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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission

Public Hearing

Case No. 15-28 [Foulger-Pratt Development, LLC. -
Consolidated PUD and Related Map Amendment at Square
772.]

6:09 p.m. to 8:33 p.m.
Monday, June 20, 2016

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

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1 Board Members:

2 ANTHONY HOOD, Chairman

3 MARCIE COHEN, Vice Chair

4 PETER MAY, Commissioner

5 ROBERT MILLER, Commissioner

6 MICHAEL TURNBULL, Commissioner

7

8 Office of Zoning:

9 SHARON SCHELLIN, Secretary

10

11 Office of Planning:

12 JENNIFER STEINGASSER

13 MEGAN RAPPOLT

14

15 DDOT:

16 JONATHAN ROGERS

17

18

19

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

2 CHAIRPERSON HOOD: Good evening, ladies and
3 gentlemen, this is the public hearing of the Zoning
4 Commission for the District of Columbia. Today's
5 date is June the 20th, 2016 and we're located in the
6 Jerrily R. Kress Memorial Hearing Room.

7 My name is Anthony Hood. Joining me are Vice
8 Chair Cohen, Commissioner Miller, Commissioner May,
9 and Commissioner Turnbull. We're also joined by the
10 Office of Zoning staff, Ms. Sharon Schellin, as well
11 as the Office of Planning staff, Ms. Rappolt, and
12 District Department of Transportation, Mr. Rogers.

13 This proceeding is being recorded by a court
14 reporter. It's also webcast live. Accordingly, we
15 must ask you refrain from any disruptive noises or
16 actions in the hearing room, including the display of
17 any signs or objects. Notice of today's hearing was
18 published in the D.C. Register and copies of that
19 announcement are available to my left on the wall
20 near the door.

21 The hearing will be conducted in accordance
22 with provisions of 11-DCMR-3022 as follows,
23 preliminary matters, applicant's case, report of the
24 Office of Planning, report of other government
25 agencies, report of the ANC, organizations and

1 persons in support, organizations and persons in
2 opposition, rebuttal and closing by the applicant.
3 The time constraints will be maintained in this
4 meeting and the applicant has up to 60 minutes. I
5 see that they have 30. We have read the record.
6 Organizations five minutes, individuals, three
7 minutes.

8 The Commission intends to adhere to the time
9 limits as strictly as possible and notes that at no
10 time -- possible in order to hear the case in a
11 reasonable period of time the Commission reserves the
12 right to change the time limits for presentations if
13 necessary and notes that no time limits shall be
14 exceeded.

15 All persons appearing before the Commission
16 are to fill out -- the Commission in this evening's
17 hearing are asked to sign up at the witness kiosk to
18 my left and fill out two witness cards. The cards
19 are located to my left on the table near the door.
20 Upon coming forward to speak to the Commission please
21 give both cards to the reporter sitting to my right
22 before taking a seat at the table.

23 When presenting information to the Commission
24 please turn on and speak into the microphone, first
25 stating your name and home address. When you are

1 finished speaking, please turn your microphone off so
2 that your microphone is no longer picking up sound or
3 background noise.

4 The decision of the Commission in this case
5 must be based exclusively on the public record. To
6 avoid any appearance to the contrary the Commission
7 requests that persons present not engage the members
8 of the Commission in conversation during any recess
9 or at any time.

10 In addition, there should be no direct
11 contact whatsoever with any commissioner concerning
12 this matter. The staff will be available throughout
13 the hearing to discuss procedural questions. Please
14 turn off all electronic devices at this time so not
15 to disrupt these proceedings.

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

19 MS. SCHELLIN: Yes. Please raise your right
20 hand.

21 [Oath administered to the participants.]

22 CHAIRPERSON HOOD: Before we go to
23 preliminary matters I just noticed that our regular
24 court reporter is not here, Mr. Gary Euell. One
25 thing about him, he's very dependable. I'm not

1 saying anything about the two that we have here
2 today, but I want the court reporters to notice that
3 we do notice when they're here and when they're not
4 here. But Gary is very dependable for our hearings
5 and we really appreciate all that he does. And we're
6 glad to have you all with us.

7 At this time the Commission will consider any
8 preliminary matters. Does the staff have any
9 preliminary matters?

10 MS. SCHELLIN: Yes, sir. The first
11 preliminary matter is that there is a party status
12 request in opposition at Exhibit 22 from Union Market
13 Neighbors in opposition. It was supplemented at
14 Exhibits 22A and 22B, and the applicant filed its
15 opposition to this party status request and that is
16 located at Exhibit 29.

17 Okay. Thank you, Ms. Schellin. Are Union
18 Market Neighbors present? Okay. I'm sorry they're
19 not going to hear this discussion. I think that's
20 very unfortunate. But before I start off let me open
21 it up. Vice Chair.

22 MS. COHEN: Thank you, Mr. Chairman. Again,
23 some of the signatories to a petition indicate that
24 they live in the Union Market area, but we have no
25 idea how far. And it's usually, you know, 200 feet

1 that we give precedence to with regard to the impact
2 of a development. In addition, they really didn't
3 answer the questions that are on the party status
4 request, Form 140, one through six, how they are
5 uniquely affected. They do indicate that there is
6 some effect to light and air and property values.
7 But they really, I don't think, made a compelling
8 argument that is necessary for us to grant party
9 status.

10 So my recommendation would be not to grant
11 party status to this organization, Union Market
12 Neighbors.

13 CHAIRPERSON HOOD: Okay. Any other comments?
14 I would agree with the Vice Chair. I think that they
15 do not meet our requirement. Or at least their
16 submission did not meet our requirement which shows
17 how they are uniquely or differently affected than
18 the general public. But I do think that they can
19 comment. There is a time in this proceeding as
20 always where folks in opposition will be able to
21 provide their testimony and their comments at the
22 appropriate time.

23 Any other comments, Commissioner Miller?

24 MR. MILLER: Thank you, Mr. Chairman. Yeah,
25 I would agree that they did not answer the question

1 about how they're more significantly, distinctly, or
2 uniquely affected by the proposed zoning action,
3 which is one of the criteria. Six of them gave an
4 address, which is in the 1200 block of 5th Street, I
5 believe, which might be a couple blocks away. I
6 don't know.

7 This is on 3rd and N and M, but they did not
8 -- I agree, they did not sufficiently distinguish
9 themselves for being a party but I look forward to
10 their testimony if they're here.

11 CHAIRPERSON HOOD: Okay. I would move that
12 we deny Union Market Neighbors party status in this
13 case and ask for a second.

14 MS. COHEN: Second.

15 CHAIRPERSON HOOD: And that's Zoning
16 Commission Case 15-28. It's been moved and properly
17 seconded. Any further discussion?

18 [Vote taken.]

19 CHAIRPERSON HOOD: Ms. Schellin, would record
20 the vote?

21 MS. SCHELLIN: Yes, sir. Staff records the
22 vote five to zero to zero to deny party status to the
23 Union Market Neighbors in opposition, Commissioner
24 Hood moving, Commissioner Cohen seconding,
25 Commissioners May, Miller, and Turnbull in support of

1 denial.

2 CHAIRPERSON HOOD: Okay. Also let the record
3 reflect that we've been joined by the Office of
4 Planning, Ms. Steingasser.

5 Okay. Do we have any other preliminary
6 matters?

7 MS. SCHELLIN: Yes, sir. The applicant has
8 proffered some expert witnesses. Mr. Alexander has
9 previously been accepted. Mr. VanPelt, but I don't
10 see him, so he's been substituted. And the only one
11 that I don't see, maybe he has been, although he
12 looks familiar, Mr. Aldo Andreoli. Have you been
13 here before?

14 CHAIRPERSON HOOD: I thought that Mr. Andres
15 was the --

16 PARTICIPANT: [Speaking off mic.]

17 CHAIRPERSON HOOD: Hold on, let me go --

18 MS. SCHELLIN: Oh, for Historic Preservation.

19 CHAIRPERSON HOOD: Hold on. Before we go too
20 far, let me go back. I thought you were the person
21 who was proffered as the expert.

22 MR. KADLECEK: Yeah. Yes, I thought I was.

23 UNIDENTIFIED SPEAKER: He is. We mistakenly
24 submitted Mr. VanPelt and subsequently we filed Mr.
25 Andres's resume. Mr. Andres is the expert.

1 MS. SCHELLIN: Okay. All right. So he was
2 updated. Okay.

3 So Mr. Andres. And of course he's been
4 previously accepted. So only the gentleman for the
5 expert in architecture. I don't think he's actually
6 been accepted by the Commission.

7 CHAIRPERSON HOOD: Okay. And what exhibit is
8 his --

9 MS. SCHELLIN: 21B.

10 CHAIRPERSON HOOD: 21B, Commissioners.

11 MS. SCHELLIN: Right. I think he's been here
12 for HPRB and that's why he looks familiar.

13 MR. TURNBULL: And what's the separation of
14 expertise between Ms. Alexander and Mr. Andreoli?

15 PARTICIPANT: [Speaking off mic.]

16 CHAIRPERSON HOOD: Could you turn your mic on?

17 UNIDENTIFIED SPEAKER: Mr. Alexander
18 represent the architect of record, Torti Gallas here
19 in Washington, D.C. We are design architects and we
20 are based in Brooklyn, New York.

21 CHAIRPERSON HOOD: So any objections to Mr.
22 Andreoli?

23 [Discussion off the record.]

24 CHAIRPERSON HOOD: Okay. So we will accept
25 him as an expert in architecture. Okay. Ms.

1 Schellin, do we have anything else?

2 MS. SCHELLIN: No preliminary matters.

3 CHAIRPERSON HOOD: Okay. Mr. Kadlecek are
4 you -- Mr. Fields is letting you take the lead?

5 MR. KADLECEK: He is.

6 CHAIRPERSON HOOD: Oh, okay. Good. Go right
7 ahead.

8 MR. KADLECEK: He's too old, he says.

9 CHAIRPERSON HOOD: Okay. No, he's not. He's
10 just saying that. But anyway. But he's got his eye
11 on you.

12 MR. KADLECEK: I know, I can feel it.

13 CHAIRPERSON HOOD: All right, you may begin.

14 MR. KADLECEK: Good evening, Mr. Chairman and
15 Members of the Commission. I'm Cary Kadlecek with
16 Goulston and Storrs on behalf of the applicant. We
17 are pleased to be here tonight to present a place
18 making new mixed use residential and commercial
19 project in a once industrial neighborhood undergoing
20 significant change. This project will positively
21 contribute to that transformation, and will be a key
22 piece of the expected change for this area. The
23 project will have a height, density, and mix of uses
24 that are compatible with what is slated for the rest
25 of the neighborhood as well as with neighborhood

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1 existing conditions.

2 Furthermore, the project is consistent with
3 numerous district policy and planning documents. One
4 of the projects highlights will be the preservation
5 and restoration of an existing industrial historic
6 building constructed in 1931 that will tie the
7 project to the neighborhood's past. The historic
8 building will be incorporated into the project's
9 unique and exemplary architecture to create an iconic
10 building for the next iteration of the Florida market
11 area.

12 The mix of residential, retail, and hotel
13 uses in a pedestrian oriented building will add new
14 residents, visitors, and shoppers to the
15 neighborhood. Consequently, it will enliven a site
16 that is currently automobile oriented and lacking in
17 any development more appropriate for a site just a
18 few blocks from a Metro rail station.

19 The project is the result of an extensive
20 collaboration between the development team, the ANC,
21 the neighborhoods and District agencies. As you will
22 hear in more detail, the development team worked with
23 neighbors and the ANC to craft a project and a set of
24 benefits and amenities that would be most suitable
25 for the community. Overall the project has been

1 well-received by the immediate neighborhood.

2 Finally, we are pleased to have significant
3 support for this project. We note the support of the
4 Office of Planning and the District Department of
5 Transportation and the unanimous support of the ANC.
6 We will offer responses to some of the comments and
7 suggestions from these agencies in our presentation.

8 I will now have our first witness, Adam
9 Davis, present his testimony.

10 MR. DAVIS: Good evening, Chairman Hood and
11 Members of the Commission. My name is Adam Davis.
12 I'm Vice President of Development for the Foulger-
13 Pratt Companies.

14 We are pleased to present our 301 331 N
15 project this evening. A brief introduction to
16 Foulger-Pratt. Established in 1963, Foulger-Pratt is
17 a real estate development firm distinguished by its
18 long-term investment focus and extensive experience
19 executing successful mixed-use projects throughout
20 the Washington D.C. Metro area. Foulger-Pratt is
21 privately owned and has developed over 13 million
22 square feet of office, retail, and multifamily. Our
23 approach to development is driven by our mission
24 statement. We build people, relationships,
25 businesses, buildings, and communities that are

1 excellent and lasting.

2 The 301 331 N Street project is located in a
3 rapidly changing neighborhood, and our goal is to
4 develop and build an excellent and lasting project
5 that is grounded in the rich fabric and history of
6 the area.

7 The existing fabric has been shaped by the
8 current residents and stakeholders in the community,
9 including the ANC, Two Rivers Charter School, and the
10 NoMa Bid. We have worked with each of these groups
11 during the last year as we have designed the project
12 and worked toward our goal of an excellent and
13 lasting project. In order to achieve this goal we
14 focused on three areas, historic preservation, a
15 flexibility mix of uses, and vibrant streets.

16 As we go throughout the presentation tonight
17 you will see these three reoccurring themes. Allow
18 me to introduce Matt Goodwin of AA Studios, who is
19 going to discuss the context of the project.

20 MR. GOODWIN: Good evening. My name is
21 Matthew Goodwin. I'm the director at AA Studio, the
22 design architect of the project. I just want to
23 quickly describe the site that we're in and some of
24 the program. As you can see here on the slide we
25 have N Streets. And to the west side we have 3rd

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1 Street, as well as 4th Street. So these are binding
2 streets to the program.

3 In this aerial image you'll see the historic
4 component of the building that is going to be planned
5 to be restored into retail and office space. It is
6 flanked to the south by a new construction of a hotel
7 or condominium building. To the east we have another
8 new construction of residential rental building that
9 is a separate building from the 331 C-shaped building
10 but in fact is the same program and same residential
11 rental project.

12 This is looking from the northeast where we
13 have 4th Street, Florida Avenue, and N Street with
14 3rd Street in the background. Again, you can see the
15 new construction of the 331 residential building,
16 then flanked again by the new construction adjacent
17 to the historic.

18 This is a ground floor plan of the project
19 where you can see the two courtyards that are being
20 provided for the project. On the east side you have
21 the courtyard for the 331 residential. And on the
22 west side you have a courtyard serving the historic
23 renovated building for the retail and office space.

24 I'd like to introduce Aldo Andreoli, the
25 principle of AA Studio, to describe some of the

1 design characteristics of the project.

2 MR. ANDREOLI: Good afternoon. My name is
3 Andreoli. I'm the President of AA Studio, the design
4 architect of the project.

5 I want to say that the design of this project
6 has been driven by our collaboration and approval
7 that we had with the Historic Preservation Review
8 Board in regards to the existing National Capital
9 Price Building, Building 1931 is a very interesting
10 concrete and brick structure. And on the roof it's
11 got this magnificent skylights, oversize that are --
12 the overall design is a classic representation of the
13 design; the [garbled speech] design of that period.

14 So the first portion of the design includes,
15 on 3rd Street, a building that could be either a
16 condominium or a hotel, and it can be seen in the
17 image to the right and is going to be in black brick.
18 And another building on the back of the historic
19 building in gray brick. The whole idea has been,
20 from the very beginning, to try to break the massing
21 of these structures in order not to overwhelm the
22 existing historic building. And in between the two,
23 the black structure consists of the new elevator core
24 and staircase, both for the hotel condominium
25 building for the rental.

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1 The design of these two building, it also be
2 driven by the size and shape of the main structure of
3 the existing historic building, like the concrete
4 vertical columns that are repeated in the live gray
5 building in the back.

6 From this image we can see N Street and the
7 connection between the new -- the historic building,
8 with the 331, which at the very end to the right is
9 going to be a rental building of 260,000 square feet.

10 This is an image that shows the
11 condominiums/hotel building on the alleyway and 3rd
12 Street, and this relationship with historic building.

13 The design of the new building at 331 has
14 been done to maintain the line of line of thought
15 that somehow all these sites that was built somehow
16 through different periods, so in order to create the
17 more organic design, attempts to keep the industrial
18 look of the building has been done creating these
19 mega-frame in metal that are present both on N Street
20 and on North 4th. And in order to achieve these
21 vertical, these mega-frame have been cut in order to
22 create some [garbled speech].

23 In this image on 4th Street, is visible the
24 fact that we extruded a portion of these metal mega-
25 frame in order to create terraces of five feet in

1 depth to create some shadow line for the residents,
2 and to allow for the possibility to have terraces on
3 this façade. The elements of the construction
4 besides the glass and these metal mega-frame is going
5 to be this fiber cement board that is visible in the
6 vertical elements of the side of the mega-frames.

7 The base of the building would be metal also,
8 consisting of beams and columns, and it will allow to
9 create space for retail at the base of the building.

10 This is another image showing from 4th
11 Street, and these are the different materiality that
12 we intend to propose for the construction of the new
13 building, and this is going to be basically two
14 different kind of metal aluminum, darker and lighter
15 according to the different position in the surface of
16 the building. The different bricks that -- one
17 lighter, in lighter gray and one in darker gray, on N
18 Street and on 3rd Street.

19 In this image, the elevation is visible. The
20 relationship in size between the existing historic
21 building and the new proposed structures.

22 This again, an elevation on 3rd Street. This
23 is an elevation on the alleyway outlining to the
24 left, the dark brick condominium/hotel building and
25 to the right the proposed new rental building. This

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1 is an elevation on 4th Street.

2 This is a section cut through north/south,
3 showing the courtyard in between the two elements
4 composing the building of 331, this courtyard is
5 going to be 70 feet by 110.

6 This is again, the -- these are again,
7 details of the existing façade and of the historic
8 building that we intend to renovate to his original
9 building. We have been working, starting this
10 building at length, and we want to install new
11 windows that align with the historic design of the
12 original building.

13 This is a schematic diagram outlining the
14 different developments that are happening in the
15 area, and their height. In the middle we can see our
16 proposed building, 301 and 331, and to the right the
17 little building.

18 This is again a diagrammatic section cut on
19 4th Street. On 3rd Street, sorry. And this is 4th
20 Street, outlining the different height of the
21 buildings.

22 I want to introduce you to Sarah Alexander
23 from Torti Gallas which is the architect of record
24 for the project. Thank you.

25 MS. ALEXANDER: Good evening. My name is

1 Sarah Alexander with Torti Gallas, a CBE business in
2 the District of Columbia. In the interest of time I
3 think we're going to go through these rather quickly.
4 But in essence, if there's any questions on penthouse
5 setbacks or on the zoning courts and areas of relief
6 we're requesting, we can answer those in the question
7 and answer period.

8 MR. ANDRES: Good evening, Chairman Hood and
9 Members of the Commission. Erwin Andres with Gorove
10 Slade Associates. I'm going to move quickly through
11 the transportation overview of the slides. As has
12 been identified, the site is very well situated
13 relative to the existing transportation
14 infrastructure serving the neighborhood.

15 The characteristics of the site are such
16 that, as I mentioned earlier, the site is very close
17 to the existing Metro rail station. The NoMa
18 Gallaudet Metro Station portal is currently located
19 at 2nd and N. There's a planned portal along 3rd
20 Street just west of the site that we would be taking
21 advantage of. With respect to Capitol BikeShare and
22 CarShare, there are numerous available CarShare and
23 BikeShare station spaces within the neighborhood.

24 With respect to the transportation demand
25 management plan, we have made some recommendation and

1 DDOT has supplemented those with respect to our
2 conditions, and regarding parking and loading, we are
3 looking for flexibility for loading, given that the
4 current zoning requirements require that we provide a
5 55-foot loading berth. We believe it's not necessary
6 and with the new ZR 16 rewrite it actually won't be
7 required.

8 In addition to this the slide shows the
9 numerous transportation elements serving the site,
10 which include, obviously the Metro rail and numerous
11 bike facilities in the area.

12 The proposed site plan, as I can go through
13 quickly, with respect to the site itself the site is
14 bounded by 3rd Street to the west, N Street to the
15 north, 4th Street to the east, and a public alley to
16 the south. N Street is one-way eastbound. 4th
17 Street is one-way southbound. The alley is two-way,
18 and 3rd Street is two-way.

19 With respect to the access, all of the
20 existing curb cuts located on a perimeter of the site
21 on the public streets that include both 3rd, 4th, and
22 N, all those curb cuts will be removed. Access into
23 the proposed loading facilities and the parking
24 facility will be directly accessed from the alley to
25 the south of the building.

1 With respect to the width of the alley, the
2 alley is currently 15 feet wide. The project to the
3 south of us is widening the alley by nine feet and as
4 part of our development we are widening the alley an
5 additional 10 feet to the north.

6 The TDM elements are consistent with many of
7 the other TD elements of other PUDs in the area which
8 include TDM director. On bottom we have parking and
9 promotion of transportation demand management
10 materials, as well as installation of transportation
11 center for promotion of materials.

12 With respect to DDOT's comments, DDOT in
13 their review letter dated June 10th, they support the
14 project and have identified several conditions. We
15 agree to all of those conditions. We have
16 coordinated with DDOT through this entire process
17 with respect to access and the TDM plan, so we are
18 fully committed to implement all of the conditions
19 that DDOT has identified. I'd just like to highlight
20 a few of them.

21 In addition to the TDM elements we are also
22 committing to installing traffic cameras at the
23 intersection of North Capitol and M Street and
24 Florida Avenue and 3rd Street, in addition to the
25 other TDM measures identified on the slide.

1 So with that I'm available for questions.
2 Thank you.

3 MR. GOODWIN: The community benefits package,
4 I would like to address that. As a result of
5 extensive discussions with the ANC working closely
6 with the Office of Planning, and in response to the
7 comments that we received at the setdown hearing, we
8 feel that we've provided a comprehensive community
9 benefits package that addresses significant input
10 from a number of the stakeholders.

11 A critical component of this package, which
12 greatly impacts the economics of the project is the
13 historic preservation of the National Capitol Press
14 Building. The restoration comes at a significant
15 cost, but provides a great benefit, grounding the
16 project in the history of the neighborhood and
17 greatly enhancing the vibrancy of 3rd Street.

18 To date there have been a number of retailers
19 and creative uses that are drawn to the authentic
20 characteristics of the building. In addition to the
21 historic preservation, and in response to the
22 comments that we've received, we offer the following
23 additional benefits in our community package. An
24 increase in affordable units at 50 percent AMI from
25 10 percent to 20 percent. A change from LEED Silver

1 to LEED Gold for the residential components of the
2 property, of the project, providing a public
3 interactive art piece incorporated into the new N
4 Street streetscape. And additionally, in response to
5 OP's request for maker and creative production space,
6 will set aside 10 percent of the retail space for
7 these uses.

8 And additionally not noted here on the
9 screen, but in our written response we are going to
10 make a contribution to the Economic Feasibility Study
11 for the new Metro entrance at the east entrance of
12 the NoMa Gallaudet Metro, which we feel is a critical
13 component and a benefit for the project and a benefit
14 for all the projects on the east side of the railroad
15 tracks.

16 MR. KADLECEK: That concludes our direct
17 presentation. We're now available for questions.

18 CHAIRPERSON HOOD: Okay. Thank you very
19 much. We appreciate your presentation. Let's see if
20 we have any comments or questions up here.

21 Okay. I have an announcement to make. We
22 have a new procedure that we have when you sign in.
23 You don't sign in anymore. We went high tech now.
24 There's a board that's to my left that's against the
25 wall. It's about, well, height level. My height

1 level. And when you come in, if you could just type
2 your name in, opponent, and I think it will cue you
3 whether you're a proponent, opponent, and we should
4 not have undecided up there yet. It's up there but
5 right now undecided is not in our regulations. It
6 won't happen until September the 6th.

7 So if you can -- if you have any questions
8 Ms. Schellin will be more than willing to come out
9 and help you do that. So when you come in from now
10 on, if you come to a hearing, if you can just sign
11 in, that will be great. Or key in. I don't want to
12 say sign in. If you key in. What's the new --

13 MS. COHEN: Key in.

14 CHAIRPERSON HOOD: Key in. Is that -- that's
15 good? Vice Chair said that's good. So I better say
16 sign in. No, I'm just playing.

17 Okay. Any comments, questions up here?
18 Commissioner May?

19 MR. MAY: Okay. So I have a handful of
20 questions. You've now offered to go to LEED Gold for
21 the residential component so roughly what's the
22 percentage of the project that's going to be LEED
23 Gold, and what's the rest of it going to be?

24 MR. DAVIS: Roughly 75 percent of the project
25 will be LEED Gold. That consists of what we're

1 referring to as the 331 building, which is the new
2 residential building at the corner of 4th and N, and
3 then also the 301A building, which has been
4 designated up here also as residential. It's the new
5 tower just to the east of the Historic Preservation
6 building.

7 MR. MAY: And then so what's not LEED Gold?

8 MR. DAVIS: The Historic building and the
9 hotel/condominium building.

10 MR. MAY: So what are they going to be -- I
11 mean, what LEED level would they be?

12 MR. DAVIS: Silver.

13 MR. MAY: Okay. Well, I'll let the Vice
14 Chair, let her feelings be known about that. But I
15 support her views. And I kind of know what she's
16 going to say.

17 So, let's talk about the proffered benefit of
18 the National Capitol Press Building. So the cost of
19 restoring that versus building new space, the
20 differential is \$600,000.

21 MR. DAVIS: That is correct.

22 MR. MAY: Okay. So what does that work out
23 to be in like dollars per square foot?

24 MR. DAVIS: Can I use my calculator?

25 MR. MAY: Sure.

1 MR. DAVIS: Thank you.

2 MR. MAY: Maybe I need to ask some penthouse
3 setback questions while you do that calculation.
4 I'll do that. All right. So the -- can we get to
5 the aerial view that kind of shows the whole project?
6 No, the other side from lower looking -- yeah, that
7 was it. That was it. Okay. Because there we can
8 kind of see. What slide number is that, or what page
9 number is that?

10 MR. DAVIS: It's A02.

11 MR. MAY: A02, okay. Yeah. So by the way,
12 in this view you're showing the building that's
13 across the alley to the right there. Is that an
14 accurate rendition of what that building is going to
15 be like?

16 MR. ANDREOLI: Yes.

17 MR. MAY: Okay. So it's not going to have
18 any penthouse -- oh, it's going to have a ghosted in
19 penthouse I see there. Or penthouses there. So the
20 areas where you need relief are right there, okay,
21 and then opposite that over here.

22 MS. ALEXANDER: Correct.

23 MR. MAY: And the guardrails you've
24 incorporated into the parapet.

25 MS. ALEXANDER: Correct.

1 MR. MAY: And the top of that wall is at the
2 height limit for the building.

3 MS. ALEXANDER: Correct.

4 MR. MAY: Okay. I mean, it's an interesting
5 strategy. You know, it still looks just kind of like
6 a guardrail, like it's an add-on, so I don't know if
7 more could be done to integrate that with the design
8 of the façade. It just, you know, it kind of looks
9 like a guardrail and I don't know whether that's
10 necessarily a good thing. But obviously it, you
11 know, if it's below the height of the building that's
12 okay.

13 The other areas where you need setback
14 relief, do we have views that show that you cannot
15 see those areas from the street outside? I mean, I
16 know you can't see anything on that eastern most
17 section because of the way -- because of the shape of
18 the building. But opposite that, where you have that
19 elevator tower. Yeah. So I mean, do you have views
20 that show what that's like from across Florida
21 Avenue? Can you see up into that at all?

22 MS. ALEXANDER: If you can go to our views?
23 So we've taken views from pretty much every angle and
24 you can --

25 MR. MAY: Yeah, but none of them are looking

1 into that gap between the buildings.

2 MS. ALEXANDER: Into the gap.

3 MR. MAY: Yeah. You don't have anything that
4 looks into the gap, do you?

5 MS. ALEXANDER: No.

6 MR. MAY: Okay. So that's what I would want
7 to see to demonstrate that it doesn't -- that you
8 can't actually see that setback. And if you can see
9 the penthouse from that angle then you need to set it
10 back.

11 You know, the -- I mean, you probably know I
12 stickler when it comes to the setbacks for penthouses
13 when you're trying to incorporate habitable space,
14 and I think it should always be set back. And I
15 think that in this circumstance you -- what you have
16 is virtually a closed court on that center section.
17 And so that's why, you know, I can stretch it a
18 little bit to say okay, it's virtually closed. You
19 have set it back somewhat and it's really only going
20 to affect the residents of the building.

21 But it's not just, you know, a matter of how
22 -- you know, whether it's really tall and casts
23 shadows, which should be a concern on a closed court.
24 It's really about the visibility of it in the
25 perceived height of the building. So, don't go

1 flipping around. I'm still -- yeah, we're going to
2 go back to that original view that we started with
3 A02. Yeah. Okay. Good. Thank you. All right.
4 There we go. All right.

5 So, Mr. Turnbull lent me his pointer so I can
6 stop fumbling around. So this part is set back but
7 it's the center section that's not.

8 MS. ALEXANDER: Correct.

9 MR. MAY: Okay. All right. So then we need
10 the view from like over here. If you can see into
11 that space or the view from -- well, I guess that's
12 from the alley. That's an alley here, right?

13 MS. ALEXANDER: Yeah, you would not be able
14 to see it from the north because of the way the
15 penthouse curves back. If you go to the plan you can
16 see it in plan.

17 MR. MAY: So --

18 MS. ALEXANDER: So, essentially this is a
19 one-to-one setback, and where it doesn't set back
20 it's shielded from view by the portion that does
21 stick out a little bit.

22 MR. MAY: So I'm not going to be able to
23 stand over here and see that? If I'm standing over
24 there I'm not going to see that?

25 MS. ALEXANDER: I think I'll have to do a

1 view for you.

2 MR. MAY: Yes. Thank you. I mean, you know,
3 if you could demonstrate in plan and save yourself a
4 rendering maybe, but you know, that's what I would
5 want to see.

6 So the other thing that I'm troubled with is
7 this tower here, which now is this -- did you need
8 relief of this closed court? Or is that one
9 complaint?

10 MS. ALEXANDER: It's compliant.

11 MR. MAY: Okay. So this is problematic. So
12 we can go back to A02? So this tower here, because
13 you have the historic building in front of that and I
14 understand there's a court between the historic
15 building and the tower, I guess technically you don't
16 need to have the setback here because you're facing a
17 closed court. However, that's something that I want
18 to have changed and we've asked the Office of
19 Planning to look at changing that. But it's
20 problematic because what we're seeing is going to be
21 visible from across the way because you're looking
22 over a low building to the building behind it. And
23 if they were actually abutting each other you would
24 have to set back because the rules require you to set
25 back when you have a historic building next to it and

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1 below.

2 And I guess you could -- I mean, some of the
3 drawings describe this as a -- or its labeled as an
4 architectural embellishment. I understand that might
5 have changed.

6 MS. ALEXANDER: We've revised that.

7 MR. MAY: Yeah.

8 MS. ALEXANDER: But the thing is that if it's
9 going to be there and it's going to be visible like
10 that, it's, you know, the same way that I can get
11 with the principle that you don't need all the
12 setback here because it's closed and it only affects
13 the people inside, the converse is true, right?
14 You're following the rules over here, but I can see
15 it. And so I feel like you have to, you know, stay
16 true to the principle here, which is the visibility
17 of that taller piece is what should be guiding you.

18 And so if that can be -- I don't know where
19 the elevator actually lives there. If it's on the --
20 is it all the way on the west -- sorry, all the way
21 on the east side?

22 MR. ANDREOLI: It is about six feet off the
23 side.

24 MR. MAY: Six feet off of this side?

25 MR. ANDREOLI: Yeah.

1 MR. MAY: So I think something should be done
2 there. I don't know if it can be fixed to set it
3 back fully, but if you're going to essentially be
4 seeing this as a tower element, which you have done
5 with the way it is rendered compared to the other
6 wings of the building, that maybe it should look a
7 little bit more tower-like, and that there should be
8 some actual embellishment of the top so that it feels
9 more like a tower and not just like a, you know, dark
10 elevator, which is kind of what it looks like.

11 MR. ANDREOLI: The designing theme was to
12 show what it is. It's a core. It's a core basically
13 because it includes the elevator and the staircases.

14 MR. MAY: Yeah.

15 MR. ANDREOLI: And so problematic the core,
16 they tend to not [garbled speech] setback but to be
17 leaner in the way of -- and normally they are taller
18 than the building because the elevator requires
19 additional equipment.

20 MR. MAY: I think we understand that. I
21 mean, we deal with that all the time and this is a
22 challenge on many buildings, particularly when you
23 have an L-shaped building and you want to have that
24 elevator core right at the -- where the two legs come
25 together. And it's, you know, on that interior side

1 of it, it is especially problematic, particularly if
2 you have a number of elevators. So, I mean, we
3 understand that that's the logical place for it to
4 be, and I understand the expression of it. And I'm
5 not saying that you need to put a, you know, a big
6 dome on top of it or something silly to -- you know,
7 I'm just thinking that, you know, you have some very
8 simple detail that's been incorporated into that
9 shaft, right? That bar.

10 And then maybe when you get to the top it
11 just needs to look a little bit more special than it
12 does. And so a little bit more detail up there, I'm
13 not talking about, you know, I don't want any lights
14 or signage or anything like that, just something in
15 how the very top of it is differentiated so that the,
16 you know, the pieces that sort of -- you know, you
17 have some -- it's almost like fenestration. You
18 know, small openings that maybe those just need to
19 get bigger in that area and kind of wrap around. I
20 don't know. Just from my point of view it either
21 should be set back or it should be made to look a
22 little bit more tower-like.

23 MR. ANDREOLI: Okay. We'll design some
24 alternatives.

25 MR. MAY: Well, and you -- I mean, you should

1 listen to what everybody else has to say. They may
2 not agree with me so, who knows.

3 Let's see. All right. So I think the other
4 question I have is, this is a really, really big
5 increase in the density of the project. And for you
6 to come here and proffer, you know, basically 1.6
7 percent of the units at 50 percent AMI, it's still
8 not enough. It's not, you know, it's not what we're
9 seeing on other projects. I mean, I would expect you
10 to at least be coming in at 50 percent of the IZ
11 units at 50 percent AMI. That would be closer to
12 what people offer when they start the hearing. And
13 they often wind up going further than that. And, you
14 know, in some cases we get up to 10 or more percent
15 overall.

16 And I think you really need to look hard at
17 that. I mean, I appreciate the value of preserving
18 the building, but I tend to think that you're going
19 to see a return on that investment because that's
20 going to be pretty nice space, and you may be able to
21 get a better rent for it.

22 I think that the same is true of some of the
23 other amenities that you are proposing. You know,
24 going to LEED Gold is going to pay off for you unless
25 you intend to sell the building, you know, once you

1 finished it. Yeah, so you're shaking your head.
2 You're going to own this building, right?

3 MR. DAVIS: Yeah, we're long-term holders of
4 real estate. That's --

5 MR. MAY: So I mean, LEED Gold is an
6 investment and it's going to pay off for you in the
7 long run and I'm frankly disappointed that you're not
8 doing LEED for the entire building. But again, I'll
9 let the Vice Chair speak to that.

10 And then, you know, the other thing is like
11 studying the Metro connection. I mean, that's going
12 to be a huge benefit to you and you're just talking
13 about paying for a study. It's not the real money.
14 It's going to take several million dollars to build
15 that. So, you know, you're throwing in a little bit
16 so you have some stake in it. I just, I think the
17 whole thing is still pretty meager. So, you can wait
18 to hear the rest of my colleagues on that topic if
19 you don't -- on that topic if you don't want to -- if
20 you want to hold off. Yeah. Okay.

21 I don't think I have anything else to say.

22 MS. COHEN: All right. Thank you, Mr.
23 Chairman.

24 I agree with Commissioner May entirely on
25 everything he said. And again, I think the emphasis

1 and the need for LEED Gold if it's a hotel, a lot of
2 people are being very sensitive to where they stay
3 and they seek out LEED Gold. Check, you know,
4 websites and the hits for different LEED Gold hotels
5 within the country. They are usually at over --
6 they're at 100 percent occupancy and often you have
7 to be on a wait list to get into them.

8 As far as condos, if that's the route you go,
9 I would think people again are becoming much more
10 sophisticated as to the benefit of Gold versus
11 Silver. It adds to their environment, their
12 environmental health. I mean, you step out the door
13 in the city and really our air pollution levels are
14 horrible. Especially in the summer months. And why
15 not just give them a place where they could at least
16 have healthy indoor quality and cheaper utilities? I
17 mean, just help people out. It's going to help you.

18 And the thing I was going to say is that I
19 thought you did sell some properties. And maybe that
20 was ages ago when I used to -- and anyway, pension
21 funds are getting smarter. They are looking for the
22 best and highest quality in their portfolios and
23 they're beginning to understand the need for higher
24 rated LEED Buildings. So I just wanted to add that.
25 Go Gold.

1 Again, on the affordable housing it's really
2 unsatisfactory what you're proffering. This is a
3 city where you're a corporate citizen and I really do
4 believe that, I mean, every day there is an article
5 about the difficulty of keeping our work force,
6 people who will be in your hotels, people who -- if
7 it's a hotel. Concierges, anybody working in this
8 city can't find housing. And you're going to rely on
9 a workforce that's going to have to commute hours and
10 hours, and they're not going to be quality people
11 because they're going to be exhausted.

12 So again, we need more affordable housing and
13 it's your -- it's enlightened self-interest to add
14 more affordability. People who make 50 percent of
15 median income are really making, you know, \$62,000.
16 And they can't afford to live here, let alone people
17 who are making 15 -- but I mean, I lecture people a
18 little bit too much so I'll let it go. But I'll tell
19 you, it's not satisfactory.

20 And what was pointed out to you is, you're
21 getting so much density on this project, so I think
22 again you should go back and look at your numbers.

23 Can -- you need to also map out where the
24 affordable units will be. I didn't see where they
25 were going to be because they have to be distributed

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1 as you know, throughout the building and not
2 concentrated.

3 So now, I do have a question if you could
4 pull up the south alley. I just wanted to see, if
5 I'm walking down and looking at that south alley,
6 what is across the street from that south alley,
7 because --

8 MR. DAVIS: That's a project being developed
9 by the Wilkes Corporation, 300 M Street.

10 MS. COHEN: So are there windows on that side
11 of it, is my -- looking out towards that alley?

12 MR. DAVIS: I believe so. I couldn't speak
13 definitively, but I -- my recollection is that Wilkes
14 has windows on that alley.

15 MS. COHEN: And that --

16 MR. DAVIS: Not similar to ours.

17 MS. COHEN: Okay. And that alley is just,
18 you know, dark. You didn't bring a board with you,
19 did you, a materials board? Or did you?

20 MR. DAVIS: Yeah, we have loose samples.

21 MR. KADLECEK: Yeah. We have loose samples.
22 Yeah.

23 MS. COHEN: It's fine. If we could see
24 those, because it would be very helpful. It just
25 seems like it's going to not in any way be conducive

1 to using that alley for anything. Is it going to be
2 dark? Is there going to be lighting on that alley?
3 I think we need to have a little bit more information
4 with regard to that.

5 MR. MAY: You can hand those samples up over
6 there. I mean, it's hard to tell from loose samples.
7 It's better to have a board that's keyed to an
8 elevation or something like that so we know what
9 we're looking at. But we'll look at what you've got.

10 CHAIRPERSON HOOD: And that was one of
11 Commissioner May's general questions that I mentioned
12 to you that you forgot. And sometimes we have
13 standard questions up here.

14 MS. COHEN: That's why I picked it up. You
15 know. We all support each other.

16 So I would just like a little bit more
17 information on that alley. What's the impact on
18 people either walking down it or what's the impact of
19 the neighboring, excuse me, building? And that's my
20 -- those are my questions, because I'm going to --
21 excuse me.

22 CHAIRPERSON HOOD: Okay. Commissioner
23 Miller.

24 MR. MILLER: Thank you, Mr. Chairman and
25 thank you for your presentation. This is a very

1 attractive project with a mix of uses that will help
2 the continuing and revitalization of this
3 neighborhood.

4 And I appreciate the increase to LEED Gold
5 for the residential, but I would join my colleagues
6 in encouraging you to see if you can increase the
7 other elements as well; the other elements to the
8 LEED Gold as well. And I appreciate that you did
9 increase the 50 percent AMI level units from 10
10 percent of the eight percent to 20 percent. But I
11 also would encourage you, based on the amount of
12 density that is being increased from the existing
13 zoning and from the base zoning, and because for many
14 of us up here who are seeing these projects, the 80
15 percent AMI level just doesn't -- isn't meeting the
16 needs of District residents in terms of
17 affordability.

18 So if you can improve that 50 percent AMI set
19 aside, that would be greatly appreciated. But there
20 are a lot of attractive elements of this. The
21 adaptive reuse of that Capitol Press Building, it's
22 very attractive and I like all the balconies and
23 terraces and the in and out of the windows. I think
24 it's very -- and I like the mix of colors.

25 I don't know if I have a comment on

1 Commissioner May's comment about the tower element.
2 It kind of just -- you kind of want that to just fade
3 away, and so it kind of does with just being the
4 simple design that it currently is. But I understand
5 what he's saying in terms of since it isn't setback,
6 maybe to do something a little bit more up top. So
7 we'll see what alternative when we come back. But I
8 don't have a particular problem with it myself.

9 I did have a question about, if you could
10 comment on the ANC's comment. I don't know if you've
11 seen their June 16th submission, which they generally
12 support. And they're going to be coming up, I
13 assume, you know, have a chance to comment again, I
14 guess, on rebuttal if they do come up. But they
15 generally support the design, size, and mix of uses.

16 But they were concerned about the overall
17 height and bulk on the 4th Street side, saying that
18 the building does not step down away from the rail
19 road tracks to the lower density neighborhood to the
20 east, and such step downs are included in the NoMa
21 Vision Plan, and the ANC recognizes the value of the
22 step downs that you did provide to 3rd Street and the
23 historic building at that corner, but would support
24 modifications to the 4th Street side to lower the
25 height or soften that edge in other ways.

1 And I was trying to look at a rendering that
2 would show how it relates to the lower 4th Street
3 buildings, but maybe you can point out which one and
4 how you are or are not, and whether you can do more
5 to relate to those lower buildings.

6 MR. ANDREOLI: As you can see this is an
7 image showing from south to north on 4th Street.

8 MR. MILLER: Which slide is that? A --

9 MR. ANDREOLI: A33.

10 MR. MILLER: Okay. Thank you.

11 MR. ANDREOLI: And so what we did is this
12 corner is the corner facing the alleyway, so we
13 changed the materiality of it, and it is glass in
14 this corner. And these are all terraces facing south
15 and it leads me to answer to your concern about the
16 alley way that in fact the alley way has been
17 activated by the presence of these little terraces on
18 the 331 building.

19 As basically the design of the building steps
20 up from 3rd Street into 4th Street and follows the
21 slope of N Street that rises up 10 feet from 3rd
22 Street to 4th Street, so the building masses of the
23 different elements of the building, they follow the
24 slope starting basically at the historic building at
25 the corner of N and 3rd, going up to 4th and Florida,

1 the corner.

2 So this sloping gap we have been trying to
3 maintain it throughout all the design of the
4 building. And I think that the fact that we start
5 from a low building, which is historic and we go up
6 to 120 feet at the corner of 4th Street and Florida,
7 bringing the new building at 331 basically at the
8 same height of the building across the street in
9 Florida, makes the massing of the building proportion
10 in the way it has been designed.

11 MR. KADLECEK: I just wanted to add one quick
12 thing, too. Another element of this to keep in mind,
13 sort of in a long-term, is the future land use map
14 for the property surrounding the one we're talking
15 about here tonight. They all call for a much higher
16 density than are currently on that site. So, what's
17 there now is maybe not the most representative of
18 what might be there sometime in the not so distant
19 future. A lot of those sites are probably ripe for
20 something of higher density.

21 CHAIRPERSON HOOD: Let me -- because I had
22 the same question, so which side -- which --

23 MR. KADLECEK: So if you are looking --

24 CHAIRPERSON HOOD: Because I can tell you,
25 this picture doesn't do it. I don't know about

1 Commissioner Miller, but it doesn't do it for me.
2 I'm looking for the relationship.

3 MR. KADLECEK: Yeah, right there. So, if you
4 look -- go back. Yeah, there. So if you look
5 directly to the right across 4th Street, those
6 properties there, and I don't know exactly where the
7 future land use map line is, but those properties
8 there, certainly the ones along Florida Avenue are
9 designated for a much higher density than they are
10 now. And then of course the properties directly to
11 the south across the alley, those are designated for
12 higher density as well.

13 MR. MILLER: So if you could go back to A33?
14 Yeah. So, what's the height of the building? So
15 that's a -- you're saying that tannish building on
16 the right is, that's -- are you saying that's going
17 to be redeveloped into a higher --

18 MR. KADLECEK: No, that's a townhouse but
19 there are -- I don't know the distance, but you have
20 to remember that this point of view right here is
21 about two-thirds of the way down the block. I think
22 it's a couple hundred feet. So there's a townhouse
23 right there on the corner, but then north of the
24 townhouses there is where Planned Parenthood is,
25 there's where Two Rivers Charter School is. So those

1 properties are the ones that I'm talking about being
2 designated for higher density that are much closer to
3 our project.

4 MR. MILLER: So what is the height of that
5 townhouse, just out of curiosity? And the height of
6 your building across the street from it?

7 MR. ANDREOLI: About 40 feet, I would say.
8 The townhouse.

9 MR. MILLER: And then your building before
10 the setback is, is that what -- is that -- is it
11 about the same or 50 feet or --

12 MR. DAVIS: So, Commissioner Miller, the
13 townhouse, that shot is right at the intersection of
14 4th and M. And so that townhouse that we're seeing
15 in the shadows right there, right on the corner, and
16 then obviously our building is here, what we also see
17 in that perspective is the Wilkes Company, their
18 building which steps up to 110 feet. And then there
19 are two, between their building and our building
20 there are two lower rise buildings. One is the Two
21 Rivers Charter School Middle School, and the other is
22 a glass service building.

23 So those two buildings which have not been
24 redeveloped are mapped for higher density, along with
25 the Two River Charter School right at the corner of

1 4th and Florida. And then again between the
2 townhouse and our building, this building was
3 purchased by Planned Parenthood. And so there's a
4 commercial building that's roughly -- I don't know
5 the exact height, 30 to 40 feet in height, there.

6 MR. MILLER: So maybe if we could just get
7 some kind of rendering that shows the 4th Street
8 relationship and which maybe has on it what the --
9 you know, what the existing -- what's existing across
10 the street and maybe just some narrative that it
11 could be developed to a certain density just so we --
12 I'm having a little difficulty understanding the
13 relationship. But maybe if we had another
14 illustration or a rendering that showed it existing
15 and with some narrative that points out that yes,
16 it's only 40 feet, whatever the height of the Two
17 Rivers or the other buildings are, and then what it
18 could go to under the -- what the land use map calls
19 for, which you just said verbally. But just so I
20 could have one piece of paper that just shows it,
21 that relationship.

22 CHAIRPERSON HOOD: Let me just second that.
23 I would echo that. That was one of the things I
24 wanted to see the relationship, so I would hope that
25 you all would --

1 MR. MILLER: Yeah, you've often asked for
2 something that shows --

3 CHAIRPERSON HOOD: So I can understand it.

4 MR. MILLER: -- how it relates in the entire
5 neighborhood. So, moving on, the other --

6 MR. DAVIS: Excuse me if I may just clarify
7 so we get what you're looking for. You're looking
8 for the existing buildings across the street and
9 their existing height, and the potential future
10 height as developed?

11 MR. MILLER: Yes.

12 MR. DAVIS: Okay.

13 MR. MILLER: I think that would be helpful.

14 CHAIRPERSON HOOD: That kind of relates to
15 what's going on now.

16 MR. MILLER: Yeah, we want to know what's
17 going on now, but we also -- I do appreciate your
18 comment that the whole area is being redeveloped, so
19 if you can put on the same narrative, just maybe a
20 dotted line of what it could go to.

21 MR. DAVIS: Right. If I could refer you to,
22 and maybe we could pull this up, Drawing A03, which
23 is a -- it's a bird's eye view and it gives a little
24 bit more perspective with regards to the Two Rivers
25 Middle School and the glass building on our side of

1 the street. And you can see -- you can see those are
2 the two buildings as-is right now. And they're
3 approximately 40 feet in height at 4th Street. But
4 we can get you that additional information. But this
5 gives some context to where the Wilkes Company's
6 building extends above, you know, extends above
7 those. And then you've got those two lower rise
8 buildings that potentially can be redeveloped in the
9 future, theoretically up to 110 feet of height. And
10 then our building at that corner showing 120 feet.

11 And we've had extensive conversations with
12 the ANC about this, and I'm sure Commissioner Goodman
13 is here and he'll talk to this. But in those
14 conversations we've talked about softening that edge
15 as Aldo discussed. Chamfering that corner is one of
16 those efforts to soften it and we'll continue to work
17 with them to soften the edge.

18 MR. MILLER: So I mean, you might be
19 developing something that you might be submitting to
20 that would show that softened edge?

21 MR. DAVIS: Would show a softening. Yeah.

22 MR. MILLER: Okay. Great.

23 CHAIRPERSON HOOD: Okay. You know, I would,
24 along with Commissioner Miller, I would like to see
25 the softening, I'm sure. But I do have a follow up

1 question for the ANC when we get there. So
2 understand relationships and everything. But still,
3 let's see how far we go and I know Commissioner
4 Miller is asking for something, but I want to also
5 make sure I understand too. Thank you.

6 MR. MILLER: And so I just wanted to ask
7 about the other ANC points. Well, I'll ask about two
8 of the points because I think the order would
9 probably tie that contribution to Two Rivers, to the
10 building permit. So, but do you have any objection
11 to that second point of theirs, that's tying the
12 contribution to provide funds to Two Rivers PCS no
13 later than the issuance of the above-grade building
14 permit?

15 MR. DAVIS: No.

16 MR. MILLER: Okay. And the third one, I
17 can't remember if this is in DDOT's report or not, or
18 in the transportation plan but maybe Mr. -- their
19 third point was ban trucks servicing the building
20 from using 4th Street by use of signs and alley
21 paving treatments. Can Mr. Andres comment on that?

22 MR. ANDRES: Well, typically we coordinate
23 with DDOT during the public space permitting process,
24 and that's typically when it's done, is when we look
25 at the operations of the loading dock. It's

1 definitely something we could take a look at and work
2 with DDOT moving forward.

3 MR. MILLER: And finally their fourth point
4 was, require that 50 percent of the facades on 3rd
5 and on 4th be clear glass visible to at least 15 feet
6 into the interior spaces. I guess that's for the
7 retail. I guess that would be something you'd want
8 to do anyway. But --

9 MR. DAVIS: Yeah, I'll -- I mean, I can
10 comment on that. I'd like to have further
11 conversations with Commissioner Goodman about that
12 and just what specifically, you know, with the retail
13 an important part, obviously is visibility into the
14 project, or into their store. But the 50 percent in
15 terms of, you know, what's allowed in the storefront,
16 whether they have storefront displays and things of
17 that nature, being able, you know, the retailers to
18 brand and create an environment that's going to
19 attract patrons is very important to them, and it's
20 important to us as well to allow them to have the
21 flexibility to be creative and do that.

22 I think I understand the concerns of the ANC,
23 and don't have a real issue with this as long as it
24 doesn't adversely impact storefront displays and
25 things of that nature that the retailers that we're

1 seeking to attract may want.

2 MR. MILLER: Well, thank you for your
3 responses and thank you for your presentation.
4 That's it, Mr. Chairman.

5 CHAIRPERSON HOOD: Okay. Thank you,
6 Commissioner Miller. Commissioner Turnbull?

7 MR. TURNBULL: Thank you, Mr. Chair. I
8 wonder if you can go back to A03?

9 I guess what's troubling from the comments
10 that I've heard from you tonight is that don't
11 concern yourself with that because it's going to be
12 developed anyways in the future. Which means, we
13 don't really care about the charter school; that it's
14 going to be developed in the future. Future land map
15 shows it can go up to 90 feet, 100 feet whatever.
16 That troubles me. That troubles me in the sense that
17 what I'm hearing is that, you know, don't worry about
18 it. The Commission shouldn't concern itself about
19 the heights and everything else that, you know, the
20 ANC's comments. And that bothers me that it may be
21 developed, it may not. What you're saying is, the
22 school is going to go away.

23 And I think the ANC would be troubled by
24 that. I think the neighborhood will be troubled by
25 the fact that, especially if you're going to have all

1 those residents coming in, you're going to need a
2 charter school; going to need a school. But you're
3 saying, well, don't worry about it. We can develop
4 higher. Maybe somebody can buy it. We can tell the
5 school to go someplace else. I don't like that.
6 That is a businessman's plan to develop as much as
7 you can and get the density as you can without
8 thinking about the future of the city. Especially of
9 this neighborhood. And that bothers me. And that's
10 what I'm hearing tonight. That really bothers me
11 that it's density, density, density, and you're not
12 proffering anything for the city as a whole, what
13 you're trying to do here.

14 You talked about softening. You've talked
15 about it but you haven't shown us anything. This is
16 really troubling. I think this presentation has
17 really gone away over here that talks about the
18 development to such a point that density has become
19 the primary issue here at stake and that the
20 neighborhood, the school, and how that relates to it
21 has become played down because the future land use
22 says, we can go higher.

23 If that's what you're doing, you're not
24 selling it to this commissioner. I want you to go
25 back and rethink some of the proffers that you're

1 doing for this community and how you're going to make
2 this building work with this community and into this
3 neighborhood, because right now I think you've really
4 let everybody down. I think the IZ issue, what was
5 presented before by even Commissioner May and by the
6 Vice Chair talking about, we'd normally get better
7 proffers from this, at least 50 percent of that
8 proffer is going to be at 50 percent AMI. I think
9 this is something you've got to go back and really
10 think hard about; you want this project to go along.
11 It's got a lot of nice attributes to it, but there's
12 a lot of things that really stick in my face right
13 now that are just like, it's density, density,
14 density, and we don't care.

15 Let me get off my soapbox on that for a bit.
16 I think we've already talked about the LEED aspect.
17 I think you really need to take another hard long
18 look at that. If I read you correctly, Mr. Andres,
19 on the DDOT, you've agreed to everything on the DDOT,
20 and things. You're going to have three transit
21 screens. You've got one in each of the lobbies that
22 we talked about, the hotel, the condos, the office.

23 MR. ANDRES: With respect to the transit
24 screens, I just need to confirm that it's in all of
25 the components.

1 MR. TURNBULL: I think you agreed to all of
2 them, but I just want to confirm it tonight.
3 Residential, hotel, office.

4 MR. ANDRES: I'm looking at DDOT's
5 conditions. We had proffered some transit
6 information as part of our TDM. But DDOT had not
7 mentioned anything about that in their mitigation
8 conditions.

9 MR. DAVIS: So with regards to this in the
10 residential component, and the hotel/condo component,
11 we'll have transit screens. Those are obviously
12 important.

13 In the office component one of the things
14 that we're talking about is flexibility, whether that
15 space is creative office space and/or retail space,
16 and we've had some interest for the historic
17 building, the second and third floors to be a retail
18 component. And in that case there won't necessarily
19 be a specific lobby. So if we have that flexibility
20 then we will for sure have transit screens in the
21 residential and/or hotel components. And if we do go
22 office we can have a screen in the lobby. But if
23 it's a retail use we would not have a transit screen.

24 MR. TURNBULL: Okay. The other thing that
25 sort of bothers us, I think you've heard it before

1 and normally I talk to Ms. Alexander before, we
2 normally get a sample board clearly called out what
3 the materials are, material board. And we don't have
4 it. I mean, dealing with, well it's these two bricks
5 here. These are the two and we've got the -- let's
6 have a sample board that clearly shows exactly
7 material board, where the materials are on the
8 building. I mean, that's what we like. We like to
9 touch things and look at things. So we need to know
10 exactly what the building is going to look like. So
11 we really need to see that.

12 Can we pull up the loading dock plan? Now,
13 as I understand it you've basically got three berths
14 here. Two at 30 feet and there's another service
15 vehicle space. And basically everything is either --
16 if you're going to service you're going to be taking
17 all these corridors to serve as everything in this
18 building. In these buildings.

19 MS. ALEXANDER: We have revised that,
20 actually. If you go to the most recent submission.
21 Actually, it's in the full May 31st booklet, if you
22 go to 120 in this old presentation. If you go to
23 your May 31st booklet, there is a loading and service
24 diagram. I believe it's G10.

25 So in short we have eliminated that long

1 service corridor to get between the loading dock and
2 the north retail and office space, and instead have
3 created a jump elevator that brings all of the
4 service down to the garage.

5 MR. TURNBULL: What plan is that? Oh, I see.

6 A --

7 MS. ALEXANDER: G10.

8 MR. TURNBULL: G10?

9 MS. ALEXANDER: Yes.

10 MR. TURNBULL: Okay.

11 MS. ALEXANDER: Can I have the laser?

12 MR. TURNBULL: All right. So you're coming
13 in. There was an elevator here.

14 MS. ALEXANDER: There is a little jump
15 elevator here at the loading dock, and then that will
16 take you down to the garage which then brings you
17 over to direct access elevators to both the
18 residential and retail and office components. The
19 hotel and the 301 and components also are directly
20 adjacent to each other at the loading dock area.

21 MR. TURNBULL: Okay. So the other retail is
22 still serviced from here though, right?

23 MS. ALEXANDER: Correct.

24 MR. TURNBULL: Okay. Okay. All right. I
25 would agree with Commissioner May on the setback

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1 issues. I really think you need to take a hard long
2 look at that. Especially that tower element.

3 And the same thing with the Metro study, the
4 proffer for giving money for the Metro proffer. I
5 think that's kind of really short. In fact, I would
6 agree with the comments before. I think the proffers
7 really need to be looked at again. Especially for,
8 again, we're getting back to the density that you
9 want, and what this project really wants to look
10 like. So you really need to take a hard long look at
11 that.

12 The other thing is on -- can we show up a
13 plan of N Street?

14 MS. ALEXANDER: A retail plan?

15 MR. TURNBULL: No, just the street plan. And
16 what I want to look -- maybe just go to A03, the
17 perspective view of it. Now we just had a hearing
18 around this building right here, and we talked about
19 this street in here, and what was going to be done,
20 and what the materiality of this street pattern with
21 it is. And at that time when we approved this and we
22 talked about the neighbors across the street going to
23 be doing the similar kind of texture and patterns on
24 that, I haven't really seen anything that shows what
25 you're matching on that on the plans so far. Do we

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1 have something that actually shows that?

2 MR. DAVIS: We are working with Ditto, across
3 the street.

4 MR. TURNBULL: Right.

5 MR. DAVIS: To develop that. We started
6 talking to them kind of long before their hearing and
7 have been working with them and with DDOT to
8 establish what that plan is. But we don't have --

9 MR. TURNBULL: Well, I wonder if you could
10 meet with them because they've already come up. I
11 mean, we've had a presentation that shows the
12 materiality and some of the proposals right now. I
13 guess I would like to see something that shows that
14 you are in conjunction with them and that the
15 material is going to be matching and that you're
16 working with the Department of Transportation on
17 that. I would like to see something that shows that
18 everybody is in sync and what's happening on N
19 Street.

20 MR. DAVIS: We can provide it. We are in
21 sync with them, we've had --

22 MR. TURNBULL: Okay.

23 MR. DAVIS: -- numerous conversations.

24 MR. TURNBULL: But I think if you could just
25 provide something --

1 MR. DAVIS: We can show that.

2 MR. TURNBULL: -- for the record.

3 MR. DAVIS: Yeah.

4 MR. ANDRES: Commissioner Turnbull, in DDOT's
5 review letter, page number 6, there is an N Street
6 public space concept.

7 MR. TURNBULL: Yeah. Well, I think if you
8 could just provide us something so that it's on the
9 record for this project that actually shows it better
10 for us.

11 Mr. Chair, those are my comments.

12 CHAIRPERSON HOOD: Okay. I think most of my
13 colleagues have hit a lot of the points. Especially
14 some of the ones I had, Commissioner Miller
15 definitely hit with the perspective. But I did have
16 one for you, Mr. Andres. The issue that goes -- I
17 think Commissioner Miller hit on it but I'm not sure.
18 I thought he perused on it and went down the line.
19 But this issue with the ANC. Let me pull up their
20 letter about the signage. I think they wanted to
21 ban, what was it? Ban truck service in the building
22 from using 4th Street by use of signs and alley
23 paving treatments. Help me understand what alley
24 paving treatments would do, to ban the trucks. How
25 would all that work?

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1 MR. ANDRES: Well, the signage would help to
2 do that. I think the alley treatments is to make it
3 potentially more pedestrian friendly. You know,
4 again, this is an issue that we need to coordinate
5 with DDOT because you -- if you look at the DDOT
6 Roadway Classification Map, 4th Street and M Street
7 Northeast are actually classified as collectors. And
8 what that means is those are typically streets where
9 some of the vehicles -- and in this case our trucks
10 are, at most, would be 30 feet in length. So those
11 are the roads, typically, that the District allows
12 those vehicles to be on. So essentially that is why
13 we would need to coordinate with DDOT on this
14 particular issue.

15 CHAIRPERSON HOOD: Let me ask you something.
16 Is that enforced in this city?

17 MR. ANDRES: What is enforced?

18 CHAIRPERSON HOOD: Is that enforced about
19 banning trucks from using certain streets? Is that
20 enforced? I'm just curious. I already know the
21 answer, but I just see what you're going to say. Is
22 that enforced?

23 MR. ANDRES: As far as I was aware --

24 CHAIRPERSON HOOD: Mr. Andres, I like you a
25 lot. You took too long to answer.

1 MR. ANDRES: Yes.

2 CHAIRPERSON HOOD: The answer is no.

3 MR. ANDRES: The answer is potentially no,
4 yes.

5 CHAIRPERSON HOOD: Okay. Okay. So I will
6 finish talking to the ANC when they come up because
7 here's what I don't like to do. I don't like to put
8 anybody on promise land. I'm not holding this
9 applicant responsible because I know what goes on on
10 my street. And I know with the sign -- when I saw
11 this I said, well, maybe I need to go by and dust my
12 sign off so that they can see it. But they haven't
13 seen it for years.

14 So I just believe in being a realist, and we
15 need to try to find mitigations and what people
16 looked at that are actually going to happen. And I'm
17 not blaming this applicant. We also need to work
18 with the ANC, and also with the city.

19 So, no, when I saw that I said, now if that
20 works over there, how come it doesn't work in other
21 places. So anyway, I don't want to put the ANC or
22 that community in promised land. And again, I'm not
23 blaming this applicant.

24 I really don't have any other questions. I
25 think, like I said earlier, my colleagues have

1 addressed it. Hopefully some of the things that were
2 mentioned will be looked at by this applicant so we
3 can consider it even more.

4 Okay. Any other follow up questions up here?

5 MS. COHEN: No.

6 CHAIRPERSON HOOD: Okay. Does the ANC have
7 any --

8 MR. MAY: Yes, I do.

9 CHAIRPERSON HOOD: Commissioner May.

10 MR. MAY: So did you do the calculation?

11 MR. DAVIS: \$16.66.

12 MR. MAY: That's the differential?

13 MR. DAVIS: That's the differential.

14 MR. MAY: But it's several hundred dollars
15 per square foot to build it either way.

16 MR. DAVIS: It is.

17 MR. MAY: Doesn't seem like it's a huge
18 difference. Okay.

19 And then the next thing is, you indicated
20 that you had set aside 10 percent of the space, the
21 retail space, for maker space. Is that what I
22 understood?

23 MR. DAVIS: Correct.

24 MR. MAY: Okay. So what does that mean to
25 set it aside? I mean, is it going to be reserved for

1 that purpose exclusively? Are you going to be
2 discounting it? What does that mean?

3 MR. DAVIS: We won't necessarily be
4 discounting it but we will identify maker space,
5 creative space, to be tenants in that roughly 2,500
6 square feet.

7 MR. MAY: So what if they can't afford the
8 rent. I guess you're going to have to keep dropping
9 it if you promise to make a maker's space. You'll
10 just get the highest paying makers that you can get.
11 Is that what it comes down to? Well, I mean, you
12 know, you're not going to be able to -- for maker
13 space very often you're not necessarily going to get
14 top --

15 MR. DAVIS: Right.

16 MR. MAY: -- retail dollar, right?

17 MR. DAVIS: Right.

18 MR. MAY: So you're just going to get -- you
19 know, you'll set that aside and you'll just get the
20 best that you can get for it. Is that right?

21 MR. DAVIS: Yes, that is correct.

22 MR. MAY: As opposed to saying, you know, up
23 front you're going to discount it by a certain
24 percentage.

25 MR. DAVIS: Well, in our underwriting for the

1 retail, and that's one of the things that we feel is
2 critical to creating this place, especially along 3rd
3 Street. I mean, actually we've got, you know, four
4 streets that retail is going to be a critical
5 component of. And in order to do that we have
6 underwritten for a certain amount of space, if you
7 would, below market rents that we're anticipating.
8 And so we'll -- we feel as though we can attract
9 creative uses.

10 And one of the focuses that we've had from
11 the beginning of this project, especially given the
12 historic nature of the Press building, is to focus on
13 what we call D.C. homegrown businesses, businesses
14 local here to the District of Columbia. And as we
15 work with our retail leasing team, those are the
16 types of uses that we are focused on. So.

17 MR. MAY: Okay. Thank you.

18 CHAIRPERSON HOOD: Let me back up. There was
19 something mentioned earlier about a study. You all
20 were going to contribute to a -- was it a study, to
21 the other interest, to the NoMa Metro -- what was the
22 money you all were going to put -- or put money into
23 for a study? I can't remember what it was.

24 MR. DAVIS: So we started meeting with the
25 stakeholders in and around NoMa, Union Market,

1 probably the beginning of this year. Looking at the
2 feasibility, obviously AE Common WMATA had done a
3 study focused on this east entrance. We gathered as
4 a group of stakeholders and one of the steps in terms
5 of going out and finding the funding, whether it be
6 public private partnership, is to do an economic
7 feasibility study. We've been working with the NoMa
8 Bid in that regards. And so we are committing to
9 contribute towards that study which is one of the
10 first steps in getting this process moving.

11 CHAIRPERSON HOOD: Okay. All right. Any
12 other follow ups up here? Okay. Does the ANC have
13 any cross? You have any cross of anything you've
14 heard from the applicant? Come forward.

15 Let me also ask this. Is Commissioner
16 McGuinness, Ryan McGuinness going to be joining you
17 tonight?

18 MR. GOODMAN: [Speaking off mic.]

19 CHAIRPERSON HOOD: Just you? Okay.
20 Commissioner Goodman. Yes.

21 MR. GOODMAN: There we go. Yes, so Tony
22 Goodman for ANC 6C. You don't want my testimony now,
23 just the cross questions, correct?

24 CHAIRPERSON HOOD: Just your cross.

25 MR. GOODMAN: I just want to point out two

1 items. The future land use map does include high
2 density commercial, medium density residential, and
3 PDR for almost all of the square, but not the
4 northeast corner. The northeast corner drops that
5 high density commercial, so it's only medium density
6 residential and PDR. And across 4th Street is
7 similarly medium density residential PDR so it's not
8 -- it does not have the same -- we would not expect
9 120-foot-high building there. So that's --

10 CHAIRPERSON HOOD: Question and comment. You
11 could have gave us that on your testimony.

12 MR. GOODMAN: Oh, sorry.

13 CHAIRPERSON HOOD: You have a question for
14 them?

15 MR. GOODMAN: And then -- all right. Then
16 I'll have another question, though. Did you look at
17 the signs at the corner of 4th and M? You know, I
18 understand it's a collector but if you -- you know, I
19 ask if you follow the trucks through the neighborhood
20 because there are signs up at 4th and M, the trucks
21 can't turn left or go straight at 4th and M, meaning
22 they have to go to 3rd.

23 MR. ANDRES: Yes. And I understand that but
24 I guess the question is, what is -- because we have a
25 significant amount of residential. So, you know, do

1 box -- you know, we just want to get a clarification
2 from DDOT what that limit is. You know, are they U-
3 Haul vans? You know, is that, you know, is that
4 considered that type of vehicle. So, again, you
5 know, this is typically this is something we
6 coordinate with DDOT as we go through the permitting
7 process. And so that's what we were intending to do.

8 MR. GOODMAN: Okay. Because I see, look at
9 the signs, because they actually have weight limits
10 and axles. It's not just it says no trucks. It does
11 give that nuance.

12 MR. ANDRES: No, and we understand that. I
13 guess the question is, we just want to know what that
14 threshold of vehicle would be that would be
15 restricted from doing that.

16 MR. GOODMAN: That's it. Thank you.

17 CHAIRPERSON HOOD: Commissioner Goodman, let
18 me do this. I've never done this before but your
19 first -- I want you, that first -- your first
20 statement.

21 MR. GOODMAN: Sure.

22 CHAIRPERSON HOOD: I want you to ask that as
23 a question.

24 MR. GOODMAN: Can do.

25 CHAIRPERSON HOOD: Okay. I can do it later

1 but --

2 MR. GOODMAN: Sure. I'll let you do it.

3 CHAIRPERSON HOOD: Okay. I can I do it.

4 Okay. I'll do it later. All right. Because we're
5 all looking at the same map, Mr. Kadlecek, and I'm
6 trying to figure out. So we'll work on that on
7 rebuttal. Okay? Or what Mr. Goodman -- Commissioner
8 Goodman mentioned, about his interpretation of the
9 future land use map. Okay. All right.

10 Any other questions up here? Oh, no. I'm
11 sorry. Any other questions?

12 MR. GOODMAN: No, sir.

13 CHAIRPERSON HOOD: Okay. Thank you. We'll
14 be calling you back up shortly.

15 Let's go to the Office of Planning and DDOT.

16 MS. RAPPOLT: Thank you, and good evening,
17 Chairman Hood and the Members of the Commission. OP
18 continues to recommend approval of the applicant's
19 consolidated PUD and related map amendment to the C-
20 3-C District for the development of the two
21 residential buildings, a hotel, office, and creative
22 uses at the ground floor, pending a determination
23 that the benefits' arguments are with the PUD.

24 OP's concerns are outlined in its reports and
25 in general to summarize, OP asked the applicant to

1 provide more clarity and certainty of its benefits.
2 Especially concerning the new benefit of the
3 interactive art. I don't think we have any details
4 about that. More detail about the \$25,000 for the
5 financial feasibility study for the Eastern Metro
6 entrance, and also a firmer commitment to construct
7 the N Street enhanced streetscape concept plan, which
8 is still a concept plan I think.

9 And I think DCRA has recently told us too
10 that instead of having a percentage of retail be
11 maker space that they actually call out where the
12 space would be. It's easier for them to process so I
13 just pass that one. We can talk about that later.

14 And we're here for questions, and thank you.

15 CHAIRPERSON HOOD: Thank you, Ms. Rappolt.
16 Mr. Rogers.

17 MR. ROGERS: Good evening, Mr. Chair, Members
18 of the Commission. My name is Jonathan Rogers with
19 District Department of Transportation. I'd just like
20 to hit on a few items that came up during discussion
21 tonight.

22 First, regarding N Street, DDOT has
23 consistently given direction to the applicant through
24 the process to coordinate with, I believe it's 15-22
25 to the north, the Ditto property, and they've done

1 so. And actually did submit a concept plan that
2 matched the concept plans submitted with 15-22. And
3 that was Exhibit 13 of the subject application.

4 Regarding -- and so the concept plan is just
5 that, it's concepts for what could happen to N Street
6 and how that could be designed. The designs are
7 generally consistent with things that are approved by
8 DDOT in public space. But public space permits have
9 not been issued, so through the public space
10 permitting process there will need to be final design
11 determinations and some of the concepts may change
12 slightly. But as I previously mentioned, what is
13 shown in the concept plan on Exhibit 13 is generally
14 consistent with what could be approved for public
15 space.

16 One note that I learned of tonight, the
17 interactive art piece, is something that if it were
18 to go in public space would also need public space
19 permits. I'm happy to discuss with the applicant
20 what that might look like. Public art and other
21 fixtures are certainly elements that can be approved
22 for public space. We just need to get a better sense
23 of what exactly is meant or intended with the
24 interactive art.

25 Regarding the alley treatments, as Mr. Andres

1 mentioned, DDOT and the applicant will need to work
2 together during permitting to determine the final
3 design. Part of the alley will be widened on to
4 private property, and perhaps in that section there's
5 flexibility to look at different paving treatments.
6 The public alley would need to meet DDOT standards.

7 Of note, between the subject alley widening
8 and the alley widening to the south, the alley has
9 the potential to be up to 34 feet wide, which is a
10 bit wider than we would like to see and might
11 generate some higher speeds. There are treatments
12 that we can work with the applicant on through
13 permitting to narrow the neck of the alley where it
14 meets the either 3rd or 4th Street to narrow that
15 down and encourage connectivity, but at lower speeds.

16 DDOT had in our report made a suggestion for
17 two electric charging stations in the parking garage,
18 and we were unaware of the outcome of that request,
19 not listed as a condition but as a request to help
20 build the infrastructure for electric charging
21 stations throughout the District.

22 And with that I'll pause and happy to answer
23 any questions you may have.

24 CHAIRPERSON HOOD: Okay. I want to thank you
25 both. Let's see if we have any questions or comments

1 of Office of Planning or DDOT. Anybody? Okay. Does
2 the applicant have any cross or anything for DDOT?

3 MR. KADLECEK: No, thank you.

4 CHAIRPERSON HOOD: Okay. Does the ANC have
5 any cross for DDOT?

6 MR. GOODMAN: No, sir.

7 CHAIRPERSON HOOD: Okay. Thank you. I think
8 we've talked about most of our other reports. I'm
9 going to ask Commissioner Goodman if you can come
10 forward and give us your report at this time.

11 Oh, and I think our machine went down. I'm
12 not sure what happened, but maybe some operator
13 issues out there. But if you can sign in if you're
14 going to testify. We're back to the old way. It
15 won't be that long though because it worked the other
16 night fine, so, anyway. We might need to put a sign
17 up of steps of how to do it. Okay.

18 All right. Commissioner, you may begin.

19 MR. GOODMAN: Good evening. Thank you,
20 Commissioners. So I'm Tony Goodman representing ANC
21 6C. I am also the single-member district
22 commissioner for 6C-06, in which this project is
23 located.

24 This is one of many PUDs within a one-block
25 radius. So not just in the neighborhood but you

1 know, 300 M Street, 1200 3rd Street, 301 Florida, and
2 then across in Ward 5, 320 Florida, 340 Florida, 400
3 Florida. All within one block.

4 So ANC 6C generally supports this project.
5 It's attractive. It has a great mix of uses and it's
6 somewhat unique in preserving one of our few
7 potentially historic buildings in NoMa. I think it's
8 really an excellent project for the neighborhood in
9 general.

10 As Commissioners discussed, you know, ANC 6C
11 is primarily concerned with that step down on 4th
12 Street. You know, it is -- the building does step
13 down on to 3rd Street, which is good. But, you know,
14 we would appreciate some sort of treatment for 4th.
15 And that doesn't necessarily have to be a step down.
16 That would be probably the simplest, but there may be
17 other ways with color or green walls or things like
18 that. And so we appreciate any efforts to do that.

19 In regards to those step downs, you know, as
20 I mentioned, you know, the future land use map does
21 not show high density across 4th Street. And as you
22 know, Commissioner Turnbull mentioned the community
23 appreciates having a health clinic and having a
24 school. I imagine they could be redeveloped at some
25 point, but I don't think anyone in the community

1 really wants them to be redeveloped any time in the
2 near future.

3 Two Rivers is a Charter school so it attracts
4 and accepts people from all over the city. There's
5 no neighborhood preference. But due to being located
6 in the neighborhood there are a great number of
7 people who can walk to the school right now. I walk
8 there every morning with my children. I don't want
9 them to move. And they do own their building so it's
10 not, you know, it's not something where a developer
11 owns it and could boot them out.

12 So, and in regards to that height and that
13 step back, that's one of the reasons why we asked for
14 the funds for Two Rivers. You know, as we said to be
15 with -- when the building starts to go up because the
16 shade will be cast when the building goes up. If it
17 never finishes and they never get a C of O, it's
18 still going to have a shadow.

19 And I just want to make one clarification as
20 well, that our intention was for those funds to be
21 for play spaces, and particularly exterior play
22 spaces. And I saw in the most recent filing it said
23 it was for public space improvements. But we would
24 not expect that to be limited to public space.

25 And even though the ANC appreciates, you

1 know, things that are available for the entire
2 community, we know that this project will have a very
3 specific impact on the school. And so we were not
4 asking that those benefits be something in public
5 space available to the whole community.

6 So a third thing is the trucks. We would
7 like just to see as many treatments as possible to
8 encourage trucks to turn right towards 3rd Street.
9 Things that we would anticipate would be, you know,
10 having perhaps smooth asphalt from their building to
11 3rd Street, but maybe cobbles or something like that,
12 to 4th Street. You know, except for the path for
13 bicycles. You know, things like that. You know,
14 gigantic signs. Whatever it takes.

15 As you said, trucks have to turn anyway to
16 get to 3rd Street because they're not allowed to
17 continue, not allowed to turn left. And at least for
18 now, 4th Street, that block of 4th Street has two
19 schools. And we don't want trucks interfering with
20 the school drop off.

21 And then, you know, lastly the facades, we
22 took that language asking for the view, you know, to
23 be similar to the requirements for H Street on the
24 Overlay, which is something that the ANC really
25 appreciates on H Street that when you walk past the

1 new CVS at 7th and H, you can see the store. You
2 walk past the CVS in many other parts of the city and
3 you're looking at, you know, technically a retail
4 display. You know, historical photos, things like
5 that. But we know that developers like retailers to
6 have it be open. And so we hope that we can come to
7 something in the PUD order to enforce that and give
8 an extra incentive for those retailers.

9 And then another thing that -- last thing
10 that came up is the details on the materials and the
11 layout for N Street, that's something that the ANC
12 has asked for as well in our meetings and we really
13 would like to see. Especially where the seating is
14 going to be and where the playable art installation
15 will be. Our hope is that we could get, you know, a
16 soft surface of, you know, at least five, 600 square
17 feet. So we have 18 feet between the sidewalk and
18 the curb. So if that's, you know, 30, 40 feet long
19 of that 400-foot block is dedicated to this, you
20 know, art sculpture, that would be something that we
21 really appreciate and we'd like to see on the plans
22 so we know that we're all on the same page.

23 There have been so many PUDs and so many
24 projects in NoMa, the neighborhood generally supports
25 it. But we do need more amenities like parks. We

1 are not going to get a quarter acre playground right
2 here, despite all this development, unfortunately
3 we're not getting it. And so that's one thing that
4 we are making sure to ask for in as many developments
5 as possible is these art sculptures that look like
6 art to an adult and look like a playground to a kid.
7 And the more of those we can, the better, and I think
8 we have a great opportunity on N Street to do that.
9 Especially important when you have, you know,
10 families living in some of these units. And to not
11 have to go several blocks or across town so that your
12 kids can play for a few minutes.

13 So in summary, we generally are supportive of
14 this project and at the same time agree with all the
15 commissioners' comments on the potential for
16 improvements in this application. But we do
17 generally support.

18 CHAIRPERSON HOOD: Commissioner Goodman, let
19 me follow up on your last -- sentence before last,
20 about all the PUDs in your neighborhood. I might
21 have mentioned this to you all before but somebody
22 just mentioned that too, recently.

23 What they did down near the ballpark, they
24 collaborated and worked together, and they put the --
25 they kind of lumped everything together with those

1 PUDs and they were able to get more out of it. I
2 don't know if I mentioned it to you before, but I
3 would suggest, I don't know how far down the line we
4 are, if it's too late to do this, but I think with
5 all those PUDs some of the things you want, they kind
6 of put it in a basket and they all got together and
7 everybody, all the developers added to it. So they
8 got more out of in a coordinating fashion. That's
9 just a suggestion that I would make, especially since
10 you're right, you have all these PUDs coming on line
11 or coming before you all over in that area.

12 The other thing is, there is a group that --
13 that we denied tonight, Union Market Neighbors,
14 that's what they call themselves. Have you ever
15 heard of that group, first of all? And second of
16 all, have you ever had any conversations with them?
17 And then a lot of neighbors against this particular
18 PUD.

19 MR. GOODMAN: So as to your first point I
20 think it's a great idea. We may have, you know,
21 missed the boat a little bit in this neighborhood,
22 but you know, it's one of those funny things and, you
23 know, Office of Planning does a great job with so
24 many of these small area plans. But so much of the
25 area east of the tracks, north of H Street, a lot of

1 it was sort of missed. And we don't -- you know, I
2 wish that we had, you know, more benefits that we
3 could point to.

4 But I think that across Florida and ANC 5D,
5 there is a great small area plan, and DPR did a great
6 plan for -- master plan for that area as well.

7 And I know that, you know, in speaking with
8 my colleagues at 5D that there's a lot of potential
9 with that because the Office of Planning started out
10 with really an excellent framework at which we can
11 point to things for PUDs.

12 I had not heard of that group before I, you
13 know, rechecked the zoning page today to look at the
14 most recent violence. At our last ANC meeting we
15 voted to support this project, but we've had Foulger-
16 Pratt present at other meetings, you know, especially
17 we have committee structure and so, you know, maybe
18 four times or so at least, they've come to our
19 committees and we've discussed it at other ones.

20 I understand this group also has filed, or if
21 they haven't filed yet they are playing the file in
22 opposition to other PUDs in the area. Similarly,
23 we've had those at our meetings, and no one has ever
24 identified themselves as being from those groups.

25 CHAIRPERSON HOOD: Thank you very much for

1 enlightening me.

2 I had one other question for you, but let me
3 go to my colleagues. Let me come back. Vice Chair
4 Cohen.

5 MS. COHEN: Thank you, Mr. Chairman. I'm not
6 sure this is actually a question for you as much as,
7 I think if there are any schools DDOT should provide
8 signage with regard to trucks and speed. But be
9 careful what you wish for because a lot of, you know,
10 stones or bricks or whatever on streets, make a hell
11 of a lot more noise.

12 So, but I think DDOT really should meet. Or
13 you should meet with the DDOT people to get that
14 signage. It's not just this particular applicant.
15 It is important. And I've seen signage in other
16 cities that prohibit any trucks near schools.

17 MR. GOODMAN: Uh-huh.

18 MS. COHEN: For the very reasons you are
19 concerned about. So I just wanted -- it's just
20 really a comment. But again, to question you to be
21 careful about certain --

22 MR. GOODMAN: Thank you. I would like to
23 point out that in regards to enforcement, DDOT and
24 MPD actually did have a camera, a truck camera on
25 this block at 4th Street for some time until the

1 truck drivers complained about getting tickets and it
2 was moved elsewhere. Because it was trucks, a lot of
3 trucks serving the granger which was at the corner of
4 4th and Florida, who could legitimately use the
5 block. And so they complained about getting tickets
6 and then having to contest them. So, yeah. In
7 general enforcement is difficult. So whatever
8 possible structural things are possible instead would
9 be greatly appreciated.

10 CHAIRPERSON HOOD: And that was my other
11 question, so I thank you for answering that. But I
12 just didn't want you all to go down promise land.
13 But obviously you already know how that enforcement
14 issue works. I think Mr. Andres has a point, but the
15 reality is, does it actually work for us? But I
16 guess it may help. I don't want to say a whole lot
17 about the cameras because I do know some of the
18 things that the city works on with those cameras that
19 are beneficial to the residents, so. Okay.

20 Any other comments up here? Mr. Turnbull?

21 MR. TURNBULL: Thank you, Mr. Chair. Thank
22 you, Commissioner Goodman, for coming down tonight.
23 I really appreciate you being here.

24 Since you're quite familiar with the charter
25 school, how do the two buildings relate? Which is

1 from grade-wise, how do they --

2 MR. GOODMAN: So the elementary school is on
3 the east side of 4th Street, so it's -- and then the
4 -- and they have that playground in front at the
5 corner of 4th and Florida.

6 MR. TURNBULL: Right.

7 MR. GOODMAN: The middle school is on the --
8 is directly south of the alley.

9 MR. TURNBULL: It's directly south of the --
10 and what is -- I couldn't tell from -- I can't
11 remember what -- is there a fence along there, then,
12 by the alley?

13 MR. GOODMAN: No, there's not. But they
14 don't have -- the limit of their outdoor space for
15 the middle school is a small rooftop area. So the
16 building goes all the way to the alley.

17 MR. TURNBULL: Okay.

18 MR. GOODMAN: They don't have any play
19 spaces.

20 MR. TURNBULL: But there's no access on to
21 the alley from the building is there, or --

22 MR. GOODMAN: Only a couple service doors.

23 MR. TURNBULL: Okay. How do people normally
24 drop off?

25 MR. GOODMAN: The drop-off zone is on the

1 east side of 4th Street, so directly across from this
2 project for both schools. No one -- they set up a
3 drop-off zone. A lot of families walk over from the
4 Metro and the bus, and walk their kids in as well.

5 MR. TURNBULL: So have you talked with the
6 applicant then about impacts on the school itself
7 or --

8 MR. GOODMAN: I mean, we have talked about it
9 in the course of you know, the discussions. But
10 closing all of the curb cuts for this building, I
11 think will --

12 MR. TURNBULL: Okay.

13 MR. GOODMAN: -- will mean a real positive
14 impact on the drop-off.

15 MR. TURNBULL: Yeah, except that you were
16 asking for limiting 4th Street access, I think, for
17 trucks.

18 MR. GOODMAN: Yes. So we would like to do
19 that. As it is right now -- or I mean, or a few
20 months ago when Granger was open there were
21 constantly trucks serving 4th Street. That's where
22 the loading docks were. So, you know, we would like
23 for trucks to access the site via 3rd Street to, you
24 know, avoid conflicts with drop-off. But I still,
25 you know, feel that this will be a net positive for

1 the drop-off zone. There's other negative impacts
2 that we're talking about, but I think drop-off will
3 be -- it won't be negative impact.

4 MR. TURNBULL: Yeah, we haven't really -- you
5 know, I haven't really seen any kind of an elevation
6 or a perspective looking down the alley as to what
7 that really looks like. And I think maybe we'll ask
8 the applicant to really figure out what that looks
9 down that alley and what measures they can do to help
10 make it a little bit safer down there.

11 MR. GOODMAN: I think the DDOT report, you
12 know, had a similar sentiment that this alley will be
13 very wide.

14 MR. TURNBULL: Right.

15 MR. GOODMAN: And if it's very wide and very
16 nice for cars, then it will be a very popular cut-
17 through and that's what we want to avoid. We really
18 appreciate the, you know, all the accesses via the
19 alley. Just want to make sure that everyone in that
20 alley is to go to the building not just cutting
21 through between 3rd and 4th.

22 MR. TURNBULL: Yeah. And I think we're also
23 concerned about the impacts on the school and
24 children in the area. So, I'm sure the applicant can
25 go back and revisit that, but thank you again for

1 coming down.

2 MR. GOODMAN: Thank you.

3 CHAIRPERSON HOOD: Okay. Any other
4 questions? Does the applicant have any cross for
5 Commissioner Goodman?

6 MR. KADLECEK: No, thank you.

7 CHAIRPERSON HOOD: Okay. Thank you very
8 much. We appreciate all your work that you all are
9 doing.

10 MR. GOODMAN: Thank you.

11 CHAIRPERSON HOOD: Okay. Let's go to
12 organizations and persons in support. Any
13 organizations and persons who are here in opposition?
14 Okay.

15 We did have on the list Mr. Robert Hayford
16 and Mr. Chris Otten. I believe they have left but
17 they were in opposition. But I will say that there's
18 noted in the record that Chris Otten is an expert
19 witness. We have not dealt with that issue. He is
20 not an expert and germane to these proceedings. He's
21 never been proffered as an expert here in front of
22 the Zoning Commission. So for the record, and for
23 the transcript, Mr. Otten has not been given expert
24 status by this commission.

25 Okay. Mr. Kadlecek, let's do a close. You

1 have any rebuttal? I would like for you to comment
2 on the future land use map. You've heard it, and I
3 looked at it and I think Commissioner Goodman is
4 exactly correct.

5 MR. KADLECEK: Oh, he is and I didn't mean to
6 create any confusion by my comment. I think what I
7 said -- what I believe I said, it was higher density.
8 I didn't mean to imply that it's high density. So
9 it's something higher than exists now is what my
10 point was. And I agree with the Commissioner that as
11 its designated it's PDR and I believe medium
12 residential.

13 So my point was solely to say that it could
14 go to something then as higher density than what is
15 there now, but not necessarily high density.

16 CHAIRPERSON HOOD: Okay. Anyway, you have
17 any closing? Or any more rebuttal?

18 MR. KADLECEK: Yeah, we have -- Mr. Davis is
19 going to give one short thing.

20 MR. DAVIS: So if I may? Again, we
21 appreciate the comments that we received tonight and
22 we'll go back and evaluate them and look at them.
23 I'd like to address Commissioner Turnbull with
24 regards to the school. And we do apologize if it
25 came off that we were looking specifically at density

1 and height and what can happen in the future. One of
2 the first things we did when we acquired these sites
3 was reach out to Jessica Lodatch at the Two Rivers
4 Charter School. We understand, especially in the
5 District of Columbia, how important education is and
6 how important as I mentioned with regards to our
7 mission statement, looking to build communities that
8 are excellent and lasting. The Two Rivers Charter
9 School has an excellent reputation and we knew that
10 our project was going to have an impact there, and we
11 reached out to them, and have reached out to them on
12 a number of occasions and had good productive
13 conversations with them regarding the impact and
14 regarding what we can do to mitigate that impact.

15 And so any comment or representation that our
16 focus is solely on what can be developed in the
17 future in maximizing density, that really isn't our
18 focus. As I mentioned, we are long-term holders of
19 real estate and we've really tried to understand the
20 impacts that the buildings that we are developing
21 have on communities and we understand the importance
22 of Two Rivers. We've worked closely with them,
23 closely with Commissioner Goodman in creating what we
24 feel is a community benefits package that has an
25 impact and a benefit, especially to that school.

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1 One of the things that we looked at pretty
2 extensively with regards to IZ was working with a
3 direct marketing program to the teachers at Two
4 Rivers to provide them, you know, within the bounds
5 of Fair Housing and some of those things. But to
6 directly market to them prior to going out to a
7 broader group, so we could allow the teachers of that
8 school to live within the community where they teach.

9 And so I just wanted to clarify that and
10 clarify that as we've looked at the community
11 benefits here, in all cases there's a balancing act.
12 All of the stakeholders have different interests with
13 regards to the project and with regards to what they
14 feel will most benefit the community. And we feel
15 that the package that we've presented addresses the
16 concerns of all of the stakeholders. And as I said,
17 we'll go back and take a look at some of the things
18 that have been specifically raised here tonight. But
19 again, within that balancing act the Two Rivers
20 Charter School and the ANC again had great weight
21 with regards to how we looked at the community
22 benefits and how we looked at the impact of the
23 school.

24 MR. TURNBULL: Mr. Davis, I appreciate your
25 comments. I think that's -- I wish I had heard that

1 a little bit sooner. I think if that had come out a
2 little earlier I think that would have tempered my
3 comments. But when I hear things about, well, the
4 properties across the street can be developed beyond
5 this, to me it sort of looks like it's a short-
6 sighted view of the world, especially in the city
7 here. So I think that's what prompted my comments is
8 that -- and as Mr. Goodwin has -- as Commissioner
9 Goodwin said, you know, they look forward to this
10 charter school staying for a long time to support the
11 community.

12 So, yeah, so I do appreciate your comments
13 and it makes me feel a little bit better. And I hope
14 you can go back, though, and tweak some of the things
15 that we did say. And I still wouldn't mind seeing
16 maybe a perspective or a rendering looking at the
17 project toward the alley and the charter school there
18 as to just what the characteristics of it -- what
19 it's going to look like. But thank you again for
20 your comments, though.

21 MR. KADLECEK: I just have a very quick
22 closing. I appreciate everyone's time and attention
23 to this tonight. We realize there's a couple things
24 that we have to go back and look at, and then some
25 more information that the Commission would like to

1 see. And we will certainly do that.

2 Overall, as I think you heard tonight,
3 though, that the project has been quite well received
4 both by the District agencies and by the community
5 and the ANC, and it appears there's really no
6 opposition at this point. So, you know, that's all
7 very good for the project and I think that it's a
8 testament to the quality of the project and as you
9 have heard tonight, it will bring a lot of great
10 things to the community and to the neighborhood, and
11 we look forward to moving forward. So thank you
12 again for our time. Your time.

13 CHAIRPERSON HOOD: Okay. Thank you. Do we
14 have anything else, Ms. Schellin that we need to do?

15 MS. SCHELLIN: Dates.

16 CHAIRPERSON HOOD: Okay. We need to come up
17 with some dates. I will say, Mr. Andres, and Mr.
18 Rogers, I want you all to know I'm now looking at
19 transit screens. So I'm looking at transit screens
20 when I walk through buildings. So I want you all to
21 know that you all have enlightened me on that. So,
22 thank you. Let's come up with some dates.

23 MS. SCHELLIN: Mr. Kadlecek, how much time do
24 you think you guys need?

25 Commissioner May, do you want to be here for

1 this one?

2 [Discussion off the record.]

3 MR. KADLECEK: Ms. Schellin, for us to be on
4 the agenda for the last July meeting, when would we
5 need something to be submitted?

6 MS. SCHELLIN: July 5th.

7 [Discussion off the record.]

8 MR. KADLECEK: Yeah, we can have everything
9 prepared by July 5th.

10 MS. SCHELLIN: Okay. So 3:00 p.m. by July
11 5th and then the ANC would have until 3:00 p.m. July
12 12th to provide a response if they choose to do so.
13 Is DDOT or OP wanting to respond to anything that is
14 submitted?

15 [No audible response.]

16 MS. SCHELLIN: Okay. So, draft findings of
17 facts, conclusions of law would be due by 3:00 p.m.
18 on July 12th also. And then we'll put this on the
19 July 25th meeting agenda for consideration. Other
20 than those submissions from the applicant, and then
21 the response from the ANC, the record is closed.

22 MR. KADLECEK: Thank you.

23 CHAIRPERSON HOOD: Okay. Ms. Schellin, do we
24 have anything else?

25 MS. SCHELLIN: No, sir.

1 CHAIRPERSON HOOD: Okay. I want to thank
2 everyone for their participation tonight and this
3 hearing is adjourned.

4 [Hearing adjourned at 8:33 p.m.]

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