business throughout the east
16 coast. Florida Rock has been a member of the D.C.
17 community since it purchased the Potomac Avenue site
18 in 1978.

19 In fact, we have been collaborating with
20 the District to develop this site for the past eight
21 years and are committed to a development program that
22 will meet the objectives of the District of Columbia
23 and work well with the Washington Nationals' new
24 baseball stadium.

25 Since we were last before the Zoning

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Commission in 2004, the Florida Rock team has spent a
2 good number of hours in meetings and planning sessions
3 working closely with many interested parties and as a
4 result of these work efforts, we have received their
5 strong support.

6 Our development program has been modified
7 through this planning process and the result is a
8 project that we feel is architecturally stimulating,
9 environmentally sensitive, economically sustainable
10 and will be welcoming to the visitors, tenants and
11 residents. This project also promotes the goals of
12 the Anacostia Waterfront Initiative and is in
13 accordance with the design guidelines created
14 specifically for this project in the extension of the
15 first-stage PUD approval.

16 The modifications made also respond well
17 to the various recent contextual changes, including
18 the stadium and baseball operations, as well as the
19 South Capitol Street Oval or Circus, as it is called,
20 and the Frederick Douglass Bridge relocation. I would
21 like to take a few minutes to further highlight some
22 of the major points that will be discussed in greater
23 detail as we go through our presentation this evening.

24 As you are aware, there are certain
25 difficulties inherent to the site due to its adjacency

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 to the existing bridge right-of-way and the irregular
2 shaped property line on its west side. The Florida
3 Rock team has worked with the District Department of
4 Transportation to address these issues and have
5 developed a framework for establishing a more regular
6 property line for both Florida Rock Properties and
7 DDOT. The result is the creation of developable
8 parcels fronting along the new oval.

9 Florida Rock is committed to moving as
10 quickly as is appropriate towards the development of
11 this project. The submission before you have
12 presented our proposed phasing plan. We would like to
13 proceed with Phases 1 and 2 as soon as possible.
14 Phases 3 and 4 are at the mercy of the DDOT, because
15 the existing bridge runs directly through them. As
16 soon as the new bridge and the related infrastructure
17 system are completed and the existing bridge removed,
18 these two phases will be ready to develop. And we
19 then can move forward with these phases and the
20 ultimate completion to the project.

21 As to the amenities package, Florida Rock
22 believes they are significant and consistent with the
23 first-stage PUD approval. There are two modifications
24 as Mr. Briggs related. The landscaping and
25 maintenance of Federal Reservation 247 is no longer

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 available as an amenity, because of its inclusion in
2 the stadium site. Two, the bike path linking the
3 project to the Southeast Federal Center has been
4 deleted at the request of the Anacostia Waterfront
5 Corporation, which has indicated there are other
6 funding sources for that linkage.

7 In place of these amenities, we propose
8 the construction of a pedestrian viewing pier at the
9 southwestern end of the project and a contribution of,
10 approximately, \$3.5 million for the design,
11 construction and maintenance of the First Street
12 Plaza. We will continue our collaborative efforts
13 with the AWC and the Office of Planning to further
14 refine the First Street Plaza amenity, to create a
15 public space that is commensurate with the level of
16 development in this area and complimentary to both our
17 project and the stadium.

18 In conclusion, Florida Rock Properties has
19 shown its commitment to this project and to the
20 redevelopment of this part of the District of Columbia
21 and we respectfully request your approval of the
22 second-stage PUD.

23 CHAIRPERSON MITTEN: We'll hold our
24 questions until the end.

25 MR. BRIGGS: Yes. Thank you, Ms. Mitten.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 At this time, I would like to have Mr. Buckley make
2 his presentation concerning the second-stage
3 architectural changes in the project. Do you think we
4 should dim the lights? Is it possible?

5 CHAIRPERSON MITTEN: We can. Sometimes it
6 gets too dark.

7 MR. BRIGGS: Well, maybe just the back
8 ones.

9 CHAIRPERSON MITTEN: We'll try.

10 MR. BRIGGS: Maybe at this end.

11 CHAIRPERSON MITTEN: Too much?

12 MR. BRIGGS: That's a little bit too much.
13 Why don't we -- well --

14 COURT REPORTER: This is going to be
15 difficult for me.

16 MR. BRIGGS: Okay. We'll go at it. Go at
17 it.

18 MR. BUCKLEY: I think what we will do is
19 maybe have the lights up during this part. When we do
20 the animation, we'll turn them down. All right.
21 Great. Good evening. My name is Davis Buckley. Can
22 I restart the clock? All right. My name is Davis
23 Buckley and I'm delighted to be here tonight and
24 joining me is Milo Meacham from my office, who is an
25 architect, as well as Tom Striegel, both of whom I

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 have worked with for many years, and on keyboard
2 tonight is Kira Canon. So I thank you very much.

3 I think the first image that we are going
4 to show you defines in many ways the extent of the
5 Stadium District. What you have in front of you is a
6 Vicinity Plan. And I think what is unique about this
7 area is that over many years the city as well as the
8 AWC and the National Capital Planning Commission have
9 all had goals and objectives for this area. The city
10 and the AWC goals and objectives which create a
11 dynamic year-round destination attraction for
12 residents and visitors, have street-oriented retail,
13 have active public open space.

14 An emphasis on First Street as the
15 principal retail street connecting city and
16 neighborhoods to the waterfront and also to create a
17 distinctive waterfront destination at the river's edge
18 at First Street, S.E., and Potomac Avenue with density
19 and programmable public open spaces to be used by
20 residents and visitors to the District of Columbia.

21 The National Capital Planning Commission
22 in extending the legacy enhanced and supplemented in
23 many ways set forth the goals and objectives
24 established by the city and AWC. That was to
25 encourage and feature restaurants, concerts, marinas

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 and various kinds of entertainment, water taxi system,
2 linking many points along both rivers, reinforce South
3 Capitol Street as a southern gateway to the city,
4 reclaim the waterfront for public use.

5 At the end of last year, November or
6 December, Florida Rock was asked to join a group of
7 people working as a group to define the development
8 strategy and entitlements for the Stadium District.
9 There are, in fact, four very distinct areas within
10 the District. The area north of the stadium, the area
11 east of First Street, the stadium itself and the
12 waterfront. The waterfront included Florida Rock
13 property and also those public spaces to the east
14 upriver connecting to the Southeast Federal Center.

15 The use program was to have significant
16 retail, commercial office, residential hotel usage.
17 The goals and objectives of this group was to
18 establish the kind of dynamic connectivity among these
19 areas and also to establish the entitlements. 9
20 million square feet was established, 3.8 million
21 square feet for both commercial and residential
22 individually, 500,000 square feet for hotel usage and
23 850,000 square feet for retail with over 12,000
24 parking.

25 Special to this area is the fact that

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 within it we have the stadium venue. That venue is an
2 81 day a year game day experience. The level of
3 density, intensity and use during those days is
4 disproportionate to the 240 days a year 24/7 goals and
5 objectives of creating environmentally enriching
6 neighborhoods that are distinct, that work together as
7 a whole and also have connectivity to the waterfront.

8 Concurrent to our activities with the AWC,
9 the stadium group, we also met frequently with the
10 D.C. Sports and Entertainment Commission to
11 collaborate with them and to interface with them
12 regarding the stadium and the Florida Rock Project
13 because of the important connection between the two.
14 Additionally, we worked with the Department of
15 Transportation in terms of their initiative for the
16 South Capitol Street which was to be and will be a
17 gateway to the city.

18 There is an opportunity here with DDOT to
19 create a more orthogonal and regular relationship to
20 the proposed alternate oval or circus at the terminus
21 of South Capitol Street before it goes across the new
22 aligned Frederick Douglass Bridge. That opportunity
23 was to take the irregular shaped western boundary of
24 the Florida Rock property and with DDOT determine how
25 best the project can work along that western edge of

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 the circus and also enhance the development
2 opportunities of Florida Rock along the side of that
3 building of the West Office Building located here in
4 the hotel, but also concurrently to create an
5 opportunity for DDOT to have a distinct and separate
6 lot for themselves.

7 Now, there are very specific opportunities
8 and constraints for the entertainment and retail
9 attractions. The first is the First Street experience
10 down from the intersection of N Street and the
11 stadium, which is the primary entrance to the stadium,
12 down First Street to the area right opposite the
13 Florida Rock property and the connectivity to the
14 waterfront here.

15 What we have indicated are those kind of
16 retail opportunities, entertainment outdoor activities
17 that are immediately contiguous to interior retail
18 experiences and how they, in fact, compliment the
19 retail experience of the stadium and also the area
20 immediately east of First Street. So that you are
21 developing notal points of activity to each side of it
22 with a significant public space that invites people
23 across the street to the esplanade into multiple
24 indoor and outdoor dining venues and activities.

25 Also, in terms of the opportunities and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 constraints are the significant views and vistas to
2 and from the stadium. From South Capitol Street, from
3 the stadiums, specifically across Potomac Avenue and
4 First here and also from the oval as a through block
5 experience with vistas to the water separating the
6 hotel from the West Office Building and, of course,
7 down the old Half Street alignment and also the retail
8 alley here.

9 Additionally, what we have created is two
10 -- an opportunity for two through block connections.
11 One here at the West Office Building with a lobby that
12 goes through the building at ground level and also
13 from the East Office Building that is located here
14 that comes through at an angle. I will talk a little
15 bit more about that angle in a moment.

16 This area we see as one of the most
17 important 100 percent corridors in terms of its
18 relationship to the stadium and the sequence as people
19 leave the stadium, both through the ramps, through the
20 stair and down First Street. This is the view
21 corridor down First Street and as you can see that the
22 view down First Street is really framed by the WASA
23 Building to the east and the Florida Rock property and
24 its East Office Building to the west.

25 The East Office Building creates an

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 opportunity for a very strong and powerful iconic
2 element that attracts people from the stadium at
3 multiple levels as they make the transition after
4 games and, of course, before games down First Street
5 or Potomac Avenue or from the concourse levels to the
6 waterfront environment.

7 The importance here is the immediacy and
8 the linkage of the stadium to this retail attraction.
9 Unique to the stadium are a series of ramps that are
10 uniquely focused upriver and it is this upriver visual
11 experience that is extremely important. It is framed
12 by both the WASA property and the FRP property. And
13 what we are doing is complimentary to this open space
14 of activity is that we're creating a very strong,
15 powerful horizontally and vertically integrated retail
16 and office environment.

17 The attraction is essential here to bring
18 people down to the waterfront during those 81 games
19 during the year, of which 51 are night games. What we
20 are creating is an attraction, a high level of energy
21 and excitement to this multi-level retail environment.

22 As one proceeds from the concourse level,
23 one comes down the steps from the stadium always being
24 anxious about watching their feet in front of them as
25 they make the transition down the steps and that is

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 complimentary to the ramp system here, stairs here,
2 First Street as well as Potomac Avenue and, indeed,
3 the east side in the future of First Street and
4 certainly up and down the river.

5 The view down First Street to the water is
6 a very dynamic and very powerful experience. This
7 view is actually taken from the corner of the stadium
8 here and unique to this and extremely important is the
9 dynamic quality of the east end of the building. What
10 I mean by the dynamic quality here is the paradigm
11 that is extremely important here is to recognize the
12 worth in value of extending the retail experience up
13 through multiple levels in a destination-related
14 environment where multiple types of retail users can
15 be housed and also to have that connectivity to the
16 office levels up above, so that you get both the
17 vertical integration between retail, commercial and
18 also the horizontal integration, so that the building
19 really works as both an exterior environment as well
20 as an important retail container that has a life
21 beyond 5:00 and a life beyond 81 days a year.

22 Moving down the Potomac Avenue elevation,
23 this is the Half Street that -- First Street view
24 corridor here. This is the east end of the building.
25 The east building goes along down Potomac Avenue. You

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 can see the retail environment located through here,
2 which is on a vertical venue, which brings people up
3 at multiple different levels for different types of
4 experiences and also allows people within the building
5 to come down through that within the building itself
6 as well as to come along the street to that area.

7 As we move along the facade, you will
8 notice that we have used a rich cadence of curvilinear
9 forms, which in many ways compliment the stadium. So
10 we have the curvilinear form here, the cascades
11 through the building. Then as one goes down along the
12 facade here, the main entrance and office space over
13 that is projected slightly out into and beyond the
14 face of the building and is curved back into the
15 building and the entrance is here.

16 And this entrance, in fact, is at an angle
17 that goes back to the retail environment. We then use
18 the concept of the glass with the feel of the brick.
19 These elements to help animate the facade and the
20 experience as you go along it. And then this is the
21 area that has the entrance down to the alley, retail
22 alley to the waterfront, as well as the Half Street
23 extension, and these are in many ways bookmarkers and
24 expressions of that entrance.

25 This is the West Office Building facade

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 here that comes over here and down there. And then
2 this portion of the building is the orthogonal part,
3 is the oblique part, of the elevation as it faces the
4 oval. The materials that we will be using is glass,
5 which is a tinted glass, field of brick, limestone
6 bandings and column bases and accent points along this
7 of stone.

8 This is the elevation looking along the
9 oval and this is the separation between the West
10 Office Building here and this is really the elevation
11 along the oval right here. This is the residential
12 structure beyond and the hotel is located here. The
13 heights of this building, this building rises to a
14 height of 112 feet. It's 112 feet here. The
15 residential building is 102 feet and the East Office
16 Building is 92.

17 A component of our project has been to
18 have and make a commitment to a green environment.
19 Davis Buckley Architects and Planners are -- have
20 several LEED-certified professionals on staff, Kira
21 Canon and Tom Striegel. I hold a degree in
22 environmental design and urban theory and the company
23 is, in fact, a corporate member of the Green Building
24 Council, the United States Green Building Council.

25 Some of those features that I would like

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 to point out is that we anticipate having green roofs
2 on all of the roofs of the buildings. This is the
3 East Office Building primary roof. This is the
4 residential building. This is the West Office
5 Building and, indeed, that is the hotel.

6 As part of it, the experience and the
7 large amount of open space we have within the area of
8 the site is to create a storm water filtration
9 aeration system and to integrate that with fountains,
10 ponds and water courses and planting beds. And at the
11 east end of the building in conjunction with the AWC,
12 we anticipate that there will be an important public
13 plaza that will make the transition from the stadium
14 down to this area as one goes up and down the river
15 and concourse. It also goes along here in terms of
16 the retail venues and use of the buildings.

17 Those through block connections, for
18 reference, are located here. They come through at an
19 angle. There and also through here. We also have
20 this penetration through the -- into the site from the
21 circus located here, between the hotel and the West
22 Office Building to a major public open space, to
23 residential buildings, the lobby continues through
24 there to the retail alley here to a major public
25 space.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Located here opposite the hotel we, in
2 fact, are going to reconstruct an existing pier that
3 projects out into the water 140 feet. This is a
4 viewing pier that will be available to all people who
5 come to the site.

6 What I would like to do now is to show you
7 the animation of the project, which helps explain the
8 dynamic quality of the project. And during that
9 animation, I would just like to talk over it very
10 briefly. As we see the project, we are coming down
11 from a bird'seye view and you can see the hotel
12 located here, the West Office Building, the
13 residential building and the East Office Building. We
14 are going -- that's the waterfront esplanade along
15 here, that is the Earth Conservation Core Pump House
16 and you can see the dynamic quality of the east end of
17 the building.

18 The view down First Street, the
19 relationship to the stadium, South Capitol Street.
20 And as we come down South Capitol Street, we will be
21 looking down Potomac Avenue, the West Office Building,
22 the hotel and now we are going down the esplanade. We
23 have projected two parts of the buildings experience
24 within the 75 foot setback and that is the residential
25 office building, which is projected 25 feet within

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 that 75 foot area, yet it is all open.

2 We are now making the transition across in
3 front of the residential building, down the bicycle
4 path, the esplanade to the right, the restaurant
5 terrace levels to the left. We come down and as we
6 come down to this area here, we're going to turn to
7 the left and look up the retail alley. I might
8 mention that all of the spaces along the esplanade are
9 retail experiences and venues.

10 This is the alley and beyond that the
11 stadium. This is the East Office Building terrace
12 level. We're looking down through the biofiltration
13 beds to the bicycle path, the esplanade beyond and
14 then to the bridge itself. We're now going to walk
15 over to this area here and we're going to walk up the
16 alley and you will notice to each side of the alley,
17 we have retail experiences on the ground floor all the
18 way along this. And we also provided a venue for
19 outdoor seating areas within the space.

20 We are now heading up facing Potomac
21 Avenue, the future proposed stadium building across
22 the street. We're now going to go down Half Street.
23 You can see the retail to each side, how it animates
24 the Half Street. And as we come down Half Street, we
25 are now looking at the hotel, residential building to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 the left, hotel here, portions of the West Office
2 Building. We are coming down here. The hotel proper
3 is located here with meeting facilities and the
4 portico share located here.

5 Then as we come down you can see the
6 multiple opportunities for dining opportunities, both
7 interior and outside with wonderful views of the
8 river. And we come down to the esplanade and we'll go
9 along the bicycle path and we'll make a transition to
10 a nighttime shot. The venue and the importance of
11 activity beyond 5:00 p.m. is critical to the success
12 of this project as a very unique mixed-use project.

13 With that, I would like to introduce Ron
14 Kaplan and this is what we call "Moon Over Anacostia,"
15 which is a nighttime shot, but it really shows you the
16 importance of the space and the building being
17 animated at night. And keep in mind the 51 games a
18 year are, in fact, night games. 51 of the 80 games
19 during the year. So with that, Ron?

20 MR. KAPLAN: Good evening. My pleasure to
21 be here. My name is Ron Kaplan. I'm the founder of
22 City Street Properties, which is a company where we
23 focus exclusively on creating pedestrian-oriented
24 mixed-use environments. I have had the pleasure at
25 City Street to work with the Anacostia Waterfront

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Corporation in creating the development strategy for
2 the entire Ballpark District area. Prior to that in
3 working with the Mayor's Office on creating and
4 structuring the creation of pedestrian-oriented mixed-
5 use development at the old Convention Center site.

6 In my life before City Street Properties,
7 I co-founded for Federal Realty a company called
8 Street Retail, Inc. where we became the largest
9 landlord really in creating the type of environment
10 we're talking about here. We were the largest
11 landlord on Greenwich Avenue, bought up the properties
12 and helped create Third Street Promenade in Santa
13 Monica and many of the properties you may know around
14 here from Pentagon Row, which we developed, the
15 Village of Shirlington, the Bethesda Row and, at the
16 time, kind of the flagship example of what we're
17 talking about here, Santana Row in San Jose. So all
18 that is just some background.

19 I think it's important, and this slide
20 really shows it, to understand this is a District as
21 everybody knows and it's a little hard to see, but
22 outlined there in the darker red color, it encompasses
23 a fairly large area. But what's significant and
24 striking to me on this picture is the size and
25 importance of this Florida Rock site. It really can't

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 be over-emphasized how critical this piece of property
2 is and why it's a pleasure to work with Florida Rock
3 is they recognize that it's not an isolated piece of
4 land.

5 They are incredibly cognizant of their
6 role in creating this District and I found them to be
7 one of the most responsive developers, as I think you
8 guys have witnessed, between their initial submission
9 and the changes that you see today. Some of which
10 initiated by Office of Planning, some are from the
11 Anacostia Waterfront Corporation, but they attended
12 all of the development strategy meetings that we had
13 and really revamped this program to have what is the
14 critical aspect of making this a viable and exciting
15 area, which is a dramatic increase in the amount of
16 retail.

17 It's important to understand one of the
18 things that came out as we looked at this whole
19 District and AWC put together their objectives that
20 there are really three nodes. This right up at the
21 Metro leading down to the stadium, this area right
22 next to the stadium and then finally the critical
23 importance of First and Potomac.

24 As you can see here once again, what
25 connects those areas ultimately is going to be retail.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 When you think about a pedestrian walking around, you
2 need the activation of the office above for the
3 daytime use. You need the residential uses to really
4 populate the streets at night. But nobody is really
5 aware of that, that all kind of just happens. It's
6 what is happening when you walk on the street.

7 If we could go to the next slide? What
8 you will see here, this is, you know, to a certain
9 extent almost a no-brainer, in simple language. You
10 are right at the entrance to the stadium. People are
11 going to be coming down the Metro. So this area,
12 frankly, I think is going to take care of itself. The
13 next area. This can't be overstated in terms of
14 importance. I hope as the Zoning Commission is
15 involved in this and Office of Planning they really
16 appreciate the reason there is a stadium at this site,
17 if everybody backs up and thinks about why is there a
18 ballpark here?

19 There's a ballpark here for two reasons.
20 One was to revitalize an area that needed to be
21 revitalized and two was a unique opportunity to create
22 activity at the water, something that Washington
23 really hasn't had. And that activity at the water is
24 critically linked to the success of what happens here.
25 So I just encourage everybody as a little aside as you

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 think about what's happening along the edge of the
2 stadium, as you think about what's happening on the
3 WASA site, getting people from here down is going to
4 be largely influenced by this and then also largely
5 influenced by what Florida Rock has just done in the
6 changes.

7 I don't think you can over-emphasize the
8 importance of the eastern edge of this East Office
9 Building. That is the anchor that is going to pull
10 people down and that's what you need. You want to get
11 people down to this waterfront. And the creation of
12 the 14 foot ceiling heights everywhere on the ground
13 floor and this wonderful two-story space it's amazing.
14 When you think about Bethesda Row, people say I'll
15 meet you at the fountain. The fountain is this tiny
16 little thing in front of Barnes and Noble, for those
17 of you that know it, to give a suburban context in an
18 urban setting here.

19 Little things like that really become the
20 defining characteristics of places. So I just am
21 thrilled with what Florida Rock has done here. I
22 think they have been incredibly responsive to try and
23 help the city, AWC and OP really achieve the goals
24 they were looking for, which is how are we going to
25 activate this area.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Go to the next. First and Potomac Plaza,
2 this is the area that needs a tremendous amount of
3 effort, work and will be the exciting area with the
4 Promenade of stairs and Florida Rock is going to
5 create the first phase of that waterfront development.
6 They have already committed to creating a viewing
7 pier, which is a wonderful way to get people down to
8 the river. Again, a huge part of the goal.

9 The ballpark is a great amenity, 80 days
10 of the year. We've got to figure out how to
11 counteract that dead space 280 days of the year and
12 Florida Rock stepped up to the plate, in my opinion,
13 and is really trying to figure that out. The
14 Southeast Federal Center, this will become Florida
15 Rocks Properties the western edge of what can be a
16 first time huge amenity for the city of Washington in
17 terms of really creating a wonderful waterfront
18 experience. And they have done it with the
19 sensitivity to that which is the glue to this area,
20 which is creating that retail.

21 And I'm available for questions later, but
22 wanted to keep it short here and just give you a
23 little bit of that perspective. Thanks.

24 MR. BRIGGS: Thank you, Mr. Kaplan. I
25 would now like to bring Steven Sher, who will be our

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 last presenter tonight, to speak about his urban
2 planning context and how this project has worked into
3 the entire framework. Steve?

4 MR. SHER: Turn the lights on and wake
5 everybody up. Good evening, Madam Chair and Members
6 of the Commission. For the record, my name is Steven
7 E. Sher, the Director of Zoning and Land Use Services,
8 with the Law Firm of Holland and Knight. You have an
9 outline in front of you and I'm not going to use it,
10 as is what usually happens.

11 A couple of things that I would like to
12 pull together as the concluding witness in this
13 presentation. This is the second-stage or final
14 review of a PUD by the Commission. As Mr. Briggs
15 outlined in his opening statement, this case has been
16 through a variety of steps before and in Order No.
17 910B, the Commission extended the first-stage approval
18 and set forth a whole series of design guidelines and
19 design guidelines is sort of a narrow term for what
20 was a fairly broad document, because it dealt not only
21 with design, but with use and with density and with
22 parking and other things like that.

23 In the report that you have and very well-
24 articulated in the Office of Planning report done by
25 Mr. Lawson, there is a line-by-line comparison of

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 those design guidelines to the project that is before
2 you this evening. And you will see either from my
3 analysis or Mr. Lawson's that there are very few areas
4 of difference. And I would like to highlight a couple
5 of the differences.

6 As Mr. Briggs indicated in his opening
7 statement, where the design guidelines talked of
8 maximum heights of 110 feet, 100 feet and 90 feet, we
9 are asking for approval of 112 feet, 102 feet and 92
10 feet. And the difference is all in the amount of
11 floor-to-floor height on the first floor, so we can
12 get 14 foot clear retail space on the first floor
13 rather than 12 feet, which is what the design
14 guidelines contemplated.

15 The second thing that where we are at some
16 deviation or difference from the design guidelines is
17 in the waterfront esplanade where the design
18 guidelines call for a 75 foot setback. We are at 75
19 feet minimum on the ground level all the way across
20 from one end to the other. We have projected over
21 that for a distance of up to 25 feet in three specific
22 locations for a piece of the hotel, a piece of the
23 residential building and a tower design element in the
24 East Office Building.

25 Those are the only places where we don't

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 meet the 75 foot setback. They are all above the
2 ground level, so at the ground where it is 75 feet or
3 more, the design was carefully thought out by Mr.
4 Buckley and his associates to include more
5 diversification and more articulation in the facades
6 along the river. And you see from the plans that are
7 before you that we have done some things that are a
8 little bit different than what was contemplated in the
9 first place. That's the second area where we don't
10 meet the design guidelines.

11 The third area is also one that Mr. Briggs
12 highlighted earlier and that's in the amenity package,
13 because what we had as an amenity in the first-stage
14 and Mr. de Villiers talked about that also, we were
15 going to take care of Reservation 247, which is now
16 part of the ballpark site and it's just not available
17 to us and doesn't need any further attention from this
18 applicant. So as a substitute for that, we're
19 proposing to take care of another public space, which
20 is the space referred to as the First Street Plaza on
21 the east end of our site.

22 A couple of other zoning technicalities,
23 I guess that's why I'm here. We are asking for a
24 couple of specific deviations in the regulations in
25 terms of flexibility. We have some roof structures

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 that are -- don't have walls of equal height that
2 don't meet the one-to-one setback requirements in a
3 couple of very minor places. They are shown on the
4 roof plan, which is Sheet 18 of the plans that were
5 filed back in August.

6 We are -- in total on the loading, we are
7 a little bit below what the buildings would have if
8 they were considered to be individual buildings. 19
9 loading berths of various sizes are required. We have
10 15. Our traffic analysis indicates that 15 is enough
11 and we don't want to overburden more than we need to
12 with loading docks and loading platforms and things
13 like that.

14 If you look these buildings and calculated
15 the loading in the aggregate, we would meet the
16 aggregate. But it's when you divide them up into
17 separate buildings that we would have -- we would be
18 required to have 19 and we have 15.

19 With respect to the context and the
20 relationship to the baseball stadium, clearly the
21 city's intent in locating the stadium in the Capitol
22 Gateway area was to serve as a catalyst or what I'll
23 loosely call a launching pad for future development of
24 that area. This is a site notwithstanding the
25 baseball stadium, as Mr. Kaplan just mentioned, has to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 stand on its own for 280 days out of the year. We get
2 81 home games. If we make it all the way to the World
3 Series, we might get up to 293. Add a couple of --
4 I'm sorry. Up to 93, add a couple of exhibition games
5 at the beginning, you're talking at the most 95 days
6 out of the year. The remainder of this site has to
7 stand on its own.

8 So the plan that is before you takes into
9 account the baseball stadium, the Anacostia River, the
10 waterfront esplanade, the Southeast Federal Center,
11 the whole notion of the various sub-areas and the
12 neighborhoods that Mr. Buckley described earlier. The
13 site plan makes it evident that this is a critical
14 location between the stadium and the river, but it's
15 appropriate for high density development, which
16 respects that context and I think that's what you have
17 before you.

18 So in conclusion, I believe that the
19 project complies with the requirements of the modified
20 preliminary PUD approval with the minor exceptions
21 that I have noted, that we seek a limited amount of
22 flexibility, but it's minor in the overall scheme,
23 that the project responds positively to the
24 surrounding context.

25 You will note that I have not done

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 anything in this outline with respect to the
2 Comprehensive Plan. Those are issues that were
3 basically discussed and disposed of in the preliminary
4 or first-stage application. The Comprehensive Plan
5 hasn't changed since that application was approved
6 and, therefore, whatever findings the Commission made
7 in approving the PUD in the first place will continue
8 to be relevant to the second-stage or final PUD.

9 And in consideration of all of those
10 factors and in, I guess, consideration of the weight
11 of the evidence as I carried it in my left hand here
12 to bring it to the hearing this evening, I would
13 suggest that this application be approved.

14 CHAIRPERSON MITTEN: Thank you.

15 MR. BRIGGS: Thank you, Mr. Sher.
16 Chairman Mitten, this concludes our presentation. We
17 did it with five minutes to spare. I'm sorry, we will
18 have to take it back. We are available for questions
19 and comments. We do have our bevy of experts on other
20 aspects that were not presented, but -- today in the
21 oral testimony, but were in the submissions and
22 certainly they are here to answer any questions you
23 may have. And again, I renew my request that with
24 regard to the DOT report that we be allowed to respond
25 to that.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 There were several matters, but again, I
2 note, that the DOT does support the project and
3 suggests approval, it just requires consultation and
4 they are matters that I think are -- that can be
5 resolved in those consultations in a short time.
6 Thank you very much.

7 CHAIRPERSON MITTEN: Thank you. Questions
8 from the Commission? I know they have questions.
9 It's a slow start. Who wants to go first?

10 VICE CHAIR HOOD: I guess since I have the
11 easy --

12 CHAIRPERSON MITTEN: Thank you, Mr. Hood.

13 VICE CHAIR HOOD: I have probably the
14 easiest question. I think the presentation was well
15 done. I don't know whether I just got sold with the
16 animation or really what. I noticed in the animation
17 though that the bike path, you kept alluding to the
18 bike path, and it looks as though the bike path
19 eventually ran into the regular sidewalk. I don't
20 know if we need to put it back up, but can you tell me
21 how that is going to co-exist? Because it looks like
22 the bike path ended and the sidewalk was still there.
23 It looked like you kind of ran on into the walking
24 pedestrians.

25 MR. BRIGGS: Let me have Mr. Buckley

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 respond to that, please.

2 MR. BUCKLEY: In those places where we
3 have transitions, transitional areas that come down
4 from Potomac Avenue, you are exactly right. The
5 bicycle path does intersect with the pavement of the
6 major pedestrian areas. This is not dissimilar from
7 what normally happens. What we anticipate is because
8 of the materials that are used along the bike path,
9 which is an asphalt, that when one comes to the
10 termination of that asphalt pathway, the material
11 change will be a signal to people to slow down. They
12 will also see people in front of them.

13 Milo Meacham is showing you where that is.
14 There is a better site plan, Milo.

15 VICE CHAIR HOOD: So while he is looking
16 for that, let me just say if I'm riding my bicycle and
17 I know I'm getting ready to go onto the sidewalk, I'm
18 supposed to automatically know to either reduce speed
19 or get off of my bike and walk or whatever the case
20 may be?

21 MR. BUCKLEY: There is usually a small
22 sign there that just says pedestrian way and that
23 usually gives you the signal that that's really where
24 you -- where the physical bicycle path stops and where
25 that transition occurs. This happens throughout, you

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 know, the city where you have these kinds of
2 experiences. What we had done is -- Milo, do you want
3 to just -- showing coming down the retail alley is a
4 major public space. And as you come down in to that
5 space, you then have bicycle paths off to either side.
6 But you need to make and be able to make the
7 transition to the waterfront esplanade.

8 There are venues where people actually mix
9 both the bicycles and pedestrians together and that
10 is, you know, a venue that has worked in various
11 places, but in discussing this with several people,
12 including our landscape architect, Jim Robin, he felt
13 strongly that for a majority of the area through the
14 site that we should have that separation of pedestrian
15 and bicycle path. But you are correct, there will be
16 places in the major public spaces where those bicycle
17 paths will intersect with the large open spaces.

18 VICE CHAIR HOOD: And I would just let you
19 know up front, that is one of my concerns through the
20 whole presentation, other than what DDOT and Mr.
21 Briggs has mentioned already that they are going to be
22 responding to what DDOT said. That is a major concern
23 for me. I'm not sure how that is going to work. I'm
24 really not sure. We might need to relook at that.
25 But other than that, I think everything is great.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 That's the only thing that I have a concern and maybe
2 some of my colleagues, who ride bikes -- maybe things
3 have changed since I rode a bike, I'm not sure.

4 MR. BUCKLEY: Well, I think it's a
5 legitimate point and I think that what we will do is
6 we'll look at that again and make absolutely certain
7 that if we do have those intersections and if they are
8 appropriate, if there is not an alternative, what we
9 will do is to make absolutely certain that we use
10 other prototypes where it has been done very
11 successfully and mimic that, so that we can be
12 absolutely sure it will work.

13 VICE CHAIR HOOD: Okay.

14 MR. BUCKLEY: Thank you for your comment.

15 VICE CHAIR HOOD: I'll be looking forward
16 to seeing that. Thank you, Madam Chair, that's all I
17 have.

18 CHAIRPERSON MITTEN: Thank you, Mr. Hood.
19 Commissioner Jeffries?

20 COMMISSIONER JEFFRIES: Okay. You know,
21 I think I'm one of the Commissioners that Counsel
22 Briggs was referring to. I'm coming in at the middle
23 of the movie here, so some of my questions might be
24 somewhat basic. But I'm trying to get my arms around
25 this development program in general. I mean, I sort

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 of did some percentages of the various uses and I came
2 up with like 54 percent office. And I'm just having
3 some difficulty getting my arms around that level of
4 office in this location. So why is that, in this
5 critical location, I guess?

6 MR. BRIGGS: Let me start and then I'll
7 have Mr. Buckley respond further. When this project
8 was started, it was all commercial project of
9 1,300,000 square feet.

10 COMMISSIONER JEFFRIES: It was all office?

11 MR. BRIGGS: All office when the project
12 was first done. The first-stage approval was an all
13 office project with some ground floor retail with an
14 off-site residential amenity. The second-stage
15 approval continued that. When the second-stage
16 approval was not extended by the Commission, it was --
17 we worked out a development program with the Office of
18 Planning which resulted in design guidelines that cut
19 down the, first, total amount of density, because the
20 density of the project of first-stage approval was
21 close to 6 FAR.

22 We cut it down to a cap of 4.4 FAR
23 splitting it roughly along the 2:2, 2 FAR for
24 nonresidential and 2 FAR for the residential.
25 Remember in this zone district, residential can also

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 include hotels as well. And that was sort of the
2 split. We have tried to maintain that amount. And
3 again, some of this commercial that we have identified
4 includes the retail components as well.

5 So that's where we came down from. It was
6 an all 6 project to now a project that is all mixed-
7 use, is a mixed-use project, roughly 2.1, I think, of
8 FAR, 2.2 FAR of commercial/commercial-related uses and
9 the remainder are residential. So we have moved down
10 and that was the basis of the first-stage approval and
11 the basis of the design guidelines that were
12 identified. I don't know if that responds to your
13 question. I can also speak to the economics and maybe
14 Mr. de Villiers would like to speak to the economics
15 of the project to make it work this way or Mr. Buckley
16 with regard to the allocation of uses or Mr. Sher.

17 COMMISSIONER JEFFRIES: Well, that would
18 be great. But I guess just something seems somewhat
19 counterintuitive as related to something that Ron
20 Kaplan said in terms of, you know, 284 days of the
21 year that this project has to stand alone. And given
22 the location, you know, you are off this promenade,
23 this circus and I'm just wondering what this
24 development looks like on weekends during the 284 days
25 when baseball is not in session. Just how active this

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 is going to be. What's going to draw people here,
2 other than 7 percent retail guided during the week?

3 I'm just -- and I know it is very basic,
4 but I just would like to really understand just the
5 reasoning behind, you know, this particular site and
6 this level of office.

7 MR. BUCKLEY: And you will.

8 COMMISSIONER JEFFRIES: I mean,
9 historically. So thank you.

10 MR. BRIGGS: Mr. Buckley?

11 MR. BUCKLEY: Well, I think that you make
12 a very interesting point, but I -- my response is that
13 there has to be a slightly more higher percentage of
14 retail to get that activity down to the waterfront as
15 opposed to say residential. Residential is uniquely
16 a private experience. And when -- if you take a look
17 at the kind of context of community and privacy when
18 you are going from public spaces to private spaces,
19 you make that transition.

20 And clearly, the commercial office space
21 supplements and enhances the retail, which is really
22 the economic engine of the project. And the hotel and
23 residential really bring it that life after 5:00 p.m.
24 But I think that there is a desire in terms of the
25 economics of the project to make it work and also to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 have the kind of activity that normally occurs to have
2 that retail component to be slightly more than the
3 hotel and residential.

4 And I think that you can take a look at
5 that if you went over to the Washington Channel which
6 is predominantly from 4th Street toward the Channel is
7 predominantly residential. And people are hesitant to
8 go into residential areas, you know, by themselves.
9 And so the retail and the commercial office
10 environments really help supplement that and make the
11 areas work and also provides that kind of vitality
12 9:00 to 5:00, 9:00 to 6:00 or whatever it is.

13 COMMISSIONER JEFFRIES: It will be, you
14 know, pretty interesting and I mean my understanding
15 is that the best retail strategy is housing and also
16 office and so I don't disagree with you. But I look
17 at these percentages in this mix and it would be good
18 as we go forward that I could get a sense of sort of
19 a similar mix in projects of this size and scale
20 across the country or whatever that have been
21 successful with this kind of level of mix.

22 I'm just sort of curious. I looked at the
23 animation there and there were times it looked very
24 much like an office park and I'm just somewhat
25 concerned about that. So I am certainly not saying

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 that I am, at this point, opposed to this application,
2 but I am -- I have some serious concerns about the
3 use. So and 7 percent retail, it would be great that
4 there could be more retail, quite frankly, but I
5 understand some of the restrictions given the size and
6 the configuration of the site.

7 So that's it. I'll just listen to others.

8 CHAIRPERSON MITTEN: I was just going to
9 add to what you were saying, which is I think -- and
10 I know the designs probably weren't as sensitively
11 done as these will be, but, you know, we are all aware
12 of, you know, the experience in Oldtown where there is
13 a lot of office buildings on the waterfront and there
14 is not the kind of animation until you get more into,
15 you know, where the torpedo factory is and where you
16 get a higher concentration of residences.

17 But there is that whole sweep that goes up
18 towards, I don't know, it goes north along the
19 waterfront and there is no real interaction between
20 anybody other than office workers and the river there.
21 So I don't know what the right combination is, but I
22 think you are looking for examples where this could
23 work. And I also would be interested in knowing more,
24 not that you need to express it now, about, you know,
25 I think people are starting to overcome this notion

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 that commercial density is automatically more valuable
2 than residential density.

3 I think we have certainly cleared that in
4 certain places downtown. So what is it? Is this
5 notion really going to hold true when you can offer
6 people something that they can't get almost anywhere
7 else in D.C., which is water views from apartments?

8 MR. BRIGGS: Before I introduce Ron to
9 maybe respond to this question as well, I should note
10 that we have tried to identify every potential viable
11 space that's on the ground floor or viable either as
12 a second story retail or as below grade non-countable
13 GFA as retail space in this project, understand that
14 there are areas because of building access points,
15 fire control rooms, we have moved the loading berth
16 facility below grade, so that we don't have that taken
17 out of the first floor plane that otherwise would be
18 retail.

19 The hotel certainly provides an active use
20 and will be a 24/7, as will the residential tower. So
21 we have tried to at least, understanding the amount of
22 open space that we are at is roughly 59 percent of
23 this lot, provide as many venues for retail that could
24 be viable retail. What is not counted, I believe, in
25 our retail calculations is frontage along the, what we

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 call, circus, the oval on the West Office Building.

2 That face is not there, because at the
3 moment we don't think it is viable retail. It
4 certainly could be viable on that face, but again
5 that's retail that is not presently spaced. It is not
6 presently counted on the ground floor that does not
7 confront either the internal piazza, which is between
8 the West Office Building and the hotel, or the
9 residential.

10 So there may be some additional spaces for
11 retail if it is viable, but we have tried to identify
12 and Mr. Buckley was certainly requested by Mr. de
13 Villiers to look and maximize after participating in
14 the AWC and OP discussions this spring and they were
15 very intense to try to identify as much viable retail
16 space as possible in this building.

17 And then providing the mix of use that was
18 worked into the density, the design guidelines, helped
19 to provide that kind of 24/7 population in addition to
20 the office population, understanding we would also
21 have a stadium population and, as Mr. Kaplan
22 identified, the First Street delivery down.

23 MR. KAPLAN: Mr. Jeffries, I would like to
24 commend you, because it's an awesome question. It
25 gets to the heart of what I think people should look

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 at when they are trying to think about creating these
2 kind of neighborhoods and what it is going to feel
3 like.

4 And, Ms. Mitten, I think you asked the
5 exact right follow-up, which is if you look at just
6 one local example, again not to be redundant, but if
7 we look at Bethesda Row, Bethesda Row was all office
8 and retail and quite successful, but the mix that it
9 was missing, and it is finally being added as its
10 literally eighth phase development over a course of a
11 decade, is finally there is a residential component
12 that is coming to it. Nonetheless, it has been quite
13 successful in its redevelopment over the past decade.

14 Conversely, if we pop across the water to
15 the Village of Shirlington, the Village of Shirlington
16 was surrounded by residential. Neither one is the
17 right answer. Bethesda needed residential. The
18 office population was great. The restaurants thrived.
19 Frankly, it was successful enough that in the evenings
20 when the office tenant wasn't there, on the weekends
21 when the office wasn't there, if you create the right
22 environment, and this waterfront is certainly the
23 right environment, people will come to it.

24 That is the point. It is not meant to
25 just be the people that live here. This is meant to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 be an amenity for the whole city. So in Bethesda,
2 said nonetheless we want to get people that live right
3 there, so we added that. Village of Shirlington,
4 frankly, has only residential. The restaurants
5 weren't doing well enough and, frankly, you couldn't
6 bring in small shops. It really is only restaurants
7 if you go over there and take a look. It's really
8 mostly food and it doesn't really work.

9 So what was the first thing we did? We
10 partnered with some people and brought in office. So
11 the right answer from my experience looking around the
12 country is you really do need a mix, and this is
13 creating from whole cloth, right? You're going to
14 have some office, but you do have this big -- you have
15 this donut-hole that has neither of those. It has got
16 80 days of people and it has got nothing any other
17 time.

18 So I actually think they have kind of done
19 the best job one can do first because on the retail,
20 every space that can be retail is retail. It would be
21 foolish. They built it out so maybe it could be in
22 the future, but South Capitol Street putting retail
23 right along there is going to be very challenging, so
24 every space that could be.

25 Nonetheless, your comment is right. You

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 would like it to be more. There just is no more
2 building footprint. The whole area needs more retail
3 and, hopefully, every developer, when you see the
4 approvals for all the other sites, has all first floor
5 retail because you need to get a critical mass there.
6 And then I think you really want that balance of that
7 office tenant and that residential tenant on each
8 site.

9 CHAIRPERSON MITTEN: Mr. Parsons?

10 COMMISSIONER PARSONS: Follow-up on that.
11 I don't think we can treat this as an island. That is
12 -- but I need to back up, because in your submission
13 you talk about an office building across the street
14 which this Commission hasn't seen or approved or dealt
15 with at all, which you presume will be at 130 feet and
16 I can't understand that. That is that the building we
17 have approved is 78 feet high, so I can't imagine why
18 you think it will be 130.

19 But that somehow to me, whatever size it
20 is, if we approve it or don't approve it, fits into
21 this mix we were just talking about. And the reason
22 we postponed this hearing for as long as we did was to
23 evaluate this project in the context of what is going
24 on around it, and I don't see that. Other than in a
25 quick visual simulation tonight, I really don't see

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 that kind of evaluation having taken place.

2 So I'm kind of making an opening remark
3 here, but it seems to me we -- I would like to see why
4 this won't work economically as a full residential
5 project, because what we see going up around this
6 stadium, especially up on M Street, is nothing but
7 office buildings.

8 Now, maybe M Street is too far away to
9 lure people to the waterfront. I don't know, but,
10 again, I'm pleading for evaluation of this in the
11 context of what we and the Anacostia Waterfront
12 Commission has been doing since you submitted this
13 application almost eight years ago.

14 So let me go to that. I don't want to --
15 I'll go to some specific questions. I guess I'm
16 surprised at what has happened here, because the first
17 street access that goes through this project and the
18 one that cants off towards the river may have made
19 sense before, but they really, to me, don't make sense
20 anymore.

21 The access that has been created now that
22 is very important is coming off the Grand Staircase of
23 the stadium and we lost the view of the Capitol Dome,
24 as you may know, for a number of reasons and the view
25 from the left field seats of the river was something

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 that was very important to us. And instead, I think
2 what we see is your East Office Building, admittedly
3 animated and showing retail inside.

4 Certainly, you won't be able to see
5 through it, but as an attractant, if you will, to
6 those in the left field seats to come down here after
7 hours, but I guess I was hoping that what we saw on
8 the Anacostia Waterfront Corporation's vision plan,
9 which showed a small building here, a large park area,
10 that you would have retracted back into your site to
11 recognize that.

12 Instead, there have been very minor
13 modifications to the proposal in respect -- I mean,
14 not in respect, our request to review this project in
15 the context of decisions that were going on around
16 you, and I see very few changes to recognize that
17 other than to enliven the architecture, but blocking
18 the view from the stadium.

19 So I guess I will ask Mr. Buckley. Why
20 weren't there major modifications made to this project
21 in response, from a design standpoint in response, to
22 what is going on around you? There simply haven't
23 been any that I can see.

24 MR. BUCKLEY: I think that there is an
25 interesting dynamic, John, between open space and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 animating, animating the area. The area immediately
2 east of the stadium, and maybe the best thing to do
3 would be to -- do we have this drawing? Well, we need
4 two. Do you see that small building? The idea was to
5 have -- what is important here is that we have a major
6 public space that is linear up and down the river.
7 And, yes, it does have some views out to the water,
8 but they are interesting views in that the river is
9 narrow at this point.

10 The major views from the stadium as you're
11 making the transition down from the stadium are those
12 ramps upriver to the Barry, to the 11th Street Bridge.
13 You make that transition down to the plaza level,
14 which is located over here. To draw people to the
15 waterfront, you have to have an attraction, in my
16 mind. The attraction is not simply the public space.
17 If I thought that it was simply the public space, then
18 I would have seriously considered that, but I think
19 there has to be a complementarity to it.

20 There has to be an important attraction,
21 a retail environment that is an iconic element, the
22 building that attracts retailers to this area,
23 attracts them to the building and also, as people are
24 making the transition down from the stadium, from the
25 upper levels, as they are looking off they are looking

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 directly across at the retail environment, the multi-
2 level retail environment. They are attracted to it.
3 It's a destination and complimenting that is the open
4 space.

5 The critical thing is you can have the
6 space so large, John, that it just doesn't have any
7 sense of containment. It doesn't have any kind of
8 sense of venue in terms of it. You know, when you
9 think of important public spaces in Italy or in
10 Europe, they are interestingly not enormous, vast
11 spaces. They are those intimate spaces that people
12 can really congregate in, that they can move directly
13 to the building, to the public space.

14 And, particularly here, keep in mind that
15 going up the river is a vast, open space and I think
16 the focus is not necessarily the terminus of First
17 Street. Can we go back to the diagram? No, the -- go
18 back one more, one more, one more. Right here, that's
19 it.

20 I think that what is unique here is that
21 it's not necessarily the full experience of coming
22 down 51 days a year to this space here, but it's
23 really the dynamic of this space as it relates to this
24 residential area here. Keep in mind that that is the
25 Metro that comes down there. Ron talked about the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 importance of the First Street venue, but I think what
2 is going to happen is that there is going to be a
3 shift here that is going to be a shift to the east
4 recognizing that this is the major public space.

5 In order to bring people initially to the
6 waterfront in this first phase, we have to have a
7 powerful iconic element and the paradigm that we're
8 looking at is not just a one-story retail environment,
9 but it is a multi-story retail environment, go back to
10 that, that looks at really integrating that in a
11 multi-level that also then has the commercial office
12 building on the top of it.

13 If you go into most of the urban centers
14 now, for instance New York City, which is in many ways
15 a suburb of Washington the way I look at it, what you
16 really see is that you see that their people are
17 taking the corners of those buildings and they are
18 trying to make a multi-level venue, so that when one
19 approaches it from a distance they are attracted to
20 it. You know, your natural cone of vision is 27
21 degrees, so that you're looking at that.

22 Coming down First Street, I think it's an
23 important venue to get to. So I think that I
24 understand your point of view. I don't necessarily
25 agree with it, but I would also hope that you

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 recognize the importance of having this kind of
2 element here that really has that complementarity
3 between the retail and commercial usage in a
4 horizontal as well as a vertical venue, and that it's
5 complimented with a large, open space located here.

6 And keep in mind that that is just an
7 extension to the west of a very large public space.
8 So what we're trying to do is to really create that
9 and I think that having this iconic element is
10 extremely important. Ron, do you have any comments?

11 COMMISSIONER PARSONS: Could we go to the
12 slide, stadium gathering view corridor? So the
13 stairway that comes down out of the stadium, the Grand
14 Staircase as it is called, has a view directly at the
15 office building and whatever retail venue goes in
16 there. But I'm wondering if we shouldn't redesign
17 this Grand Staircase to accommodate your building.
18 That's what I'm talking about.

19 I mean, what we thought when we approved
20 the stadium and its Grand Staircase is people would be
21 coming down out of it with a view of the river, or at
22 least I did, and now as you show here, it kind of
23 shifts over before such a view is seen. And I don't
24 see any reason to redesign the stadium to accommodate
25 your project, and that is my point.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 So let's -- we can agree to disagree, Mr.
2 Buckley. There is no doubt about it. I mean, it's
3 either going to be architecture that is there or it is
4 going to be the view of the Anacostia, but I --

5 MR. BUCKLEY: Well, I think that, John,
6 there really has to be kind of a blend. If we went
7 back to the view from the stair, I think that you have
8 to keep in mind the stair is 100 feet wide.

9 The natural tendency of people coming down
10 stairs is not to look off, but to look down at their
11 feet. But as they make that transition down, their
12 view is naturally toward the river here, but also
13 important to us is that it's a view of the east end of
14 the building because that is the retail venue. That
15 is the excitement. That is the attraction. That is
16 what is drawing people to the waterfront.

17 Absent having anything there, the
18 waterfront in and by itself is a limited draw. During
19 game days and during days during the week when people
20 are coming down to this area, they have to have an
21 attraction on the waterfront that draws them down, and
22 I think that that is what we have accomplished here in
23 terms of this building.

24 I think that the public space east of that
25 is sufficiently large to also do what you're talking

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 about, but I think that this is an important component
2 here. I think it's a critical, an essential part of
3 the retail venue. Keep in mind that well over 20,000
4 square feet of the retail is singly located just in
5 that portion of the building there. By having the
6 commercial office up above it, it also helps us
7 animate that.

8 And the concept of retail is really kind
9 of a multifaceted word, because it can talk about
10 different types of venues that can occur here. It is
11 just not restaurants in and by themselves. It is
12 really an environment that has multiple functions and
13 services in it in and inviting and enhancing the
14 experience for everybody coming here, people making
15 the transition from the upper levels of the stadium
16 looking over here, seeing the excitement and the
17 energy within the building itself.

18 They also look out to the river. The
19 focus upriver is the Barry and the 11th Street Bridge.
20 That is a very interesting dynamic. And, also, a
21 little bit upriver is also across the way to the
22 Anacostia Heights. So I think that it's a good blend
23 of uses and it's a good blend of purpose to really
24 make this in an exciting and enhanced way.

25 Ron, do you have any comments on this?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 COMMISSIONER PARSONS: Well, then let's
2 talk about the other, the allays between your other
3 two buildings and from an urban design standpoint, how
4 does that relate to anything that is going on around
5 the project, the First Street and the angular piece,
6 the 60 degree angle that is going off?

7 I mean, they made sense when we first
8 looked at this project because First Street was coming
9 directly to the river and now it's not, of course, and
10 really all they relate to at the moment is the corner
11 of this office building that you have sketched on
12 there that we have not yet seen.

13 So I guess what I was hoping is you would
14 begin to in-fill that in deference to a larger park
15 space on the east. So that is my point, and I'm
16 trying to figure out why these spaces that we looked
17 at before really relate to the urban design of this
18 area at the moment.

19 MS. STEINGASSER: Commissioner Parsons,
20 excuse me, do you mean Half Street?

21 COMMISSIONER PARSONS: Yes. I'm sorry.

22 MS. STEINGASSER: Oh, okay.

23 COMMISSIONER PARSONS: Thank you very
24 much.

25 MS. STEINGASSER: Okay.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 COMMISSIONER PARSONS: Half Street.

2 MR. BUCKLEY: I knew that. I think that
3 within the overall environment that what is unique to
4 this is, in the future, there will be people coming
5 down here and from the areas west of South Capitol
6 Street and, of course, there may be a venue in the
7 future here in terms of the use for the oval. In
8 addition to just circulation around it, there may be
9 a possibility to have parking below grade, that kind
10 of thing, and that is something that DDOT has not
11 discounted sometime in the future to have that as an
12 opportunity.

13 However, I think that it is important that
14 we have the alley that separates the commercial office
15 building from the residential, and this area becomes
16 a very wonderful kind of pedestrian passageway from
17 Potomac Avenue. It recognizes that there is this
18 major entrance to the stadium here, visual entrance
19 here, the kind of activity that is engendered down
20 South Capitol Street in the future that will come over
21 here.

22 And this becomes an interesting nodal
23 point in terms of transition to the stadium and this
24 part of the stadium and for the future, as well as to
25 give some separation and some distinction between the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 residential as a forum in and by itself and the retail
2 that will service both of these areas separating
3 those. And, of course, this Half Street extension we
4 think is an important kind of nod to the original plan
5 and it also gives us an opportunity to have a major
6 circulation pattern in here and a court around which
7 these two buildings are located.

8 I think that the other thing it does is it
9 breaks up the facade and gives opportunities for
10 people to come through here and have separation
11 between the buildings. I think the retail venue at
12 this area here is probably different from this and,
13 also, this is a major point for people to gather from
14 the hotel along the esplanade down in this area here
15 from the residential through this area here, a pickup
16 point for possible shuttles in the future which would
17 come in, a one-way system up and around like that.

18 So I think that the separation is
19 important and, also, in terms of the massing of the
20 buildings, it makes them distinct and unique and
21 compliments the kind of ground plan in terms of vistas
22 and views. And I think that the vistas and views from
23 this portion of the stadium through here and having
24 these wonderful opportunities through the project is
25 extremely, extremely important from an urban design

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 viewpoint.

2 COMMISSIONER PARSONS: Okay. Thank you.
3 The parcel to the south of the existing South Capitol
4 Street Bridge on some of your renderings is shown as
5 a park and in other diagrams it is shown as future
6 development parcel. That is not the subject of this
7 case, but why do you have a couple of different
8 solutions for that?

9 MR. BUCKLEY: Do we have two solutions for
10 that? What solutions are you referring to, John?

11 COMMISSIONER PARSONS: Well, I'm going to
12 have to go find them.

13 MR. BUCKLEY: Can you help me here?

14 CHAIRPERSON MITTEN: What he said is
15 sometimes it's marked as a development site and
16 sometimes it's marked as a park, so why is it marked
17 in different ways. Isn't that what you meant?

18 COMMISSIONER PARSONS: Yes, that is what
19 I meant.

20 MR. BUCKLEY: Well, sometimes it is just
21 green.

22 COMMISSIONER PARSONS: Right.

23 MR. BUCKLEY: That doesn't necessarily
24 mean it's a park. We just used that color as a
25 complimentary color to the overall composition. But,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 for instance, if we went back to -- can you go back to
2 this image? For instance, this image, we have
3 indicated it as a lighter color than the rest of it.
4 What that is a byproduct of is basically working with
5 DDOT in doing -- can we go back to the -- here we go.

6 This is the original configuration here.
7 And what DDOT wanted to do is you can see they wanted
8 to take a portion of this property here, and what they
9 agreed to do was to do a like kind exchange in the
10 property in principle with this area here. And, also,
11 that provided them an opportunity to create a
12 development parcel located there.

13 So we have just indicated that as a
14 development parcel but, quite frankly, it could have
15 been any color. I mean, we didn't necessarily
16 indicate that it was a park. For instance, it could--

17 COMMISSIONER PARSONS: So what is the
18 diagram on the left showing us?

19 MR. BUCKLEY: This is the -- the diagram
20 on the left is from our urban design analysis that we
21 had prepared prior to the original December 8th set
22 down hearing, Public Hearing, and what it shows is
23 that it shows the existing Frederick Douglass Bridge
24 alignment here and, at that time, the possible
25 relocation over here.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 And, as I recall, we had this discussion
2 and there was an interesting showing. Well, if this
3 were relocated over here, what, in fact, would happen
4 to this space? We thought that absent any kind of a
5 development program at that point, what we simply
6 showed was this is a landscaped interim park
7 experience here, and so I think that is what you're
8 referring to right there.

9 But certainly now, having worked with DDOT
10 in terms of the configuration of the oval, the
11 relocation of the bridge, South Capitol Street, they
12 have expressed an interest through like kind exchange
13 to create a parcel for themselves that would be the
14 residual of the swapping of those parcels. So that is
15 what we're seeing.

16 MR. BRIGGS: There is -- might I just
17 clarify? As far as I know, DDOT has not committed to
18 that parcel which would be assuming the Environmental
19 Impact Statement is approved, the bridge siting
20 occurs, the land acquisitions that they need to
21 undertake either by condemnation or direct acquisition
22 occur, that that property would be vested in the
23 District of Columbia for utilization as it's desired.
24 It could be as park. It could be as a development
25 site of the Department of Transportation, if so

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 desired.

2 I think the only reason we have shown it
3 is to try to indicate that our hotel building works
4 with whatever is going to be there, whether it's an
5 open space park. The fenestration on that side of the
6 hotel works with an open space. It also works if
7 there were going to be a building there.

8 If you will note on the diagrams, that the
9 upper stories of the hotel are actually set back from
10 the base of the building to provide a separation to
11 ensure that if that -- if DDOT elected to do something
12 with that parcel, assuming it ended up with control,
13 that it would not impact the hotel site.

14 COMMISSIONER PARSONS: Okay. Thanks. I
15 wanted to go to your measuring heights that you spoke
16 about in your presentation not tonight, but in your
17 materials. And I found them a little bit confusing,
18 but maybe we can get an answer here.

19 I guess what you're saying, or what I
20 understood from the presentation materials, that the
21 stadium is being measured midway along its length on
22 South Capitol Street, which is at an elevation of 30.
23 I am reading from your materials not somebody else's,
24 as I grasp it, and that your measuring height along
25 Potomac Street is 20 feet lower, as I understood it.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 And, therefore, the stadium will be taller than your
2 buildings.

3 Is that -- help me out. Is that what you
4 were saying, because the stadium is 120 feet plus
5 lights?

6 MR. BUCKLEY: I don't know if I said -- I
7 don't think I said that.

8 COMMISSIONER PARSONS: You didn't say any
9 of this tonight. This is in your materials here.

10 MR. SHER: I can tell you what the
11 elevation measuring points are. They are shown on the
12 sections which are Sheets 23, 24 and 25 of the August
13 25th plans. For the East Office Building, east, that
14 measuring point is 19.75 elevation and for the office
15 building -- I'm sorry, that's west. East is 15.5. So
16 if the stadium is 30, we're at about 15 feet on the
17 one, lower on the one hand, and about 12 feet lower on
18 the other hand.

19 COMMISSIONER PARSONS: All right.

20 MR. SHER: On the hotel, we're at
21 elevation 23, so that is only 7 feet or so lower.

22 COMMISSIONER PARSONS: All right.

23 MR. SHER: And on the residential building
24 we're at elevation 20.5, so that is about 10 feet
25 lower.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 COMMISSIONER PARSONS: So I think the
2 point of the discussion I think was in the urban
3 design section, this booklet, was that the stadium
4 will be 130 feet high and you will only be 110, which
5 implies you won't be as tall as the stadium, but there
6 are no drawings or sections for us to help us
7 understand that.

8 So what I'm trying to evaluate is are we
9 completely screening this stadium from the Anacostia
10 River, except for its southeast corner?

11 MR. BRIGGS: Mr. Parsons, before Mr.
12 Buckley speaks, we have been trying to work with the
13 stadium HOK to get access to get to that specific
14 point. It has been our discussions, that I believe
15 Mr. Buckley has had with HOK, that this building --
16 that the stadium would rise above our building on the
17 west end. That is our understanding, but we do not
18 have the detailed plans, unless Mr. Buckley has
19 received those recently.

20 MR. BUCKLEY: No, but what we can do is we
21 can look into that, get that information and provide
22 it.

23 COMMISSIONER PARSONS: So I was also
24 hoping that we could get some visual simulations and
25 maybe they can be taken from your video, it was pretty

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 quick tonight, of what this will look like as one
2 enters the city from South Capitol Street on a new
3 bridge that isn't yet designed and the Anacostia River
4 itself as to whether we'll be having glimpses of a
5 stadium or not.

6 MR. BUCKLEY: We can do that.

7 COMMISSIONER PARSONS: Thank you. Now,
8 this viewing pier is an interesting notion. It seems
9 like a perfect place to go fishing, frankly, and I
10 don't know if that is its intent or not. But will
11 there be something at the end of this to be there? I
12 mean, the sketches that I saw just showed a pier as
13 though it was -- I don't mean a trite gazebo or
14 something, but something with some sense of place
15 about it?

16 MR. BUCKLEY: What I looked at was to just
17 have a pier that goes down and terminates in basically
18 a place. In other words, it's wider and has a
19 terminus at the end of it, but it does not have a
20 gazebo. It's an open space so people can go down
21 there and do whatever they want, whether it's fishing
22 or viewing or looking off.

23 We had talked about doing something like
24 a gazebo, but I was a little hesitant to do that
25 because I thought it was in many ways better to just

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 have it as an open space where people could really go
2 and do whatever they want to do down there and not be
3 reluctant to go down there, because there appeared to
4 be something happening there other than just a
5 wonderful kind of view and pier where people go
6 fishing, go down, look off and be large enough for,
7 you know, many people to go there.

8 So that is the way we kind of viewed it
9 and I think that that was -- certainly seemed
10 appropriate at the time.

11 COMMISSIONER PARSONS: Okay. Thank you.

12 CHAIRPERSON MITTEN: Mr. Turnbull?

13 COMMISSIONER TURNBULL: Thank you, Madam
14 Chair. I would like to -- I will first start off just
15 echoing my colleague's, Mr. Jeffries, comment that,
16 since I also am new to the Commission on this case, it
17 has been very interesting.

18 I see this as a very -- obviously, it has
19 been labored over for many years, and I would agree
20 with several of my colleagues' previous concerns about
21 the mix, but I won't get into those right now. I'll
22 leave that since everyone else has already very much
23 commented on them.

24 But looking at the design as it is, the
25 mix the way it is and just making some comments on it,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 I think part of the features that I see are very
2 positive. I think what Davis Buckley Architects has
3 included is the green architecture, the water aeration
4 and the biofiltration. I think those are concepts
5 that we have all argued for on other projects and I
6 think that those are very commendable. I think that's
7 a very -- that's a feature that we need more in our
8 design projects in our city.

9 I guess I would take umbrage with Mr.
10 Briggs' comment that DDOT has simply -- has approved
11 it pending consultation with DDOT. I think the
12 language, Mr. Briggs, is a little stronger. It talks
13 about conditioned on the resolution of issues
14 identified and described in this report and there's
15 about four or five.

16 There are several significant issues that
17 I think -- whether you talk about water coach, the
18 esplanade, the dimensions of how that works, traffic
19 impact, the oval, I think there's a lot of serious
20 issues that DDOT needs answers on that are going to
21 need resolution. So I don't think it's just
22 consultation. I think it's a little stronger than
23 that.

24 I have got some other issues which I would
25 like to talk up, but I think it's maybe better once OP

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 gives their report. OP had some comments on the
2 design and I think I would like to hear from them and
3 then maybe -- because some of these things, I don't
4 want to go over them twice.

5 I guess I would argue also from a design
6 standpoint when we talk about axis of design and
7 impact, and I think, obviously, First Street is a very
8 significant axis. I guess I question the view from
9 the stairs of the ballpark, the Grand Stairs, so much
10 since it is only going to be used 84 days of the year.
11 I mean, yes, it's there. It's an element, but I think
12 the First Street access is more critical.

13 And I guess we -- a lot of comments have
14 been made about icons and I think we talk about the
15 view as you go down this and you get into place-making
16 and you get into symbols. And echoing a comment that
17 Mr. Parsons had just mentioned, is there -- relating
18 mainly to the pier. What is there?

19 And notwithstanding Mr. Buckley's fine
20 abilities to design an architectural icon at the end
21 of the street that would draw people there, is there
22 another element that needs to be present that would
23 draw something? I mean, you almost want to see a
24 memorial or something. You want to see something else
25 there. I mean, there is no ship that is drawing

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 people there. There is no constellation. There is no
2 feature.

3 Is it just the ability that you're just
4 going to see this view down the street and want to go
5 to it other than you will have this retail element
6 that, hopefully, is going to be a draw? But I think
7 as far as place-making, you want to -- there is almost
8 like a feature, that sense of place. What are you
9 going down to see? What is going to be there? And I
10 don't think that -- I'm still kind of vague as to what
11 I'm going down to see.

12 Am I just going down to this architectural
13 icon which he is going to be designing and which is
14 going to have significant retail as restaurants? But
15 I just have a feeling that there is something, that
16 there is either a feature or something, a sense of
17 place as we reach down here that is empty. I mean, I
18 think there are some very interesting features with
19 the water that could help develop this, but I just
20 think there needs to be some fine tuning especially on
21 First Street as a major draw.

22 And I would agree also that the -- I would
23 like to see some better sections or elevations
24 relationships between the ballpark and the other side
25 of the street, this project. I think I don't quite

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 have a feeling as to the heights and how this is
2 sizing up and the views as you're looking out. I
3 almost want to see a view looking back toward the
4 ballpark maybe just to see what -- a sense of what is
5 between these buildings and what you're looking at.

6 I think on a separate issue, there were
7 submissions architecturally. I think there's a few
8 drawings in the set that show color elevations and a
9 sense of what the materials are, but it is broken up,
10 that you don't see the whole picture of the elevation
11 and get a good streetscape view of what they are. And
12 I would like to see some better color renditions to
13 see it. I have only seen slices and what I have seen,
14 some of it is good, some of it I'm just -- I don't
15 know how the big relationship is along the
16 streetscape.

17 The other thing is on the roof and maybe
18 this is more an OP question. There is this big
19 antenna building. Other than the penthouses, there's
20 these other features which are antenna farms or
21 structures which can be seen, additional roof elements
22 that we haven't encountered to that scale before and
23 maybe, OP, we can get into that when they -- if they
24 are going to talk about it.

25 I think the other issues -- and I guess

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 the only thing is that I think we had talked about it
2 internally. The parking is all connected underground,
3 three entrances. You can either go in or go out and
4 it's all connected underground.

5 Other than that, my only other comment is
6 that the ballpark design that is shown in this design
7 review, as you know, is the one that was rejected. It
8 is not the one that we approved. This shows the
9 rather disdainful looking parking garages to the north
10 which we soundly rejected. So I think this is not
11 quite in keeping with what we're seeing as an overall
12 view, and I think you talked about option two, which
13 we did approve, with the additional retail on First
14 Street.

15 And I think, as Mr. Parsons was alluding
16 to, I think a little bit closer relationship with what
17 is there might give us a better feeling as to how
18 we're looking at this site and I think those are my
19 comments.

20 CHAIRPERSON MITTEN: Did you have any
21 specific questions that you wanted the applicant to
22 address?

23 COMMISSIONER TURNBULL: Well --

24 CHAIRPERSON MITTEN: Yes, there you go.

25 COMMISSIONER TURNBULL: Other than right

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 now, I think the main question that I had other than
2 those, other than my basic comments on the design, and
3 maybe it is again mainly related to what OP is going
4 to comment on, is on the roof or these additional
5 structures on the roof and the architectural
6 embellishment.

7 I think I would like a better definition
8 of what is happening with the architectural
9 embellishing on the Anacostia River side. I saw it on
10 the one elevation, but I'm not sure exactly what is
11 happening up there. I don't know if there is a better
12 view of it or what.

13 MR. BUCKLEY: Mr. Turnbull, we can provide
14 those additional views and I think that I understand
15 what Mr. Parsons is looking for, as well, and we can
16 provide those and I think that we can also enhance the
17 elevations so that you have a better sense of the use
18 of materials and the juxtaposition of the materials
19 and the like, so we look forward to doing that.

20 CHAIRPERSON MITTEN: Would you mind
21 addressing Commissioner Turnbull's question, and this
22 was shown on the roof plan, Sheet 18, where on the
23 West Office Building there is something labeled
24 telecom equipment/mechanical and then on the East
25 Office Building there is something labeled antenna

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 area, and we don't have anything shown antenna-wise.
2 And so I'm curious as to what you have in mind.

3 MR. BUCKLEY: Ms. Mitten, this actually
4 goes back to our Stage 1 submission and what we are
5 interested in doing is to provide an area for antennas
6 where they could be grouped, whether they are dishes
7 or small antennas, so that they would not be highly
8 visible or visually distracting. And so what we did
9 was we provided this antenna area and it is actually
10 not in a closed space.

11 The actual bottom part of it is lifted off
12 the ground plane and, as you can see on the East
13 Office Building, the walls come over and they do not
14 touch the walls to the mechanical penthouse. But the
15 concept is to have an area where if there are
16 telecommunication antennas and dishes and the like,
17 that they be clustered in one area and what we have
18 done is enclosed those in a screened area so that they
19 are not highly visible.

20 So that was the purpose of it and,
21 actually, we had -- we discussed this previously and
22 we can provide more information for it. But what I
23 did not want to have is just these types of rooftop
24 elements just placed willy-nilly across the roof
25 itself, but rather to congregate them in one area.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 CHAIRPERSON MITTEN: Well, and we agree
2 with that and any antennas, unless there is a specific
3 provision otherwise, would have to come in for a minor
4 modification or a modification of some kind, so it
5 would be helpful if you could explain more of what you
6 have in mind here if you expect not to have to come
7 back after there are specific antennas that are
8 determined to be located on the roof.

9 MR. BUCKLEY: David, do you want to
10 comment on this?

11 MR. BRIGGS: No, I just wanted to -- I
12 think Mr. Buckley was also, and I don't want to play
13 architect here, but also was looking to help with the
14 architectural embellishment of the east building to
15 almost create a screening for the mechanical room as
16 well.

17 I mean, if you will note that the way the
18 curved wall comes up on the east building facade, it
19 tries to provide an architectural statement for the
20 Potomac Avenue facade. I don't know if you have that
21 rendering, Davis. So it serves multiple purposes to
22 try and break down or break up the visual component of
23 the mechanical roof structure.

24 MR. BUCKLEY: Well, David is exactly
25 right. What we're -- what I was responding to was the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 specificity in terms of the antenna area. However, we
2 have taken advantage of that. Whoops, there we go.
3 We have taken advantage of that, that the height of
4 the building along Potomac Avenue is 92 feet and what
5 we're looking is to develop a hierarchial sequence of
6 spaces as you go through.

7 And what that center area does is by
8 projecting the screen out as a continuation of the
9 curtain wall, it provides that kind of rhythm and
10 along the skyline and also helps accentuate the
11 curvilinear form. Can we go back to the -- as one
12 looks down the street, you have the building coming
13 along here and what that does is it helps accentuate
14 the entry to the East Office Building here.

15 So it's an architectural device and we
16 have also used it as a means to basically provide an
17 area for locating these antennas in a kind of
18 comprehensive, enclosed space.

19 CHAIRPERSON MITTEN: Okay. It's just that
20 there should be -- for instance, if you're trying to
21 herd them all in there and have them be screened, then
22 there should be a height limit on any antenna that
23 would go there. And so that's the kind of thing that
24 I'm looking for.

25 MR. BUCKLEY: Right. That's a very good

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 suggestion. David?

2 CHAIRPERSON MITTEN: Did you have anything
3 else, Commissioner Turnbull?

4 COMMISSIONER TURNBULL: No. I guess my
5 only other comment related to the antennas is they
6 seem awfully -- again, awfully large for -- is it
7 taking care of all of the antennas on all the
8 buildings? Are then all the buildings going to be
9 tied in other than the center building or building
10 three, I guess it is, and at the corner there is this
11 telecom equipment/mechanical.

12 Is that subservient to this? Is it
13 working with it? Is it another -- are these related
14 to signal, best signals per building, or, again, are
15 they picking up architectural features, I guess?

16 MR. BUCKLEY: I think they are doing both.
17 I think that they are picking up an area for the
18 antenna and dishes or whatever, but I think that Ms.
19 Mitten's comment about the height is well-taken, but
20 it's an opportunity to cluster them in one location.
21 And I think the two primary locations for these are
22 the East Office Building as well as the West Office
23 Building.

24 CHAIRPERSON MITTEN: Okay. I have a few
25 questions. First, on the amenity site, I'm not aware

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 of the District owning a piece of property in that
2 location other than the piece that the Earth
3 Conservation Corps has. Is that street right-of-way
4 that has not been closed yet or what is that?

5 MR. BRIGGS: There is a street right-of-
6 way. First Street extended south is a still existing
7 platted street, although unimproved. So that area
8 that comes down for the full right-of-way of First
9 Street to the river is under District of Columbia
10 control and I believe is leased to the Earth
11 Conservation Corps as well as to the -- as well as the
12 Pump House.

13 The area to the east are controlled by
14 WASA, I understand, and maybe AWC can better explain
15 and I believe they are going to testify in a little
16 bit, is owned by WASA and I believe there are
17 conversations with the Water and Sewer Authority about
18 aggregation of some property to create this plaza.

19 CHAIRPERSON MITTEN: Can you give us an
20 additional submission on what exactly are all the
21 pieces that have to come together in order to make
22 this --

23 MR. BRIGGS: We will be --

24 CHAIRPERSON MITTEN: -- piece of land
25 available?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MR. BRIGGS: We will be glad to work with
2 AWC to try to identify that, because that has been a
3 question we have had, as well, in the development of
4 our amenity package.

5 As you can imagine, Florida Rock is
6 concerned to make sure that if it's going to invest
7 \$3,500,000 in this parcel for development, that there
8 is a site configuration consolidation that will work
9 to make it a worthwhile plaza, because we do believe,
10 as in the presentation, that it has to be a place and
11 size and control is an important component. So we'll
12 certainly work with AWC on that point.

13 CHAIRPERSON MITTEN: Is it intended that
14 the \$3.5 million is all the money that is needed to
15 develop the plaza?

16 MR. BRIGGS: I am probably not the best
17 person to ask. I think the AWC representative can
18 better respond to that. I do not believe so.

19 CHAIRPERSON MITTEN: Okay. I'm asking the
20 applicant, because the applicant is proffering
21 something specific.

22 MR. BRIGGS: I understand.

23 CHAIRPERSON MITTEN: Okay.

24 MR. BRIGGS: I do not believe so.

25 CHAIRPERSON MITTEN: Okay.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MR. BRIGGS: It is a substantial
2 component, but not all of the --

3 CHAIRPERSON MITTEN: Okay. Let me just
4 ask another question or two and maybe you won't be
5 able to answer, because we have just established that
6 -- well, I mean, it hasn't really been designed and so
7 on, but there is a couple of things.

8 One is Mr. Hood was asking about what
9 happens to the bike trail. So what is the intention
10 about the bike trail at the eastern edge of the
11 subject property? Would it continue through the
12 landscaped plaza or would it go on to Potomac Avenue
13 at that point?

14 MR. BRIGGS: It was our intention in the
15 original proposal when we made the submission that the
16 bike trail would continue on through this plaza
17 eastward towards the Southeast Federal Center.
18 Clearly, we know one of the important aspects for the
19 Advisory Neighborhood Commission was to see that the
20 bike trail continue.

21 CHAIRPERSON MITTEN: Okay.

22 MR. BRIGGS: Certainly, it's one of our
23 things that we would like to see continued in some
24 fashion, but you are quite right. The design of this
25 plaza has not been undertaken at this point in time

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 and will be something we'll be working with AWC on.

2 CHAIRPERSON MITTEN: So the question of
3 maintaining access to the Pump House is an issue yet
4 to be resolved then, too.

5 MR. BRIGGS: Certainly, it is not in
6 Florida Rock's control to decide that.

7 CHAIRPERSON MITTEN: Okay.

8 MR. BRIGGS: We certainly have been
9 working very closely with ECC over the various years
10 to make sure that they have a viable operation.
11 Again, it's not something that is in our control. We
12 will certainly encourage the AWC to address those
13 matters.

14 CHAIRPERSON MITTEN: Okay. And then on
15 all the plans there is this thing that curves around
16 along the waterfront and it goes -- basically, it
17 starts at the eastern edge of the subject property and
18 it looks like it almost goes out onto the water, and
19 what is that?

20 MR. BRIGGS: I will -- unless Mr. Buckley
21 wants to respond, it --

22 MR. BUCKLEY: Can you indicate what plan
23 that we're referring to?

24 CHAIRPERSON MITTEN: It's on 7.

25 MR. BRIGGS: It was a concept that Mr.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Buckley generated to try and create a ramp-way that
2 would get down into a marsh recreation within the
3 Anacostia River. The idea was to recreate the
4 marshlands there and have a ramp, a walkway, what
5 would you call it, a boarded walkway through the
6 marshlands area and it's partially into the river.

7 CHAIRPERSON MITTEN: Okay. If that is not
8 for sure, can we just eliminate that?

9 MR. BRIGGS: Right. That is not -- again,
10 it was just a depiction of things that we thought
11 could happen at the First Street Plaza, but since we
12 don't control the physical entity, it was just a
13 suggestion. There is certainly some idea to, I think,
14 try to enhance the river, that component.

15 CHAIRPERSON MITTEN: Okay. But that's --

16 MR. BRIGGS: That is not anything we are,
17 as I understand it, totally designed. That is not the
18 amenity. The amenity is the cash and working with
19 whoever it is to develop the plaza, to make sure the
20 cash is available and how it is used.

21 CHAIRPERSON MITTEN: Okay.

22 MR. BUCKLEY: The configuration of that
23 space is really a framework, if you will, and within
24 that framework it was suggested that there are certain
25 issues that have to be addressed.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 One is the nature of the wetland along
2 that, how people can experience that both at the
3 water's edge as well as inland from that, and the kind
4 of plant material that could be placed there so people
5 can stand with that is -- and to try to make that as
6 a transition space to the plaza level itself.

7 CHAIRPERSON MITTEN: Okay. I'm going to
8 ask a question now that I suspect that you haven't
9 discussed with DDOT, because you didn't know that DDOT
10 didn't support the direct access point from the oval.

11 But in the discussion about the
12 desirability of changing the configuration of the
13 western property line for the subject and creating a
14 parcel for DDOT between the bridge and the PUD site,
15 did you have any discussions with DDOT about how
16 access would be gained to that site?

17 MR. BUCKLEY: Yes, we did, and I think
18 that one of the issues that we would like to clarify
19 with DDOT is exactly this, because we did discuss
20 access directly off of the oval. And it was our
21 understanding that they concurred that that would be
22 acceptable provided that it be one way, one way in,
23 but not both, not in and out at that point, so that
24 basically you're making a left turn in off of the
25 oval.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 So I think that we need to clarify that
2 with DDOT and if it continues to be a problem, then
3 we'll -- you know, we'll obviously resolve it with
4 them.

5 CHAIRPERSON MITTEN: Just maybe you missed
6 the other point --

7 MR. BUCKLEY: Yes.

8 CHAIRPERSON MITTEN: -- that I was trying
9 to get at, which is how would access be gained by the
10 new development site?

11 MR. BUCKLEY: We also discussed that with
12 them and they anticipate that access to the new
13 development site would be from underneath the bridge
14 area. We asked them that specifically and they said,
15 well, we would be accessing it from the other side
16 of --

17 CHAIRPERSON MITTEN: Right, from
18 underneath the bridge.

19 MR. BUCKLEY: Yes, from this area over
20 here.

21 CHAIRPERSON MITTEN: Okay. Is there
22 anybody here from DDOT? Oh, okay, good. We'll get to
23 you. You're getting a preview of your questions.

24 MR. BUCKLEY: If I may mention that we
25 worked very closely with Kathleen Penney for an

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 extended period of time on this and with Parsons
2 Brinckerhoff and HNTB, their consultants, working out
3 these. So I think we just need to have some
4 clarification on these points.

5 CHAIRPERSON MITTEN: Okay. I don't know
6 that all my questions are in order, so I'm just going
7 to apologize for that. I am now in the section on
8 your amenities and I just wanted to make sure that
9 under the -- and maybe get some additional information
10 for the Commission.

11 In the amenity that you have proffered for
12 work force housing, you're using a new definition than
13 the one that we typically do and the proffer is to
14 make the roughly eight units available to families
15 making 80 percent of median family income within the
16 District of Columbia, which is a different definition
17 than area median income and I don't know if you
18 actually intended to target that.

19 MR. BRIGGS: I'm not sure we changed, we
20 were intending to change the definition.

21 CHAIRPERSON MITTEN: Okay.

22 MR. BRIGGS: We had worked with the Office
23 of Planning. We had submitted a proposal, as you
24 know, in our earlier component of the second-stage
25 approval which was a whole program for this

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 implementation, and I think we are still in the stages
2 of working with the Office of Planning to refine that,
3 but it was not intended to change the definition from
4 what you were --

5 CHAIRPERSON MITTEN: So it's the same
6 definition --

7 MR. BRIGGS: Yes.

8 CHAIRPERSON MITTEN: -- that we use in
9 inclusionary zoning and all that stuff?

10 MR. BRIGGS: Yes.

11 CHAIRPERSON MITTEN: Okay. I thought you
12 were going to break some new ground there, but I see
13 that you have disappointed me, but let's see. In
14 terms of the esplanade, would that -- as you have
15 shown us in the phasing plan, would that be built out
16 in the, if I can just call it, chunks that you have
17 shown in the phasing plan or how would that get built
18 out?

19 MR. BRIGGS: That is our intention to
20 build out in the phasing plan. As each aspect of the
21 project is completed, the esplanade would be
22 accomplished. So, for instance, the east building
23 would be -- the first portion within that phase would
24 be -- that portion of the esplanade would be
25 completed. It would connect to the alley to make a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 complete circuit.

2 The next phase would be with the
3 residential building and, again, that component, we
4 would build it down sufficient to be able to make a
5 connection of the esplanade up to First Street, I
6 mean, up through the Half Street opening to Potomac
7 with the final component of the esplanade being
8 completed at the Phase 4 component.

9 I know DDOT has made a suggestion, which
10 it was new to us, about some sort of interim or
11 temporary component. That is one of the things we
12 need to consider and evaluate. That had not been
13 presented to us previously.

14 CHAIRPERSON MITTEN: Okay.

15 MR. BRIGGS: And the biggest concern is
16 where you go because we still have a bridge right-of-
17 way there that exists and until the existing bridge --
18 and the way it is developed at the moment, there is a
19 berm and columns and the question is where do you go?

20 CHAIRPERSON MITTEN: Right, I understand
21 that.

22 MR. BRIGGS: And that's --

23 CHAIRPERSON MITTEN: I appreciate the fact
24 that you're going to think about that further.

25 MR. BRIGGS: Right.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 CHAIRPERSON MITTEN: As far as the
2 environmental features and so on, I looked and I
3 couldn't find. You were referring to the LEED
4 elements that had been -- the specific LEED elements
5 that had been proffered and you made note that they
6 were in Exhibit J, and I couldn't find it in any of
7 the previous submissions. So I would ask you just,
8 even if it's only for my benefit, to submit that
9 again.

10 But one of the things that -- I have been
11 working on a task force related to the Green Building
12 legislation and we have -- as you noted, it's
13 difficult to hold someone to a proffer of LEED
14 certification or to require someone to build to a LEED
15 standard, because you can't get certified until after
16 the Certificate of Occupancy is issued and the
17 building is occupied for about a year.

18 But I still would like that to be the
19 ultimate goal, so I don't know how we bring those two
20 things together, but because I didn't have Exhibit J
21 I don't know if it had been structured as a LEED
22 checklist and you showed the points that were being
23 gained.

24 MR. BRIGGS: It had not been at that level
25 of detail. It is in the original submission. We will

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 get you a copy. This was a submission that was made
2 May 21, 2004 and it is Item J. There was a four or
3 five page list entitled environmental features of the
4 project.

5 CHAIRPERSON MITTEN: Okay.

6 MR. BRIGGS: Mr. Buckley and Mr. Striegel
7 may have some comments with regard to the LEED
8 certification components of this building.

9 CHAIRPERSON MITTEN: Well, let me just
10 make a statement and then you see if you're willing to
11 consider it.

12 What I would like to see is I would like
13 to see an attempt made to articulate how you would
14 gain the sufficient number of points and then, and
15 this is what we sort of struggle with with the Green
16 Building legislation, I think it would work well here,
17 is that you would basically put up some amount of
18 money, you know, that would make you serious and after
19 -- and it would be like a bond or something and that
20 would be money that you would lose if you, in fact,
21 did not get LEED-certified within a certain period of
22 time and if you did, you would get the money back. So
23 I would like you to think about that.

24 MR. BRIGGS: I will do that. Ms. Mitten,
25 as you know, I am on the opposite -- I am working with

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 DCBIA on a task force internally with DCBIA that is
2 representing --

3 CHAIRPERSON MITTEN: You didn't say
4 opposite side?

5 MR. BRIGGS: I didn't say opposite.

6 CHAIRPERSON MITTEN: Oh, okay.

7 MR. BRIGGS: In conjunction with trying to
8 express all components. There are some procedural
9 issues, as you know.

10 CHAIRPERSON MITTEN: Right.

11 MR. BRIGGS: As well as the financial, as
12 well as the changing LEED certifications that are
13 coming out of the U.S. Green Building Council. And,
14 as Mr. Striegel might want to note, this type of
15 project doesn't naturally fit into the Green Building
16 Programs that exist as they are operated today, and so
17 we'll be glad to certainly look at this.

18 MR. BUCKLEY: Well, Ms. Mitten, you are
19 exactly right. There is a new category for this type
20 of building, for development buildings, and I think
21 that the best way to do it would be to probably
22 respond in writing and to indicate to you exactly how
23 we could approach this.

24 CHAIRPERSON MITTEN: That would be great.

25 MR. BUCKLEY: All right.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 CHAIRPERSON MITTEN: I think that DDOT
2 gets into this a bit, but I did just want to comment
3 and I don't expect you to comment back at the moment,
4 but the Transportation Management Plan is almost
5 exclusively aspirational as it has been expressed in
6 the traffic impact analysis from August 23, 2006.

7 I mean, it even talks about a Truck
8 Management Plan, but doesn't proffer a Truck
9 Management Plan. So I think if you want us to take
10 that seriously as an amenity, you're going to need to
11 get a lot more specific.

12 MR. BRIGGS: We will certainly do that and
13 I will apologize that the Truck Master Planning
14 Program was to be part of it and it did not get
15 written into the text.

16 CHAIRPERSON MITTEN: Okay.

17 MR. BRIGGS: But it will be elaborated on.

18 CHAIRPERSON MITTEN: But the other
19 elements, you know, things like -- what was the one?
20 There were other elements of it that you really
21 couldn't -- unless you intend to impose it on an
22 office user, it's just a notion. Let me give the
23 specific example, flexible work hours as just a for
24 instance.

25 MR. BRIGGS: Right.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 CHAIRPERSON MITTEN: That's just -- you
2 know, that's, hey, that's a nice thing to do. When
3 were you planning on delivering the pedestrian viewing
4 pier in the scheme of the --

5 MR. BRIGGS: The viewing pier would come
6 in Phase 4.

7 CHAIRPERSON MITTEN: Phase 4. I wanted to
8 ask about the allocation of the parking spaces to the
9 different use components. I'm looking now at -- well,
10 I guess the best, the easiest place to look is really
11 in the OP report. It's probably where I was looking
12 at the time.

13 MR. BRIGGS: And, also, page 19 of our
14 submittal I believe also has a breakdown, although
15 it's by use and not by phase of our drawing
16 submission.

17 CHAIRPERSON MITTEN: Page 19 you said?

18 MR. BRIGGS: Yes, Sheet 19.

19 CHAIRPERSON MITTEN: Oh, Sheet 19.

20 MR. BUCKLEY: It's the garage, first floor
21 plan, Sheet 19.

22 CHAIRPERSON MITTEN: So on Sheet 19, are
23 these how the allocations would be by use or by
24 building?

25 MR. BRIGGS: By use.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 CHAIRPERSON MITTEN: By use. Okay. So
2 okay. Am I right that there is -- 160 residential
3 units is what you're intending? Is that right?

4 MR. BRIGGS: Correct.

5 CHAIRPERSON MITTEN: That is the total?

6 MR. BRIGGS: Yes.

7 CHAIRPERSON MITTEN: Okay. So then why
8 are there 442 residential spaces on Sheet 19?

9 MR. BRIGGS: That includes hotel as well.

10 CHAIRPERSON MITTEN: Oh.

11 MR. BRIGGS: Oh, no, it shouldn't. It is
12 supposed to be -- the hotel was supposed to be --
13 Davis?

14 CHAIRPERSON MITTEN: Yes, the hotel is
15 showing 299.

16 MR. BRIGGS: Davis, I can't --

17 MR. BUCKLEY: That is an error, Ms.
18 Mitten. If we go to page 20.

19 MR. MEACHAM: Page 2.

20 MR. BUCKLEY: If we go to page 2, what I
21 would like to have is Milo Meacham to comment on this.
22 Milo? Don't worry about it. They have it. Do you
23 want to -- it was submitted.

24 MR. MEACHAM: The sheets, and we apologize
25 that the table that is on Sheets 19 and 20 and so on

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 are incorrect, but the numbers on page 1 of the
2 document are the correct distribution.

3 CHAIRPERSON MITTEN: What page, I'm sorry?

4 MR. MEACHAM: Page No. 1.

5 CHAIRPERSON MITTEN: Page No. 1. Okay.

6 MR. MEACHAM: So in that case we have 266
7 spaces allocated.

8 CHAIRPERSON MITTEN: Okay. So --

9 MR. MEACHAM: It's a little less than 2 to
10 1.

11 COURT REPORTER: Excuse me, sir, are you
12 Milo Meacham?

13 MR. BUCKLEY: Milo Meacham.

14 MR. MEACHAM: Milo Meacham.

15 COURT REPORTER: Milo Meacham.

16 CHAIRPERSON MITTEN: He needs to identify
17 your voice on his thing.

18 MR. MEACHAM: I'm sorry.

19 CHAIRPERSON MITTEN: Okay. Can you
20 explain to us why 266 parking spaces are needed for
21 160 residential units that are within a few short
22 blocks of a Metro Station?

23 MR. BUCKLEY: Well, we --

24 MR. MEACHAM: Well --

25 MR. BUCKLEY: I can answer that in part.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 We had a housing consultant by the name of David
2 Mayhood who did an analysis for us in terms of what he
3 would recommend for the parking ratio for the number
4 of units, so we actually exceed what is required by
5 zoning. And even though we're within a few blocks of
6 the Metro, David's sense was that we really need to
7 have a higher ratio for the units to accommodate the
8 people who would live here based on his experience in
9 the District.

10 CHAIRPERSON MITTEN: Well, I won't speak
11 for all of us, but I will speak for myself, which is
12 I am becoming increasingly focused on not over-parking
13 properties and particularly when you have to dig down
14 four levels next to the river. I just -- that's why
15 I'm going to press on this. So I will just go on the
16 record saying I think that is too many parking spaces
17 from a land use perspective. He is speaking from a
18 marketing perspective and I think we can strike a
19 different balance, and I would like you to revisit
20 that.

21 On the hotel we have, let's see, how many
22 rooms in the hotel. We have 240 rooms in the hotel
23 and we don't have large meeting spaces. There is a
24 junior ballroom and then there are some small meeting
25 areas. So I don't understand the number of parking

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 spaces being allocated to the hotel either, especially
2 since that seems to be well in excess of what is
3 required again. So maybe I will just make a series of
4 statements and you guys can think about them.

5 And then the number of commercial parking
6 spaces. Well, I won't even -- the retail doesn't
7 bother me so much, the allocation to the retail, but
8 if I did my calculation correctly, and now I'm really
9 just depending on what I was looking at on the Office
10 of Planning report, 745 spaces for roughly 600,000
11 square feet of office is one per 800 square feet if I
12 did my calculation correctly, which is very, very
13 generous.

14 So I just don't understand why we need all
15 this parking, so perhaps you could as an additional
16 submission offer an explanation for that.

17 MR. BUCKLEY: Ms. Mitten, why don't we
18 look at that? I understand what your comments are.
19 We will revisit that.

20 CHAIRPERSON MITTEN: Okay. Thanks. And
21 to whatever extent it bears on my simple-minded
22 understanding of the issue with the -- I think there--
23 I guess I think this was a back and forth with the
24 Office of Planning about maybe scaling down the east
25 building and then there was a structural problem.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 And, as I understand it, it has to do with if you make
2 the top -- given that you're digging down so deep and
3 then the water is pushing up on the building, you need
4 enough building on top to keep it from pushing up. Is
5 that --

6 MR. BUCKLEY: That's correct.

7 CHAIRPERSON MITTEN: That's a simple-
8 minded --

9 MR. BUCKLEY: But, I mean, that is the
10 underlying principle.

11 CHAIRPERSON MITTEN: Okay. So this is,
12 again, my simple-minded notion of it. If you didn't
13 have to, even if it was just in that building, put as
14 many parking spaces in that building, then you
15 wouldn't have to dig so deep and you wouldn't have to
16 have so much weighing down on top, just a simple-
17 minded notion.

18 In doing the traffic analysis and the
19 impact of the ballpark operations, one of the things
20 that was assumed was that -- well, first of all, that
21 the parking strategy for the ballpark had been
22 determined and I don't think we're quite there yet.
23 But the other thing is it seemed to suggest that no
24 one would park or almost be invited to park at the
25 Florida Rocks site.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 What is the notion about that? Would
2 people be allowed to park at the subject property
3 because what has been analyzed is that all the people
4 will be going elsewhere, and so on game days no one is
5 going to be interfering with the traffic around the
6 subject property. That is the cliff notes version of
7 this.

8 MR. BUCKLEY: Right.

9 MR. BRIGGS: Ms. Mitten, I am not aware of
10 anything that Florida Rock has said that this wouldn't
11 be available at some point in time for ball game
12 parking.

13 CHAIRPERSON MITTEN: Okay.

14 MR. BRIGGS: Understanding that there
15 would be reserve spaces for the residential owners and
16 certainly for the hotel.

17 CHAIRPERSON MITTEN: Okay.

18 MR. BRIGGS: And to the extent there was
19 a retail parking requirement, to certainly support the
20 indigenous retail that is there to ensure that
21 customers on game days had a place to park. But as
22 far as other components, the spaces would be available
23 under commercial rate, I presume, to -- for patrons
24 and fans of the ball game.

25 CHAIRPERSON MITTEN: Okay. I'm not sure

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 that the traffic analysis took that into account, so
2 perhaps you could revisit that, too. On Sheet No. 7,
3 which is the circulation plan, we had another or we
4 have another PUD that is ongoing that has some
5 complicated circulation and this doesn't quite explain
6 the circulation sufficiently for me. And what they
7 did was they showed in different colors how different
8 kinds of vehicles could move.

9 So one of the things that is not clear to
10 me is in the -- I guess it's the piazza, that's the
11 place that's sort of nestled in the middle between the
12 hotel and the west office building and the residential
13 building. Can cars drive there? Is it intended that
14 cars would drive through there?

15 MR. BUCKLEY: Yes. I think what you are
16 looking for is a kind of a diagram that shows how that
17 -- those various traffic patterns to be workable
18 within that space.

19 CHAIRPERSON MITTEN: I would like to see.

20 MR. BUCKLEY: We can do that.

21 CHAIRPERSON MITTEN: Okay. And
22 specifically, as it relates to the piazza, we have
23 these different things happening on the ground.

24 MR. BUCKLEY: Yes.

25 CHAIRPERSON MITTEN: With the pavers and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 so on. And so how would the car know where to go if
2 there is -- if the pavers are not in a pattern that
3 would be linear? So if you can help me out in that
4 way as well.

5 MR. BUCKLEY: All right.

6 CHAIRPERSON MITTEN: I think I might be
7 getting to the end of my questions. I think I have
8 reached the end of my questions. Anyone else have any
9 questions? Is there anyone here from the ANC? I have
10 to give them an opportunity to ask questions. They
11 are not here. So I thank you all very much for the
12 presentation and we're ready to move to the Office of
13 Planning Report.

14 MR. BUCKLEY: Thank you very much.

15 CHAIRPERSON MITTEN: Thank you.

16 MR. LAWSON: Thank you, Madam Chair and
17 Members of the Commission. My name is Joel Lawson
18 with the D.C. Office of Planning and with me here
19 tonight is Jennifer Steingasser. I'm going to make
20 this very brief and then be available for questions,
21 of course. As has been mentioned, this application
22 actually predates most or at least many of the people
23 sitting at this table.

24 Just a couple of comments on the current
25 revised proposal. It is in many ways similar to what

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 you saw at set down. Some of the major elements that
2 are the same is that -- or include that it's a mixed-
3 use development with office, hotel, residential and
4 retail uses. The overall density, height and lot
5 occupancy is generally the same, although the Floor
6 Area Ratio has increased slightly by about .1 in
7 response to OP and AWC's support for addition retail
8 space on the site.

9 Other similar elements, it has a wide
10 landscaped walk and bike way along the waterfront,
11 which is generally 75 feet in width or greater at the
12 pedestrian level. The parking/loading facilities for
13 all buildings are essentially located in one
14 underground structure and on and off landscaping along
15 the waterfront is the major amenity item.

16 However, there are a number of elements
17 that have also changed from what you saw before. Most
18 of them have been described by the applicant and most
19 of those are in response to the changing context
20 around the site. That context is mainly, of course,
21 the baseball stadium directly to the north as well as
22 the reconfiguration of South Capitol Street or the
23 plans for the reconfiguration of South Capitol Street
24 along the South Capitol Street property line, the
25 configuration of the street and, of course, the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 possible introduction of the oval at the intersection
2 of Potomac Avenue.

3 In addition, there are changes to the East
4 Office Building at the east end and I'll get to that
5 in a second. There, of course, is the increase in
6 ground floor retail space from about 36,000 square
7 feet to a grand total, including retail space and
8 hotel and some underground retail space and second
9 level retail space, of about 92,000 square feet.
10 That's a pretty significant increase.

11 And finally, the amenity package has
12 changed a bit. Most notably, the contribution towards
13 the design, construction, maintenance of the First
14 Street Plaza directly adjacent to the subject site.
15 And I guess, finally, there are also, of course,
16 numerous building design changes, mainly to break away
17 from the previously proposed somewhat industrial
18 character to a more open and modern design idiom more
19 in character with the evolving context, particularly
20 again, the baseball stadium directly to the north.

21 Briefly summarizing, kind of going down
22 the list of the public benefits and amenities, first
23 on my list is affordable housing. The applicant has
24 proposed about 96,000 square feet or eight units of
25 residential area for work force housing.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 CHAIRPERSON MITTEN: Can I just correct
2 you? It's 9,600.

3 MR. LAWSON: Oh, what did I say?

4 CHAIRPERSON MITTEN: 96,000, which would
5 be so great.

6 MR. LAWSON: I thought I tried to slip
7 that in. You caught me. All right. Sorry, 9,600
8 square feet, eight units. I guess at 96,000 square
9 feet those eight units would have been really big
10 anyway. So they will be proffered for a period of 20
11 years. In general, OP supports this proffer.

12 There is, of course, the landscaping of
13 the First Street terminus that the applicant has
14 described in some detail as well as the landscaping of
15 the esplanade and the waterfront. There are the
16 environmental features which has been also discussed
17 by the applicant and by the Commission. There is the
18 water taxi dock, which I suspect that DDOT may want to
19 comment on a little bit more. They discussed that
20 amenity item in their report, basically noting that
21 the water taxi dock is probably not an appropriate
22 amenity item, given other plans for the area, and the
23 likelihood the water taxi docks will be built long in
24 advance of what the applicant was proposing.

25 There is the Transportation Management

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Program, which OP and DDOT both expressed some
2 concerns about, as well as Members of the Commission,
3 first source employment opportunities, local small or
4 disadvantaged business opportunities and finally the
5 pedestrian viewing pier, which again was described by
6 the applicant.

7 In summary, I would say that OP remains
8 supportive of the overall design intent for this site.
9 We're supportive of the densities and the heights
10 approved as part of Stage 1 review and as proposed in
11 the current submission. We are supportive of the
12 increase in retail, although again additional detail,
13 some of the elements of the retail we feel is
14 required, that be particularly the retail space
15 located below ground, how that contributes to the
16 streetscape kind of ambiance, as well as the retail
17 facades and the relationship of those facades to the
18 open spaces around the building and how the two work
19 together.

20 In keeping with -- the project also, kind
21 of continuing on my list, generally furthers the Comp
22 Plan, AWI and near southeast plan goals and objectives
23 and is generally in keeping with AWC and DDOT plans
24 for the ballpark and South Capitol Street corridor
25 areas. There are area issues which remain somewhat

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 unresolved and I think those have been pointed out by
2 the Commission.

3 Again, most notably, exactly how the
4 amenity items for the First Street Plaza, the design,
5 construction and costing will end up happening. And
6 I should not that we remain concerned about the East
7 Office Building and that the very east end does not
8 satisfactorily address the major stadium entrance
9 across Potomac Avenue. And we understand Commissioner
10 Parsons' concern that the building mass actually
11 blocks straight views from the entrance concourse
12 level and the waterfront.

13 The applicant contends instead that the
14 building itself would be a draw from the entrance.
15 And we feel that there may be room for some additional
16 discussion about how that happens. We have discussed
17 with the applicant, for example, the option of
18 providing a much lower level of retail at that
19 location which would serve to define the space, which
20 will be the First Street Plaza, which we agree is
21 important and that retail space is important to
22 animate that space, but would allow for some view
23 sheds maybe over or across the site down towards the
24 water and to the waterfront, to the shore across the
25 way.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 As such, the Office of Planning continues
2 to recommend that the Zoning Commission approve this
3 application, subject to the further discussion
4 regarding the east end of the office building to
5 improve the relationship between the Florida Rock
6 site, the stadium entrance and the proposed First
7 Street Plaza Park on the waterfront.

8 Additional resolution and clarification of
9 amenity items, specifically ones related to the value,
10 timing and construction of the water taxi dock and the
11 design, construction and maintenance and timing of the
12 First Street Plaza on the waterfront and finally
13 adequate resolution of land ownership issues on the
14 west side of the site.

15 And I think I'll leave it at that and
16 Office of Planning is available for questions. Thank
17 you.

18 CHAIRPERSON MITTEN: Thank you, Mr.
19 Lawson. Questions for Mr. Lawson? Commissioner
20 Turnbull?

21 COMMISSIONER TURNBULL: Thank you, Madam
22 Chair. I just wanted to get back, Mr. Lawson, we had
23 previously talked with the applicant about the antenna
24 situation and you had noted that in your report. You
25 had talked about not having the right setback from the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 roof, in which case the east building, obviously,
2 continues up the facade directly straight up the
3 building then, which then would have no setback. Is
4 that -- I'm reading into your comments here. Am I
5 correct in assuming that's what you are referring to?

6 MR. LAWSON: Not exactly. Our
7 understanding is that it's the applicant's intent to
8 make the antenna areas architectural embellishments as
9 opposed to enclosures, so they would be allowed to
10 exceed up beyond. There is relief required for
11 rooftop structures through other portions of the
12 building. For example, the stair structure on top of
13 the hotel building and I believe some of the other
14 structures as well may require some relief. I depend
15 on the applicant to, you know, kind of clarify exactly
16 which structures may require exact relief.

17 COMMISSIONER TURNBULL: I'm just curious
18 which structures may require exact relief. I'm just
19 curious. I mean, do we have an architectural
20 embellishment quota number per project that we can --

21 CHAIRPERSON MITTEN: We certainly don't
22 have a quota. Don't say that to Mr. Parsons.

23 COMMISSIONER TURNBULL: I'm just curious.

24 CHAIRPERSON MITTEN: Maximum maybe.

25 COMMISSIONER TURNBULL: Okay. Thank you.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MR. LAWSON: In some respects, we support
2 these architectural embellishments. They would serve
3 to screen what the applicant is anticipating will be
4 significant amounts of rooftop mechanical equipment.
5 We would rather see such equipment screened from view.
6 We also understand the applicant's design rationale.
7 You know, I would leave it up to the Commission
8 whether or not that's an appropriate rationale or not.

9 COMMISSIONER TURNBULL: Thank you.

10 CHAIRPERSON MITTEN: Anyone else? Mr.
11 Parsons?

12 COMMISSIONER PARSONS: Well, as I
13 understand it, Potomac Street is being narrowed or
14 Potomac Avenue, excuse me.

15 MR. LAWSON: That's correct. As part of
16 the ballpark proposal, there was a proposal to narrow
17 Potomac Avenue by 40 feet. The narrowing would --
18 that additional 40 feet would accrue, I guess, to the
19 north side of the site, to the ballpark site. So on
20 the south side, Potomac Avenue is not changing.

21 COMMISSIONER PARSONS: But would this
22 change the measuring height of these buildings? I
23 mean, what would the width of the street be as to
24 compute the heights of these buildings?

25 MR. LAWSON: Potomac Avenue would remain

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 a height of 120 feet wide. Right now it's 160 feet.
2 It's a very wide avenue. So 120 feet would
3 comfortably allow the heights that are being proposed.

4 COMMISSIONER PARSONS: Including this
5 architectural embellishment?

6 MR. LAWSON: Possibly. To be honest, I
7 haven't looked at the issue in detail. The main
8 architectural embellishment, the one on the east
9 office tower, is, you know, kind of starting from
10 lower height. The building itself is at 92 feet high,
11 so assuming the architectural embellishment is, you
12 know, 18 feet or 20 feet high, I'm not quite sure
13 exactly, I don't have the drawing in front of me, that
14 could still mean it would fall within the 130 foot
15 height limit that would be allowed under the Height
16 Act.

17 COMMISSIONER PARSONS: Okay. That's good.
18 Thank you. Now, I'm going to the discussion you had
19 as you outlined them on a bullet on page 3. You don't
20 have to refer to that, I'm sure you know what it says.
21 But it has to do with the discussion of the East
22 Office Building and your desire or apparent desire to
23 have it lower. You said the applicant has noted
24 technical issues which they feel limit their ability
25 to achieve this result. Could you expand on that

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 sentence?

2 MR. LAWSON: I'll sure try, but I'm not
3 going to do it justice. My understanding is that
4 because of the amount of sub-surface parking that is
5 being provided, the underground parking and the lift
6 that that causes, because of the water table issues
7 associated with the site along the waterfront, a
8 certain amount of, this is my understanding of the
9 applicant's discussion anyways, weight is required for
10 the building on top to essentially hold that down.

11 And while that can be done with a lower
12 building, it's obviously easier to do and probably
13 cheaper to do if the building becomes taller. You
14 just simply get more weight to counteract the uplift
15 that's associated with the water table acting on the
16 underground parking.

17 CHAIRPERSON MITTEN: If I might interject,
18 this is what I was asking about Mr. Parsons and why I
19 was suggesting maybe if there was less parking, there
20 would be less uplift and then the building could be
21 shorter. So I just wanted to -- okay.

22 COMMISSIONER PARSONS: Yes.

23 CHAIRPERSON MITTEN: Okay.

24 COMMISSIONER PARSONS: When you were
25 having these conversations with the applicant, how low

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 a building were you talking about?

2 MR. LAWSON: We had recently discussed
3 lowering that section, not the whole office building,
4 but that section of the office building down so that
5 the roof of that building would be at a height similar
6 to that of the baseball concourse and the baseball
7 concourse is a height of 30 feet, so that would
8 probably limit that section of the building to
9 probably two-stories, possibly three, but I would
10 expect two-stories, which would be appropriate for a
11 retail component on the east end of the building.

12 COMMISSIONER PARSONS: So that's similar
13 to what is shown in the Anacostia Waterfront Vision
14 Plan, as I remember, framework plan or whatever it was
15 called.

16 MR. LAWSON: It does show lower level
17 buildings adjacent to the plaza, First Street, you're
18 right. I'm not sure exactly what the height of those.

19 COMMISSIONER PARSONS: Yes.

20 MR. LAWSON: What that is. I suspect you
21 are right. It would be close to that.

22 COMMISSIONER PARSONS: Thank you.

23 CHAIRPERSON MITTEN: Anyone else? Mr.
24 Hood?

25 VICE CHAIR HOOD: Yes, I just wanted to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 ask one question. Mr. Lawson, in your discussions
2 with the applicant, why didn't you push more? I think
3 I heard this tonight from one of my colleagues. Why
4 didn't you push more residential on this project? I
5 have my own reasons why I would think you wouldn't,
6 but I just want to hear from you.

7 MR. LAWSON: I would say that we neither
8 pushed for retail nor discouraged retail.

9 VICE CHAIR HOOD: Did I say retail?

10 PARTICIPANT: Residential.

11 VICE CHAIR HOOD: I meant --

12 MR. LAWSON: Residential, sorry.

13 VICE CHAIR HOOD: Okay.

14 MR. LAWSON: Residential. We would fully
15 support additional retail on this site or residential
16 on this site. We think it would work well. I think
17 we understand the arguments of the applicant that a
18 full mix of uses adds to a full complement of when
19 this site becomes in use like, I mean, the office
20 component adds an important daytime use. Residential
21 and, to some extent, hotel adds an important nighttime
22 component.

23 So I'm not sure that we would want to see
24 -- I'm not sure that we would necessarily be a
25 proponent of one particular use over another, but we

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 wouldn't have a concern with additional residential
2 being proposed on this site.

3 VICE CHAIR HOOD: Okay. Okay. Thank you.

4 CHAIRPERSON MITTEN: Where did he go? Mr.
5 Briggs, did you have any questions for the Office of
6 Planning?

7 MR. BRIGGS: Not at the moment.

8 CHAIRPERSON MITTEN: Okay. Great. Thank
9 you very much. Now, we're ready for the DDOT report
10 if you would like to come forward. If you would begin
11 by identifying yourself for the record, please.

12 MR. DELFS: Do I need to turn this on?

13 CHAIRPERSON MITTEN: That would be good to
14 start with, yes.

15 MR. DELFS: Okay.

16 CHAIRPERSON MITTEN: Yes.

17 MR. DELFS: Good evening. My name is
18 Chris Delfs. I am the Ward 6 Transportation Planner
19 for the District Department of Transportation and I
20 will start out by saying that I don't have a prepared
21 statement tonight. I am sort of an 11th hour
22 volunteer here, but I'm hoping that I can answer any
23 questions that the Commission might have to the best
24 of my ability.

25 As has been stated earlier in the evening,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 DDOT did determine that there were still some concerns
2 with the PUD application and with the traffic impact
3 analysis. I don't think those concerns are
4 insurmountable. I think we do support the spirit of
5 the application but, as we stated in our report to the
6 Commission, that we recommend approval contingent upon
7 the resolution of the issues that we described in the
8 report.

9 I will make this really brief. I did want
10 to highlight some of the things that have already been
11 discussed earlier this evening. One of those issues
12 is the coordination with the South Capitol Street
13 reconstruction and the realignment of the bridge.
14 This is by no means my area of expertise. It is my
15 understanding that there has been a long history of
16 coordination with DDOT with regards to this site and
17 the realignment of the bridge.

18 I just want to be careful about our
19 wording in the report. We do agree in principle with
20 the realignment of the property line in conjunction
21 with the realignment of the bridge. However, because
22 our Environmental Impact Statement has not concluded
23 yet, we don't have an official approval or position on
24 the realignment or adjustment of the property line,
25 rather.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Secondly, there has been a lot of
2 discussion already about the plaza at the terminus of
3 First Street, at First Street and Potomac Avenue, and
4 it is my understanding that we'll address that
5 separately or the Commission will address that
6 separately, but I would like to reiterate that DDOT
7 would like to be very much a part of those
8 negotiations as we move forward.

9 It is very important to DDOT that we link
10 both the points along the waterfront and the
11 waterfront with points north. We see that as a very
12 important intersection for all modes of travel,
13 meaning that we need to find routes for bicycle
14 travel. We want an attractive place that draws
15 pedestrians through to the waterfront easily and we
16 have also discussed using that plaza as a transit hub
17 on the Potomac Avenue side of the plaza.

18 Moving along to the next issue in the
19 report, the esplanade design. DDOT would like to
20 revisit the public space distribution along the
21 waterfront. There is some concern that the esplanade
22 is wide enough to serve the amount of pedestrian
23 traffic, really multi-use traffic along the esplanade.
24 The comments that we have in the report, which I think
25 Mr. Hood raised earlier, about the bicycle path is

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 also related to the esplanade space as a whole.

2 We want to make sure that that bicycle
3 path is clearly defined and that it is continuous
4 along the site. I don't think that there is anything
5 that can't be worked out there, but we just would like
6 to revisit that and make sure that we're comfortable
7 with the distribution of space there.

8 As far as the water taxi goes, we
9 appreciate the amenity that was proffered to the
10 Commission as part of the project. At this time, DDOT
11 does not feel it is a suitable amenity any longer
12 primarily because there have been another -- other
13 plans that have been in the works and the timing of
14 the offer, as well as this amenity potentially being
15 in conflict with some of the other plans, we would
16 really just prefer to scratch that one, and in our
17 report we offered that perhaps an interim trail would
18 be a good substitute for that amenity.

19 On to the last issue, the traffic impact
20 analysis. I will leave this mostly to questions if
21 there is anything specific about the traffic impact
22 analysis. Our largest concern in this regard is that
23 we didn't really have very much time to hash out some
24 of the assumptions that were made in this report, and
25 so we're not sure at this stage of the game that we're

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 entirely comfortable both with some of the circulation
2 patterns that were or were not suggested.

3 Also, we believe we need to revisit some
4 of the access points and the trip generation numbers,
5 as well, that were included in the traffic impact
6 analysis.

7 CHAIRPERSON MITTEN: Just to that, your
8 last point about the traffic impact analysis, you said
9 you haven't had sufficient time to review the
10 assumptions and so on and, you know, you did not have
11 enough time to get comfortable. How much time would
12 you need to get comfortable or to fully articulate
13 your concerns?

14 MR. DELFS: If I had to guess, there are
15 other people who need to look at this --

16 CHAIRPERSON MITTEN: Right.

17 MR. DELFS: But if I had to guess, if we
18 had an extra two weeks to a month --

19 CHAIRPERSON MITTEN: Okay.

20 MR. DELFS: -- to meet with Gorove/Slade
21 and with the applicants, that that should probably
22 suffice. Please, take that with a grain of salt. I
23 need to --

24 CHAIRPERSON MITTEN: I understand.

25 MR. DELFS: -- check on that time frame.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 CHAIRPERSON MITTEN: Okay. Okay. Are you
2 ready for questions now?

3 MR. DELFS: I'm ready.

4 CHAIRPERSON MITTEN: Okay. Who wants to
5 ask questions first? Mr. Turnbull?

6 COMMISSIONER TURNBULL: Thank you, Madam
7 Chair. I just had one question. If we're not doing
8 the water -- the water taxi, is that going to be on
9 another site or, no, we're not doing it at all or
10 what?

11 MR. DELFS: I will tell you what I know
12 about this issue. I am not personally the project
13 manager for this one. There is -- there have been a
14 number of plans that have been considered by DDOT, but
15 the one that we're concerned may be in conflict with
16 this particular dock that was proffered is a water
17 coach that the target for it to commence operation is
18 2007/2008, and the alternative place for the dock that
19 has already been discussed is nearby. And my
20 colleague at AWC may be able to help me with that one,
21 because that has been negotiated in part with AWC.

22 COMMISSIONER TURNBULL: Okay. Now, is it
23 close by? Is it a block or two away or --

24 MR. DELFS: That is my understanding.

25 COMMISSIONER TURNBULL: I see you nodding

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 yes, so okay. Thank you.

2 MR. DELFS: Sure.

3 CHAIRPERSON MITTEN: Mr. Parsons?

4 COMMISSIONER PARSONS: I want to make sure
5 I understand your comment about the esplanade.

6 MR. DELFS: Certainly.

7 COMMISSIONER PARSONS: We have a 75 foot
8 setback, as you probably know, to the building.

9 MR. DELFS: Yes.

10 COMMISSIONER PARSONS: You're not
11 suggesting that that needs to be wider. It's just an
12 allocation of the space within that 75 feet?

13 MR. DELFS: Exactly. That's correct.

14 COMMISSIONER PARSONS: Okay. Thank you.

15 CHAIRPERSON MITTEN: Mr. Hood?

16 VICE CHAIR HOOD: I just have a general
17 question and, excuse me, I haven't seen you before so
18 this is your first time, I guess, in front of us.

19 MR. DELFS: Yes.

20 VICE CHAIR HOOD: And I don't want you to
21 take -- actually, you helped me out overall not just
22 with this case, so I'm going to pick on you since
23 you're here tonight.

24 MR. DELFS: Okay.

25 VICE CHAIR HOOD: Who wrote this report?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MR. DELFS: It was a joint effort. It was
2 a coalition of comments from a number of staff within
3 DDOT and the rough draft was my responsibility.

4 VICE CHAIR HOOD: Okay. Now, staff at
5 DDOT who writes reports, are they certified? They
6 have some kind of certification or how do they become
7 certified to write a report or does it have to be --
8 are they not certified and Mr. Laden is the one who
9 approves it or are all of you certified in
10 transportation?

11 MR. DELFS: Certified in what regard?

12 VICE CHAIR HOOD: I hear that there is a
13 manual out and everybody should be certified and be
14 familiar. I mean, what credentials do you have for me
15 to be able to sit here and look at this report other
16 than Ken Laden's name?

17 MR. DELFS: Well, it depends on which
18 staff you're talking about. We have traffic
19 engineers. We have structural engineers. In the
20 Planning Department some of us are certified as
21 planners, some of us are not certified as planners.
22 We just have experience in the planning field. As far
23 as Mr. Laden's credentials, I would have to get back
24 to you on that, but I know he has been in the business
25 for maybe 25 years.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 VICE CHAIR HOOD: Okay. I will ask --

2 MR. DELFS: In City Government.

3 VICE CHAIR HOOD: Right.

4 MR. DELFS: And planning for less than
5 that.

6 VICE CHAIR HOOD: Okay. Okay. Well, I
7 will ask him. Thank you for giving me that
8 information.

9 MR. DELFS: You're welcome.

10 VICE CHAIR HOOD: Thank you, Madam Chair.

11 CHAIRPERSON MITTEN: When do you think
12 that the EIS will be done for South Capitol Street and
13 that -- the alignment and whether it's going to be an
14 oval or an at grade intersection with Potomac and
15 South Capitol, when is all of that going to be
16 settled?

17 MR. DELFS: I will have to get back to you
18 on the exact date of that. I'm not sure when the EIS
19 is scheduled to conclude. We are mostly through the
20 process is my understanding, but I'm not sure what the
21 exact date is, but I would be happy to provide that to
22 you.

23 CHAIRPERSON MITTEN: Okay. I think that
24 would be helpful because there is clearly issues, you
25 know, relative to the site that will change if -- I

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 mean, I don't even know if it's possible that both
2 alternatives might get rejected. I mean, I don't know
3 if that's a legitimate possibility but, you know, we
4 just want to know how soon this could get nailed down
5 and when things might be able to proceed.

6 And then I don't know to what extent you
7 had a chance to review the applicant's phasing plan
8 and whether you could offer any -- and I don't mean
9 for you to do that tonight.

10 MR. DELFS: Okay.

11 CHAIRPERSON MITTEN: Because I doubt that
12 you're prepared to do it tonight, but to offer any
13 sense of what the possible timing could be and the
14 obstacles between. I'm sure funding is the major
15 obstacle but, you know, what kind of funding is
16 available, what is still needed and what would have to
17 happen in order for things to progress for the
18 applicant on the -- in any kind of reasonable time
19 frame, you know, to build the entire site out.

20 MR. DELFS: Okay.

21 CHAIRPERSON MITTEN: Thank you.

22 MR. DELFS: We would be happy to do that.

23 CHAIRPERSON MITTEN: Okay.

24 MR. DELFS: Thank you.

25 CHAIRPERSON MITTEN: Mr. Briggs,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 questions?

2 MR. BRIGGS: No, we'll be having our
3 conversations with DDOT.

4 CHAIRPERSON MITTEN: Okay. Okay. Great.
5 Well, thanks for coming.

6 MR. DELFS: Okay.

7 CHAIRPERSON MITTEN: I'm glad you were
8 able to join us tonight. Look forward to seeing you
9 another time.

10 MR. DELFS: Okay. Thank you to the
11 Commission.

12 CHAIRPERSON MITTEN: Thanks. Okay. We
13 have already established that 6D is not here, so why
14 don't we go to organizations and persons in support
15 and we'll start with the folks from AWC, Adrian
16 Washington and Uwe Brandes. We're debating whether we
17 should put you guys on the clock. Will you be --

18 MR. WASHINGTON: Our reputation precedes
19 us, I see.

20 CHAIRPERSON MITTEN: Yes.

21 MR. WASHINGTON: We can learn. Thank you
22 very much.

23 CHAIRPERSON MITTEN: Okay.

24 MR. WASHINGTON: I will make a very brief
25 opening statement and yield the bulk of our short time

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 to Mr. Brandes. I just want to say that, first of
2 all, good evening, Commissioners, Chairman Mitten.
3 AWC strongly supports the redevelopment of the Florida
4 Rock site with the proposed development program.

5 Clearly, we have heard some interesting
6 comments and concerns from the Commission and we think
7 that these are -- you know, from sitting discussing,
8 these are some very good suggestions. I think I heard
9 that the applicant was very open to make some
10 modifications, and so we do support those as well.

11 We have worked very closely with the
12 applicant over the last several months, as you heard
13 from Mr. Briggs' testimony that we had actually been
14 one of the main parties asking them along with the
15 Commission to reconsider some of their earlier ideas.
16 They have been very involved in our process of helping
17 to plan the ballpark district. They have been in, you
18 know, all the meetings. They have been very
19 supportive, looked at what other people are doing and
20 we applaud them for that effort.

21 We have been working with the adjacent
22 site at WASA on behalf of the WASA, and one of the
23 things that we have agreed to do is be the recipient
24 of the applicant's proposed public amenity. This
25 amenity is very important to the AWI Initiative. It

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 is an important contribution to waterfront access
2 improvements on the First Street landing site, as well
3 as the WASA site.

4 One of the Commissioners asked about the
5 overall amount of money needed to do this. We think
6 overall, for the total waterfront area, it will be a
7 \$15 to \$20 million contribution area and Mr. Brandes
8 will talk more about that.

9 Right now, we're in the process of talking
10 with Florida Rock and the Office of Planning to
11 finalize the terms of the public amenity and how it
12 will be spent, monitored and allocated, working on an
13 MOA with the applicant and the Office of Planning.
14 And by the time the Zoning Commission's proposed
15 actions on this case is ready to settle, that MOA will
16 be ready and will be submitted to you.

17 Now, I would like to bring in Mr. Brandes
18 who is our chief executive for this particular area.

19 MR. BRANDES: Good evening, Members of the
20 Commission. My name is Uwe Brandes, Vice President at
21 the Anacostia Waterfront Corporation. I would like to
22 make just a couple of clarification remarks and then
23 I would be happy to answer questions.

24 First of all, AWC's efforts, of course,
25 have been focused on how to make this overall

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 neighborhood reconnect to the Anacostia Waterfront
2 itself and, as the Commission understands, the
3 orientation of the ballpark itself was organized in
4 the manner to draw people down to the water. And
5 while lots of access to the ballpark, of course, will
6 be from the north coming from the Metro and other
7 parts of the city, it is after the games where we hope
8 many people will leave the ballpark and filter down to
9 the waterfront.

10 So it's an important issue with regard to
11 overall intent of pedestrian movement in the
12 neighborhood, and the Florida Rock site plan is
13 generally consistent with the overall proposed
14 development pattern around the ballpark. I think the
15 issue of the First Street organization or the building
16 massing has been discussed and I won't comment any
17 further on that.

18 The issue that has been discussed
19 extensively with regard to the public amenity is
20 really focused on two parcels of land to the east of
21 the project site. One was identified as the right-of-
22 way of First Street, this extended right-of-way south
23 of Potomac Avenue to the Anacostia River. Many people
24 and the Commission are, I'm sure, familiar with the
25 Earth Conservation Corps building which is at the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 terminus of First Street and then the adjacent
2 property, which is essentially the land currently
3 occupied by the Water and Sewer Authority.

4 And at the Mayor's request AWC is leading
5 the redevelopment process of that site on behalf of
6 WASA and, as part of that process, there are
7 significant portions of that land which we intend to
8 use as public, publicly accessible waterfront, which
9 essentially establishes a riverwalk connection from
10 the First Street terminus to the Southeast Federal
11 Center Park.

12 That area includes, essentially, three
13 public space components. The first is the actual park
14 at the terminus of First Street which the Mayor has
15 intended to be named Diamond Teague Park, a memorial
16 of one of the Earth Conservation Corps volunteers.

17 The second element is an actual maritime
18 landing at the terminus of First Street and the recent
19 discussion about the water taxi element of the
20 proposed amenity, that would become redundant in a
21 sense, because in our coordination with the Army Corps
22 of Engineers, the ideal location for maritime access
23 to this general area is actually at the foot of First
24 Street and not areas further south.

25 And then, finally, the third element of

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 this public realm would be the actual riverwalk
2 connection to the Southeast Federal Center which would
3 extend across the face of the pumping stations that I
4 think the Commission is familiar with connecting to
5 the waterfront, proposed waterfront park at the
6 Southeast Federal Center. So those are the three
7 elements of the public realm.

8 AWC has already coordinated with DDOT and
9 continues to -- intends to continue coordinating with
10 DDOT because, really, this area is thought of as an
11 intermodal portion of the riverwalk. This is an
12 important gateway to access both the site and access
13 both the ballpark from the water, but it is also an
14 important area to access the riverwalk and the
15 extension of the riverwalk to bicycle and promenade
16 along the river's edge.

17 CHAIRPERSON MITTEN: Why don't you hold on
18 for a second since we have a marching band going by?
19 I know you all want to look, but we can look.

20 MR. WASHINGTON: Well, I'm concerned. My
21 car is parked out there. Can you -- something you
22 see?

23 CHAIRPERSON MITTEN: They are not doing
24 anything to the cars.

25 MR. WASHINGTON: Okay.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 CHAIRPERSON MITTEN: The drums have almost
2 gone by.

3 MR. WASHINGTON: Does this happen often?

4 CHAIRPERSON MITTEN: Never. Okay. I
5 think you can go ahead now.

6 MR. BRANDES: Great. As previously
7 discussed, the overall set of improvements, which
8 include bulkhead improvements and park improvements
9 and piers, is estimated to cost -- and, again, just
10 for clarification purposes, these are all improvements
11 off of the Florida Rock site between the Florida Rock
12 site and the Southeast Federal Center.

13 These improvements are estimated to total
14 between \$15 and \$20 million. It's very complicated
15 reconstruction of the river's edge and the elements
16 that Florida Rock is proposing to contribute to or,
17 essentially, the park area at the foot of First
18 Street. In coordination with the Office of Planning
19 and the applicant, the Office of Planning advised that
20 the applicant enter into an MOA with the Waterfront
21 Corporation by the time of the Zoning Commission's
22 proposed action, and based on that advice that is what
23 we at AWC intend to do.

24 I would like to comment on one other
25 issue, which is another off-site issue which was

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 discussed this evening, was this area of residual land
2 that is created between the project development site
3 and the proposed new location of the bridge.

4 And one of the important design
5 considerations, I think, is that as you cross that
6 bridge, whatever gets constructed on that site will be
7 extremely important with regard to the civic
8 monumentality of the South Capitol Street corridor and
9 the perception of the gateway of this neighborhood and
10 the Capitol Gateway, the goals of the Capitol Gateway
11 Overlay Zone.

12 And so while it is premature to understand
13 what kind of building might be built on that site,
14 what its design is, I think the access issues that
15 were raised are very important. I think it's
16 important to understand that there is a development
17 opportunity south of this project which will be highly
18 visible in civic monumentality terms, and maybe even
19 could be the location of a nonprofit use given that
20 the site -- you know, this is pending a series of
21 actions that DDOT will take over time, given that that
22 site will be under public control, under the control
23 of the District of Columbia.

24 And that concludes my remarks. We're open
25 for questions.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 CHAIRPERSON MITTEN: Thank you. Questions
2 for Mr. Washington and Mr. Brandes? Commissioner
3 Turnbull?

4 COMMISSIONER TURNBULL: Speaking of that
5 last site and looking at the map that is in the
6 applicant's book, it's -- it would be very awkward to
7 access. You're coming right off the bridge and you
8 could only get in one way. To make a right hand turn
9 would be --

10 MR. BRANDES: I think the other point of
11 access, which I think was raised, was actually under
12 the bridge itself and given that you would come --

13 COMMISSIONER TURNBULL: You would have to
14 -- okay, you would come around, loop around or
15 something.

16 MR. BRANDES: Exactly. And that has
17 already been coordinated as a component of the
18 Anacostia Riverwalk to make sure that there is a
19 continuous riverwalk under the bridge.

20 In other words, that as you walk or
21 bicycle along the riverwalk, you don't have to get up
22 and into the oval area in order to continue along the
23 river. There will be continuous access down below,
24 and I believe all of the DDOT alternatives and the EIS
25 reflect that condition. And there is enough space

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 there and enough clearance to allow for access to that
2 site.

3 COMMISSIONER TURNBULL: A roadway of some
4 sort.

5 MR. BRANDES: Yes. That being said,
6 clearly it is not -- it is a very unique, awkward
7 site.

8 COMMISSIONER TURNBULL: Right.

9 MR. BRANDES: Which, in fact, may lend
10 itself to more of a public building unless -- it
11 certainly won't be a desirable commercial development
12 site.

13 COMMISSIONER TURNBULL: Okay. Thank you.

14 CHAIRPERSON MITTEN: Mr. Parsons?

15 COMMISSIONER PARSONS: You have heard our
16 discussions about the East Office Building and the
17 idea of lowering it or creating a new building and, as
18 I recall, the framework or vision plan for the
19 waterfront had that kind of solution. Is that
20 correct?

21 MR. BRANDES: I would like to make two
22 points of clarification on that. The first is that
23 the development strategy, as we're calling it, is
24 really a collaborative process that we entered into
25 after the decision was made to locate the ballpark in

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 this neighborhood with all of the property owners in
2 the neighborhood.

3 And so it is really an ideas and
4 coordination document, and so it raised a number of
5 ideas and not necessarily only singular ideas for many
6 of the sites. So it's kind of first process
7 clarification. But, secondly, yes, I mean, there were
8 many ideas discussed and one of them was, I think,
9 described by Mr. Lawson.

10 COMMISSIONER PARSONS: So I'm not sure how
11 close you were to the baseball design process, stadium
12 design process, but the designers when they designed
13 the Grand Staircase must have had something in mind,
14 and I assumed it was the Anacostia Waterfront vision.
15 If they didn't have this in mind, well, they wouldn't
16 have designed it that way I don't think. Do you have
17 any insight on that?

18 MR. BRANDES: Well, I think the notion of
19 the Grand Stair at the ballpark, and this is stating
20 the obvious, I mean, the notion is that it be the
21 address, if you will, to the waterfront and to the
22 Anacostia River and I mean that address in terms of a
23 verb.

24 The manner in which that is achieved, you
25 know, is really up to how each individual design of

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 each building is completed. And so the site that we
2 have been talking about obviously is a private site
3 tonight and so there were, you know, certain
4 intentions made with regard to the overall
5 relationship of architectural features of each of the
6 buildings and, you know, here we are in the
7 implementation phase of implementing those visions.

8 COMMISSIONER PARSONS: So how does the
9 corporation -- do you personally feel about this
10 deceased end retail discussion?

11 MR. BRANDES: Well, I think, actually the
12 Office of Planning did a good job of explaining the
13 process and where we have been in the process.

14 COMMISSIONER PARSONS: Okay. Now, when
15 you described the vision for us at the ballpark
16 hearing and you were talking about the buildings on
17 the east side of First Street headed from Potomac
18 north, as I recall you described them as residential
19 for the first two blocks. Is that still a given?

20 MR. BRANDES: Yes, that's correct.

21 COMMISSIONER PARSONS: You have control
22 over those so that somebody is not going to decide to
23 build an office building?

24 MR. WASHINGTON: We're in the final stages
25 of negotiating an agreement with a developer and the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 plan is those would be residential and that would be
2 codified in that agreement, yes.

3 COMMISSIONER PARSONS: Okay. But once we
4 reach the third block, it goes to office, doesn't it?

5 MR. BRANDES: The third block as you move
6 north?

7 COMMISSIONER PARSONS: Yes.

8 MR. BRANDES: The third block as you move
9 north is actually the Southeast Federal Center.

10 COMMISSIONER PARSONS: I see. And then
11 beyond that is office.

12 MR. BRANDES: And then --

13 COMMISSIONER PARSONS: Well --

14 MR. BRANDES: And then I believe as you
15 move even further, the next block up is actually
16 fronting M Street, which I believe is proposed to be
17 an office building.

18 COMMISSIONER PARSONS: Right. So I'm
19 trying. I remember how we struggled when we did the
20 downtown development district as to when -- how many
21 residential units do you need before you have a sense
22 of community and we concluded 2,500, and that extends
23 all the way up to Massachusetts Avenue, of course.

24 But do you know at this point, not that
25 you control it all, how many residential units can we

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 expect in this place?

2 MR. WASHINGTON: I think it actually falls
3 right around that number, perhaps, you know, a bit
4 less, perhaps a bit more. The WASA site is
5 contemplated for about 800 residential units and you
6 have got, what, 160 here not counting the hotel. The
7 on-site development around the stadium would be
8 several hundred more. I believe the monument site is
9 projected to have several hundred, as well as a hotel
10 component. Sort of the wildcard is the site privately
11 controlled on, where is that, First Street?

12 MR. BRANDES: First Street.

13 MR. WASHINGTON: We don't know what the
14 plans for that are. So it could very well come out to
15 around that number, a little bit more, a little bit
16 less.

17 MR. BRANDES: I would just like to add
18 though, that is accounting for the sites that are not
19 part of the Southeast Federal Center. The Southeast
20 Federal Center is just a stone's throw away and --

21 COMMISSIONER PARSONS: That's all
22 residential, isn't it?

23 MR. BRANDES: Well, it's a significant
24 residential mix. I believe it's an additional 3,000
25 units

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 COMMISSIONER PARSONS: Um-hum.

2 MR. BRANDES: But I think, and this is a
3 really important overarching point with regard to our
4 work at the WASA site, and that is that we really want
5 to link all of these sites together with a great
6 public realm along the river, and without that we're
7 concerned that the neighborhood will feel fractured.
8 You know, there will be pockets of development rather
9 than a unified identity for the neighborhood.

10 COMMISSIONER PARSONS: Well, from a sense
11 of community, do you think we do better with more
12 residential on this project? I mean, 160 units isn't
13 a lot.

14 MR. BRANDES: I think the discussion that
15 was had tonight was the appropriate discussion. I'm
16 not sure how you come up with a definitive resolution
17 of that.

18 I think the points that Mr. Kaplan made
19 this evening are very important, and that is that how
20 do you create a waterfront that is alive not just
21 during the day, not just during the night, not just
22 during the summer, but also in the winter, not just on
23 game days and not just on non-game days. And I think
24 the solution to that, obviously the easy answer is
25 mixed-use. The difficult question is finding the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 appropriate balance.

2 We feel very comfortable with the proposed
3 mix of uses on the Florida Rock site. There is a lot
4 of residential being built in the neighborhood. There
5 is not a lot of office being built along the water
6 itself and given the intentions of the public realm
7 and the retail, the office clearly does help the
8 retail during the day and creates a market for those
9 various retail establishments.

10 COMMISSIONER PARSONS: Thank you.

11 CHAIRPERSON MITTEN: Okay. Mr. Briggs,
12 any questions?

13 MR. BRIGGS: None. Thank you.

14 CHAIRPERSON MITTEN: Okay. Thank you
15 both. All right. Now, we will invite Robert Nixon
16 and Glen O'Gilvie from the Earth Conservation Corps
17 and Shawn Seaman from PN Hoffman if he is here, she is
18 here, whoever. Have a seat, please.

19 MR. NIXON: Thank you.

20 CHAIRPERSON MITTEN: If you want to pass
21 something up, Ms. Schellin will take it. Oh, I
22 skipped that. Which one of you would like to take the
23 five minutes?

24 MR. NIXON: I will.

25 CHAIRPERSON MITTEN: Okay.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MR. NIXON: Or can we do it jointly or how
2 does it -- I will begin the testimony.

3 CHAIRPERSON MITTEN: Okay. Turn the mike
4 back on. I think you hit it again. There you go.

5 MR. NIXON: Thank you. My name is Robert
6 Nixon. I am Chair of the Board of the Earth
7 Conservation Corps. It's good to be back here. I
8 mean, I was -- the Earth Conservation Corps was part
9 of the original first-stage PUD.

10 It's good to see Mr. Parsons here. So we
11 have been involved in this project for quite some
12 time, because we are the neighbors to the property and
13 we were, as I said, part of the first-stage PUD
14 application at which point there was going to be --
15 well, let me back up.

16 The Earth Conservation Corps is a
17 community-based nonprofit that provides environmental
18 education and service learning opportunities for some
19 of our hardest to reach young people in the District,
20 and we have occupied the site next to the Pump House
21 or to the Florida Rock property since 1994, and we
22 have turned it into one of the first public access
23 points along the Anacostia River and have provided
24 environmental education to over 10,000 young people
25 from the District.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 And so we have worked closely with Florida
2 Rock over the years. As part of the first-stage PUD
3 we were actually part of the application. We
4 testified here quite a bit. We were a public amenity.
5 It was going to be Site 664E where we were going to
6 build a maritime education center. As part of the
7 second-stage PUD that was disconnected from that and
8 now, we are here very interested in this opportunity.

9 We met with the principals from Florida
10 Rock last week. We met with Mr. Washington this
11 morning from AWC to talk about this, because the
12 picture I sent, I have just distributed to you guys,
13 shows why we're so interested when we hear that there
14 is a park going to be created. We just want to point
15 out that the Earth Conservation Corps and the
16 community is very interested in this piece of land.

17 We have created a park there, but we are
18 very much in support of the expansion of that park and
19 making it a real community benefit. We want to -- I
20 guess one of our concerns is to make sure that the
21 community is engaged in that whole effort. That's one
22 of our conversations with Anacostia Waterfront
23 Corporation.

24 How do we make sure that this same
25 opportunity where young people were able to build the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 park you saw, and I know that's -- you know, was from
2 dumps to parks. We're far from what now we're -- you
3 know, is envisioned, but I think we have been able to
4 show the will of the young people of this community to
5 pull themselves up and restore their environment.

6 That riverwalk was built in partnership
7 with DDOT, the first demonstration stage. It is a
8 storm water retention, bioretention design, so I think
9 there is a lot of exciting opportunities to continue
10 our job training program.

11 I want to point out, to just build on what
12 Uwe said, that Mayor Williams did make a commitment
13 for Diamond Teague Park. It was actually going to be
14 Reservation 247. Met with the Teague's family.
15 Diamond was shot October 9th of two years ago, made
16 that commitment. I was told. You know, I was with
17 the Mayor when he made that commitment to the family
18 the day after his funeral. The family worked on 247
19 quite a bit and then I got a call saying there are
20 bulldozers tearing it up.

21 And so the Mayor is looking at that
22 terminus of First Street which is actually an
23 Anacostia gateway park. Right now it's called the
24 Anacostia Community Park, but there is -- Sharon
25 Ambrose, Council Member Ambrose, has put legislation

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 in. It's Legislation Bill 16629 to name that terminus
2 of First Street Diamond Teague City Park, so I think
3 that is something important to note.

4 So our focus really is to -- I think
5 everyone else has addressed the other issues, but our
6 main concern is public access, making sure that young
7 people that built this park aren't disenfranchised and
8 we have a real problem. And I also think we should
9 look at it as a huge opportunity, these young people
10 that have done so much to be recognized and help
11 participate in this.

12 And then, Mr. Turnbull, one other -- you
13 mentioned the sort of focal point and we also are --
14 the Earth Conservation Corps represents the Pearl
15 Coalition and we are very interested in working on
16 building this historic Schooner Pearl, which would be
17 a focal point at that site.

18 CHAIRPERSON MITTEN: Great. Mr. O'Gilvie?

19 MR. O'GILVIE: Thank you, Madam Chair,
20 Members of the Commission. My name is Glen O'Gilvie
21 and I am President of Earth Conservation Corps. I'm
22 happy to be here this evening to share our view of
23 what is happening down at First and Potomac Avenue,
24 S.E.

25 Just as Bob mentioned, I will piggyback,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Earth Conservation Corps for 15 years has been
2 providing a community service to young people in need,
3 a service that now is known as a national model. I
4 want to talk a little bit about what is happening in
5 the community and also what is happening on the river,
6 because I have not heard much about that.

7 And I will just begin by saying the river
8 remains to be one of the most polluted in the nation
9 and the community continues to have deep issues, youth
10 crime and violence as our crime emergency continued
11 on, unemployment and lack of education. Earth
12 Conservation Corps addresses all of those issues
13 providing young people with an opportunity both east
14 and west of the Anacostia River as they work to
15 restore the river itself.

16 There is a big need for additional
17 community resources. We realize that this is a big
18 part of the issue leading to crime and violence and
19 leading to unemployment. We have been successful in
20 providing young people with hard skills, green
21 construction and other skills, that can be attributed
22 to all of the development that is going on here.

23 We talk about the community amenity of a
24 park here. What was once 247 Diamond Teague Park now
25 happening with this expansion definitely is a great

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 opportunity, but it's a missed opportunity if the
2 young people aren't able to construct it, manage and
3 maintain it through a professional development process
4 which can lead to higher education or great career
5 opportunities as we have done 90 percent of the time
6 over the past two years.

7 There is also the ripple effect of youth
8 being able to use those skills and then reach out to
9 younger people in the local community. Last year
10 alone, 4,987 D.C. public school students, community
11 youth and adults were reached by our young leaders,
12 our Earth Conservation Corps members, so that also
13 provides a huge opportunity.

14 I do want to also talk a little bit about
15 what is now being called First Street Plaza a little
16 bit more, and really urge that as we continue to look
17 forward to support the Florida Rock initiative that it
18 does, in fact, become used as a community amenity.
19 And what that means then is that the community has
20 full participation and use of that resource.

21 But, again, we're very honored to be here,
22 excited to put the river and the community at the
23 forefront of the conversation and looking forward to
24 positive outcomes in this respect.

25 CHAIRPERSON MITTEN: Thank you. Questions

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 from the Commission? Any questions? Mr. Parsons?

2 COMMISSIONER PARSONS: Mr. Nixon, you
3 passed up some materials.

4 MR. NIXON: Yes.

5 COMMISSIONER PARSONS: When you say the
6 children built the park, is that the photograph on the
7 bottom of the first page?

8 MR. NIXON: That is, yes.

9 COMMISSIONER PARSONS: So it's from your
10 facility upstream and it's grassed area?

11 MR. NIXON: Yes. That is from First
12 Street down to the river and, actually, over. We
13 worked with WASA to allow us to -- we first did,
14 basically, the extension of First Street down to the
15 river, cleaned that up, what used to be known as the
16 snow plow graveyard, that is what that photograph is,
17 and then cleaned that up getting various grants from
18 the community.

19 We got a riverwalk grant from DDOT and
20 then WASA saw how nice and green it was and they
21 allowed us to expand down or upstream towards
22 Southeast Federal Center.

23 COMMISSIONER PARSONS: And as a separate
24 matter, you were dealing with what is called
25 Reservation 247 and you, you know, improved that, but

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 that is when the bulldozers showed up?

2 MR. NIXON: That is correct. We had a
3 signing ceremony. The park was signed over. We
4 adopted the park through the D.C. Parks and Recreation
5 Department. It was -- and signed over the sort of
6 care and feeding and creation of that park and it was
7 -- I think we basically were able to get most of the
8 surface debris off, bring in topsoil, grade it and
9 seed it, start storm water retention and that is when
10 the baseball stadium --

11 COMMISSIONER PARSONS: Okay. Thank you.

12 MR. NIXON: -- landed on it.

13 CHAIRPERSON MITTEN: Anyone else? Mr.
14 Hood?

15 VICE CHAIR HOOD: I just wanted to -- this
16 has nothing to do with the case, but I just wanted to
17 ask is Lloyd Smith, III still working with you guys or
18 was he working with you?

19 MR. NIXON: Well, David Smith was working
20 with us.

21 VICE CHAIR HOOD: Okay, David Smith.

22 MR. NIXON: Yes, David Smith.

23 VICE CHAIR HOOD: Lloyd Smith was his
24 grandfather.

25 MR. NIXON: Yes.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 VICE CHAIR HOOD: Okay.

2 MR. NIXON: Lloyd Smith. We have two of
3 Lloyd's grandsons.

4 VICE CHAIR HOOD: Okay.

5 MR. NIXON: David and Timdane that worked
6 with us.

7 VICE CHAIR HOOD: Worked with you.

8 MR. NIXON: And Lloyd Smith, that is how
9 we became involved with the Pearl, because I asked him
10 to do me a favor and he said I have two grandsons with
11 you. Let me tell you what you're going to do.

12 VICE CHAIR HOOD: Okay.

13 MR. NIXON: You're going to build the
14 Pearl.

15 VICE CHAIR HOOD: Okay.

16 MR. NIXON: And then Lloyd died and the
17 family --

18 VICE CHAIR HOOD: Right.

19 MR. NIXON: The Lloyd Smith Foundation
20 turned the Pearl Coalition over to the Earth
21 Conservation Corps.

22 VICE CHAIR HOOD: Okay.

23 MR. NIXON: Yes.

24 VICE CHAIR HOOD: And you mentioned -- I
25 forget. One of you mentioned about a missed

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 opportunity. Have you had dialogue with the
2 applicant? I'm sure you have because you're down here
3 in support of the project, but have you found out
4 where your place is going to be in this application or
5 with the applicant?

6 MR. NIXON: We have had preliminary
7 discussions. I mean, the -- and preliminary, I mean,
8 and recent. This morning we met with the Anacostia
9 Waterfront Corporation. I think there is our -- I
10 think there is a desire to make sure that the
11 community, these young people, can build it. We would
12 like, you know, to make sure that's -- it's not nailed
13 down. It's preliminary, but very positive
14 discussions.

15 VICE CHAIR HOOD: The reason I mention it,
16 I think that is an excellent opportunity and I would
17 agree with the gentleman, if not it's a missed
18 opportunity. We need to see you hopefully make that
19 happen so, hopefully, some final -- get to the final
20 stages before we deal with this. If not, I'll try to
21 deal with it from this point. Thank you.

22 MR. NIXON: Thank you.

23 CHAIRPERSON MITTEN: Mr. Briggs, any
24 questions?

25 MR. BRIGGS: No, Madam Chair.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 CHAIRPERSON MITTEN: Okay. Thank you both
2 for coming down tonight.

3 MR. NIXON: Thank you.

4 MR. O'GILVIE: Thank you.

5 CHAIRPERSON MITTEN: All right. Mr.
6 Westbrook and anyone else who would like to testify in
7 support, now is the time to come forward.

8 MR. WESTBROOK: These are going to be a
9 little difficult to see, but if you have got some
10 questions, I can just bring them up.

11 CHAIRPERSON MITTEN: Well, why don't you--
12 you probably want to point to those, do you not?

13 MR. WESTBROOK: Yes.

14 CHAIRPERSON MITTEN: Okay. Then why don't
15 you keep them near you?

16 MR. WESTBROOK: Okay.

17 CHAIRPERSON MITTEN: Keep them near you
18 and then you can point to them.

19 MR. WESTBROOK: Let me give this gentleman
20 some cards.

21 COURT REPORTER: Thank you.

22 MR. WESTBROOK: Madam Chair, Commission
23 Members, I am Richard Westbrook. I reside at 505 H
24 Street, S.W. and when this project first came up, I
25 was on ANC-2D.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 Even though the vast part of the property
2 was on the southeast side and not under 2D, the
3 amenity package that included residential was, so we
4 very much got involved with this and the first vote
5 was to deny the project completely, mainly because we
6 were in the throes of trying to do something about the
7 southeast, the Environmental Protection Agency moving
8 out of the Waterside Mall, and then we were faced with
9 all of a sudden DOT wanted a new location, new site,
10 and of course Florida Rock threw in to see if they
11 could get in on the bidding and selection.

12 So we were obviously against the project
13 because of that, and also it's just too much height,
14 too much bulk. There was no addressing of the
15 industrial needs of this city and where to put it and
16 we're still in that situation, I'm sorry to say. So
17 that was the reason we voted against it, so it's one
18 of those things. I voted against it the first time
19 and now I'm voting for it, a little political overtone
20 on that one if you remember Candidate Kerry said that
21 about Iraq.

22 These photos, two are from helicopter I
23 took in June of 1999. The rest are views from the
24 bridge, so in all the sites that you have discussed
25 tonight, and these were just taken on Labor Day of

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 this month, so they are very current.

2 There is not too much I can say, if you
3 need some questions or something on what is in the
4 photos, because it does address all the concerns you
5 have had for the new location, for the new South
6 Capitol Street Bridge. It takes those fuel tanks and
7 goes down and it also takes a heliport which I was
8 able to take off from in a helicopter and took those
9 above Washington southwest/southeast shots.

10 What I would like the Commission to
11 consider is to increase the height of that residential
12 building, add more floors, at least 12, and add more
13 units, of course, and, therefore, you can make some
14 more affordable housing units out of it. And I know
15 I'm on shaky ground about advocating a higher height
16 residential building for this site when I'm adamantly
17 opposed to the Main Avenue proposal to have three 12
18 story structures between Main Avenue and the bulkhead
19 there.

20 This is very site-specific and I think a
21 taller residential building will tell the community we
22 want more people living here and we want them to pay
23 the taxes, so that we can do all the support of our
24 dependent population, including us retirees, but that
25 is another issue.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 So I have heard two presentations at the
2 ANC by Davis Buckley and the project really is a vast
3 improvement from what it was. I haven't had a chance
4 to actually analyze the architecture and the site
5 plan, but I still think that residential building can
6 be made taller and would be in keeping with the height
7 of the co-op building that is attached to the hotel on
8 New Jersey Avenue, the Marriott Hotel on New Jersey
9 Avenue.

10 That Marriott Hotel is 14 floors of units
11 and then on the residential backside fronting still on
12 New Jersey and then it would, what, K, yes, K, that is
13 12 floors, but one of the floors has two level
14 apartment units, so you're basically -- whatever 14
15 floors of hotel units is. And there is also a
16 building under construction on 100 I Street that is 13
17 stories. So I still think I would like to maximize
18 the number of residential units you think is suitable.
19 Thank you.

20 CHAIRPERSON MITTEN: Thank you. Any
21 questions for Mr. Westbrook? Any questions? Okay,
22 thanks. Good to see you.

23 MR. WESTBROOK: You're welcome. Nice
24 seeing you.

25 CHAIRPERSON MITTEN: Oh, Mr. Briggs, did

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 you have any?

2 MR. BRIGGS: None.

3 CHAIRPERSON MITTEN: Okay. Thank you.

4 Anyone else who would like to testify in support?

5 Anyone who would like to testify in opposition? Okay.

6 Mr. Briggs, can we have you back at the table?

7 I would like to make a suggestion because
8 of the nature of some of the outstanding issues that
9 we have, would be if you could give me a sense of how
10 long you think it might take for you to work through
11 the issues with DDOT and, you know, I think we have to
12 think in terms of at least a month based on what we
13 heard from the DDOT representative.

14 But I think I would like to schedule
15 another session of the hearing, because I think we're
16 going to want to ask questions and I actually think if
17 we anticipate that, it will be more expedient than if
18 we don't.

19 MR. BRIGGS: I -- let me consult with my
20 client. Excuse me. Ms. Mitten?

21 CHAIRPERSON MITTEN: Yes, sir?

22 MR. BRIGGS: In light of, certainly, the
23 discussions we need to have with DDOT, we do want to
24 wrap up the First Street amenity package with the AWC.

25 CHAIRPERSON MITTEN: Um-hum.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MR. BRIGGS: And, clearly, ECC has got
2 some components there. I know the ANC had some
3 certain issues that they wanted to see wrapped into
4 that amenity package and we will have to work that
5 through with the waterfront. Plus, there are
6 certainly some of the architectural treatment and
7 other issues that came up in discussing, including the
8 waterfront taxi and other things.

9 I would suggest potentially eight weeks
10 would be -- give us time to pull all those pieces
11 together.

12 CHAIRPERSON MITTEN: Okay.

13 MR. BRIGGS: And get materials to you. If
14 you're looking to a hearing in eight weeks --

15 CHAIRPERSON MITTEN: Okay. It would --

16 MR. BRIGGS: -- that would give us enough
17 time. What time would you expect delivery in advance
18 of your hearing?

19 CHAIRPERSON MITTEN: We'll back up from
20 it.

21 MR. BRIGGS: Okay.

22 CHAIRPERSON MITTEN: Let's go a little
23 past what you and I had just spoken about.

24 MR. BRIGGS: Right.

25 CHAIRPERSON MITTEN: Mrs. Schellin?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MS. SCHELLIN: Okay.

2 CHAIRPERSON MITTEN: Eight weeks puts us
3 where?

4 MS. SCHELLIN: Eight weeks would be the
5 night of our meeting.

6 CHAIRPERSON MITTEN: Is that the following
7 week?

8 MS. SCHELLIN: Yes.

9 CHAIRPERSON MITTEN: Then let's go one --
10 what is the next week?

11 MS. SCHELLIN: We have a hearing scheduled
12 on the 20th, Boston Properties. It's another, I
13 think, GW combination, I believe.

14 PARTICIPANT: It's 54.

15 CHAIRPERSON MITTEN: Oh, what about the
16 Thursdays? What about the Thursday after the meeting
17 night?

18 MS. SCHELLIN: We have a CG Overlay text
19 amendment that Mr. Lawson has brought.

20 CHAIRPERSON MITTEN: That shouldn't take
21 that long, right? Okay. Let's do that. What is that
22 date?

23 MS. SCHELLIN: That would be November
24 16th.

25 MR. BRIGGS: Okay.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 MS. SCHELLIN: Thursday.

2 CHAIRPERSON MITTEN: November 16th and
3 then we would put that on for 7:30, because it would
4 be the second --

5 MR. BRIGGS: Okay.

6 CHAIRPERSON MITTEN: -- hearing of the
7 evening. And then how long for the -- how much prior
8 would we need the submissions, like a week?

9 MS. SCHELLIN: If we could get them in by
10 November 3rd.

11 CHAIRPERSON MITTEN: Two weeks prior. Is
12 that going to work or not?

13 MR. BRIGGS: That is going to be a little
14 tight. I believe that is going to be tight if we have
15 to have them two weeks, the 3rd, understanding the --
16 at least that only gives us six weeks to work through
17 with AWC.

18 CHAIRPERSON MITTEN: Oh, okay.

19 MR. BRIGGS: DDOT and some others.

20 CHAIRPERSON MITTEN: Okay.

21 MR. BRIGGS: I think --

22 MS. SCHELLIN: Then we'll have to move
23 that second hearing.

24 CHAIRPERSON MITTEN: Well, how about the--
25 okay, yes, when is -- see what else you got later in

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 the month.

2 MS. SCHELLIN: We have November 30th, a
3 case, Mid-Atlantic, which I believe is a PUD case.
4 The 27th of November we have historic parking and the
5 Fort Reno.

6 CHAIRPERSON MITTEN: Oh, the 27th, the
7 27th.

8 MS. SCHELLIN: We have two cases that
9 night.

10 CHAIRPERSON MITTEN: Oh, we already do?

11 MS. SCHELLIN: They are two short cases
12 though.

13 COMMISSIONER PARSONS: Fort Reno.

14 CHAIRPERSON MITTEN: All right. Wait,
15 wait, wait. That's the 27th. Okay. Let's put it on
16 for the 27th then.

17 MR. BRIGGS: That would work. And the
18 time of that would be?

19 CHAIRPERSON MITTEN: Let's say 7:30.

20 MR. BRIGGS: Okay.

21 CHAIRPERSON MITTEN: And then they would
22 have their submissions in on, what, the 13th?

23 MS. SCHELLIN: The 17th.

24 CHAIRPERSON MITTEN: The 17th?

25 MR. BRIGGS: That would work much better.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 CHAIRPERSON MITTEN: Okay.

2 MR. BRIGGS: Perfectly.

3 CHAIRPERSON MITTEN: Let's do that.

4 MR. BRIGGS: Thank you.

5 MS. SCHELLIN: It's a Monday.

6 MR. BRIGGS: The 27th.

7 MS. SCHELLIN: Yes.

8 CHAIRPERSON MITTEN: Okay. And you know
9 you have to serve it on the ANC and all that good
10 stuff.

11 MR. BRIGGS: Yes.

12 CHAIRPERSON MITTEN: Okay.

13 MR. BRIGGS: We will do that.

14 CHAIRPERSON MITTEN: Okay. Terrific.
15 Well, I think we had --

16 MR. BRIGGS: Thank you very much.

17 CHAIRPERSON MITTEN: I think we had a very
18 productive evening. Thanks to everyone for their
19 participation.

20 MR. BRIGGS: Thank you.

21 CHAIRPERSON MITTEN: And unless you have
22 something else you would like to ask me --

23 MR. BRIGGS: No, thank you very much.

24 CHAIRPERSON MITTEN: Okay. Thank you.
25 We're adjourned.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(Whereupon, the Public Hearing was
concluded at 10:30 p.m.)