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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission

Public Hearing

Case No. 16-10 [EAJ 400 Florida Avenue, LLC. -
Consolidated PUD and Related Map Amendment at Square
3588.]

6:34 p.m. to 8:43 p.m.
Thursday, October 27, 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 ROBERT MILLER, Vice Chair

4 PETER MAY, Commissioner

5 MICHAEL TURNBULL, Commissioner

6

7 Office of Zoning:

8 SHARON SCHELLIN, Secretary

9

10 Office of Planning:

11 MATT JESICK

12 JOEL LAWSON

13

14

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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 October the 20 -- what's today's date? 27th,
6 2016.

7 My name is Anthony Hood. Joining me this
8 evening are Vice Chair Miller, Commissioner May, and
9 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 Mr. Lawson and Mr.
12 Jesick, the District Department of Transportation Mr.
13 Henson and Mr. Zeek -- hold on, Zimmerman.
14 Zimmerman. Have you been here before, Mr. Zimmerman?

15 MR. ZIMMERMAN: No.

16 CHAIRMAN HOOD: Okay.

17 MR. ZIMMERMAN: No, this is my first trip
18 here.

19 CHAIRMAN HOOD: This is your first trip.
20 Well, I hope it's an enjoyable one and we want to
21 welcome you to the Zoning Commission.

22 MR. ZIMMERMAN: Thank you.

23 CHAIRMAN HOOD: This proceeding is being
24 recorded by a court reporter and is also webcast
25 live. Accordingly we must ask you to refrain from

1 any disruptive noises or actions in the hearing room
2 including the display of signs or objects. Notice of
3 today's hearing was published in the D.C. Register
4 and copies of that announcement are available to my
5 left on the wall near the door.

6 The hearing will be conducted in accordance
7 with provisions of Subtitle Z, Chapter 4, as follows,
8 preliminary matters, applicant's case, report of the
9 Office of Planning, report of other government
10 agencies, report of the ANC, we have two that
11 reported this evening, organizations and persons in
12 support, organizations and persons in opposition,
13 rebuttal and closing by the applicant.

14 Following time constraints will be maintained
15 in this meeting. The applicant has up to 60 minutes
16 but I see, I believe they've asked for 30 this
17 evening. Organizations five minutes. Individuals
18 three minutes.

19 All persons wishing to testify before the
20 Commission in this evening's hearing are asked to
21 register at the witness kiosk to my left, and fill
22 out two witness cards. If you need some assistance,
23 when Ms. Schellin comes back we would ask that you
24 would take care of that before we get to that portion
25 or that part of the hearing.

1 Upon coming forward to speak to the
2 Commission, excuse me, please give both cards to the
3 report sitting to my right before taking a seat at
4 the table. When presenting information to the
5 Commission, please turn on and speak into the
6 microphone, first stating your name and home address.
7 When you are finished speaking please turn your
8 microphone off so that your microphone is no longer
9 picking up sound or background noise.

10 The staff would be available throughout the
11 hearing to discuss procedural questions. Please turn
12 off all electronic devices at this time so not to
13 disrupt these proceedings. Would all individuals
14 wishing to testify please rise to take the oath? Ms.
15 Schellin, would you please administer the oath?

16 MS. SCHELLIN: Yes.

17 CHAIRMAN HOOD: All individuals who will be
18 testifying, please rise to take the oath.

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

21 [Oath administered to the participants.]

22 MS. SCHELLIN: Thank you.

23 CHAIRMAN HOOD: Okay. At this time the
24 Commission will consider any preliminary matters.
25 Ms. Schellin, do we have any preliminary matters?

1 MS. SCHELLIN: Yes, sir. Did we -- did you
2 already do the closed meeting?

3 CHAIRMAN HOOD: No, I was going to --

4 MS. SCHELLIN: Or we'll do that in a bit.

5 CHAIRMAN HOOD: Let's do that now.

6 MS. SCHELLIN: Okay.

7 CHAIRMAN HOOD: Yeah, I was going to do that.

8 MS. SCHELLIN: So then we'll get --

9 CHAIRMAN HOOD: Okay.

10 MS. SCHELLIN: Sorry.

11 CHAIRMAN HOOD: We have a little bit of
12 housekeeping that we need to do for a previous event
13 for the Commission so indulge us for one moment.

14 As Chairman of the Zoning Commission for the
15 District of Columbia and in accordance with 405(c) of
16 the Open Meetings Act, I move that the Zoning
17 Commission hold a closed meeting on Wednesday,
18 November the 9th, 2016 at 9:30 a.m. for the purpose
19 of receiving training as permitted by D.C. Official
20 Code 2-575(b) (12).

21 The subject of the training are DOES First
22 Source Agreements, the DDOT RPP Program, and how the
23 Zoning Administrator's office has begun using the new
24 Zoning Regulations. Is there a second?

25 MR. MILLER: Second.

1 CHAIRMAN HOOD: It's been moved and properly
2 seconded. Would the secretary please take role call
3 on the motion before us now that has been seconded?

4 [Roll call vote taken.]

5 MS. SCHELLIN: The motion carries.

6 CHAIRMAN HOOD: As it appears, the motion has
7 passed. I request that the Office of Zoning provide
8 notice of this closed meeting in accordance with the
9 act. Anything else, Ms. Schellin?

10 MS. SCHELLIN: No, sir. Nothing else on
11 this.

12 CHAIRMAN HOOD: Okay. Do we have any other
13 preliminary --

14 MS. SCHELLIN: Yes.

15 CHAIRMAN HOOD: Mr. Turnbull?

16 MR. TURNBULL: Well, I can wait until you're
17 done, Mr. Chair.

18 MS. SCHELLIN: Yes. So, the applicant has
19 proffered two experts. They've both previously been
20 accepted. And Mr. Freeman, did you also put in the
21 record a request for waiver for the 30 -- their
22 transportation report --

23 MR. FREEMAN: Yes.

24 MS. SCHELLIN: -- was filed less than 30 days
25 as required by the regulations, the new regulations.

1 And they've asked for a waiver of that.

2 CHAIRMAN HOOD: Okay. Let's deal with the
3 expert witnesses first. I think we've already
4 proffered them previously and we don't usually
5 revisit. So we will continue our status and continue
6 the expert status.

7 Any objections to the waiver of the
8 transportation report that was submitted late?

9 No objections. We will accept that.

10 MS. SCHELLIN: Okay.

11 CHAIRMAN HOOD: Anything else?

12 MS. SCHELLIN: Staff has nothing else unless
13 Mr. Freeman or --

14 CHAIRMAN HOOD: Okay. Mr. Turnbull.

15 MR. TURNBULL: Yes, Mr. Chair. I would just
16 like to recognize Commissioner Miller on his birthday
17 for his birthday celebration and turning 25 is a big
18 milestone so I wanted to recognize that.

19 MR. MILLER: Several times.

20 CHAIRMAN HOOD: Yeah, we want to wish
21 Commissioner Miller a happy birthday. I did that on
22 being a good Chairman, and I think I did that on his
23 birthday.

24 MR. MILLER: You did.

25 CHAIRMAN HOOD: So if I'm going to -- we

1 usually do a little something for each other, so we
2 were kind of running behind, so if you see me eating
3 a cupcake while I'm sitting up here, I'm not being
4 disrespectful, I just don't want the cupcake to go to
5 waste. So, okay. Anything else?

6 Do we have any other preliminary matters?

7 Okay. All right. Mr. Freeman.

8 MR. FREEMAN: Good evening, Chairman Hood and
9 Members of the Commission. For the record I'm Kyrus
10 Freeman, partner with the law firm of Holland and
11 Knight here on behalf of the applicant. Here with me
12 are Ms. Bloomfield from Holland and Knight as well,
13 Cyril Aouizerate on founder and CEO of MOB Hotels,
14 our architect and traffic consultant who will
15 introduce themselves as we go through our
16 presentation tonight.

17 I also have with me --

18 CHAIRMAN HOOD: I just thought about
19 something. Before we go too far, this seems to be my
20 going rate. I hope something changes. I think, Mr.
21 Freeman, you do a fine job with the clients you
22 represent and you work hard.

23 MR. FREEMAN: Thank you.

24 MR. HOOD: I've witnessed that. I've been
25 doing this a long time and then I think you have

1 really grown into the position. I want you to know,
2 you're doing a fine job.

3 But I do want to ask Office of Planning.
4 Sometimes we do have difficulty with things and I
5 look at your -- even though we don't necessarily
6 always agree with the Office of Planning, but I see
7 that you all again, for the third night in a row that
8 I've been here, we are having problems with -- it
9 seems like this may be not as far as the one that I
10 postponed, not as close as the one that we went
11 forward with. So the way I read this, this falls
12 kind of in the middle.

13 So can you explain? I know that when you
14 asked us to set this down I think you all said set
15 down but you will continue to work with the
16 applicant. Have we closed the gap any more or are we
17 still at the set down report?

18 MR. JESICK: Thank you, Mr. Chairman and
19 Members of the Commission. I think there has been
20 progress since set down. We feel the design, the
21 architecture has come a long way. We're also very
22 pleased with some of the components of the project
23 like the IZ component. The applicant is proffering
24 12 percent of the units at a deeper affordability
25 than would be required, and those include very large

1 units, three and four bedroom units.

2 So I think there has been a lot of progress
3 made since set down. We still do have some important
4 outstanding issues but we think that we can resolve
5 those with the applicant going forward.

6 CHAIRMAN HOOD: Okay. All right. So we will
7 not have to -- I would not make a recommendation
8 tonight to postpone this hearing. I didn't want to
9 do it anyway because I think we have done it once is
10 enough, at least for now. So I think we can go ahead
11 and move forward so I don't waste everyone's time.

12 So, Mr. Freeman, I'm sorry to interrupt but I
13 wanted to get that clear at the very beginning.

14 MR. FREEMAN: Thank you, Mr. Chairman. So,
15 we're here this evening seeking approval of a PUD and
16 map amendment to rezone the site from C-M-1 to C-3-C
17 in order to develop a true mixed-use project, a hotel
18 residential building, ground-floor retail, and a
19 number of active uses within the hotel including a
20 restaurant.

21 We submitted a number of exhibits which we
22 believe indicate how we meet the standards for
23 approval. To the Office of Planning's point they had
24 some questions and comments. We submitted some
25 addition information in writing, and we hope that our

1 presentation today will help to answer some of those
2 outstanding questions. But we continue to look
3 forward to work with the Office of Planning to get
4 their support so that you can ultimately approve the
5 project.

6 We do have support from DDOT. We've agreed
7 to all of their conditions, provided all of the
8 information they asked for. We have the support from
9 ANC 5D, as well as a single-member district
10 commissioner for the site, and I'm sure you've seen
11 that ANC 6C has some comments regarding design, which
12 again we think we will demonstrate tonight that we
13 have a high quality project.

14 So, that concludes my opening statement and
15 with that I'd like to turn it over to our first
16 witness.

17 MR. AOUIZERATE: Yeah, first of all I would
18 like to apologize for my poor English and my tragic
19 accent. I came from Paris, I'm French, and sorry
20 about that. But I will try to explain to you the
21 soul of MOB Hotel, of the people.

22 My hotel, when I created now in my mind four
23 years ago, after the creation of my other brand that
24 I created 15 years ago, was a famous brand in Europe
25 was MAMA Shelter. And MOB Hotel now is my life, is

1 the real part of my investment.

2 And when I decided to create, first in my
3 mind MOB Hotel of the People, it was more to create
4 like a movement. Especially to defend my vision of
5 hospital to different culture. It was a very strong
6 part of my life when I was a baby. I was professor
7 of philosophy at University in France in Paris, and I
8 want absolutely to defend my vision about what is the
9 culture and what we have to do.

10 And at the same time, to support the local
11 business and artisans and artists, and that's exactly
12 what I do in my hospitality vision since 14 years.

13 To go very fast, when we visited in
14 Washington, D.C. location I probably visited 14, 15
15 location with my partner. And when I visited Union
16 Market I was in shock because it was really what I
17 had in my mind, and is very close to the other
18 location that we have in Paris.

19 We are in Paris in a bigger free market in
20 the world who is (indiscernible) in the
21 (indiscernible). And in Leon we are Confiance
22 (phonetic) is exactly a place where, you know, the
23 culture and the new vision of what we can create is
24 realized, especially by the new generation, but at
25 the same time respect the reality of the past.

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1 And to be honest, my vision, and you can
2 check on every website or you can have a research
3 about me, my obsession all the time is to create a
4 theater of the neighborhood for the neighbors. And
5 that probably will explain my reflection with my
6 designer, Philippe Starck, who is a French designer
7 who realize a lot of hotels, including in America.

8 We wanted absolutely to create, at the same
9 time, something with a strong elegant vision of with
10 our, sorry, French and European influence. But at
11 the same time we wanted to respect the reality of the
12 architecture of the Union Market, and that's why we
13 choose very quickly the brick, like the heritage, you
14 know, of the past. But at the same time try to
15 create an elegant building, and that's exactly what
16 we wanted to give and that's the picture of it we
17 defend, you know, in this, in this area.

18 To explain what's the soul of MOB Hotel, I
19 have to explain what we find inside, and the ground-
20 floor in the MOB Hotel of the people in Union Market,
21 we have the loja (phonetic) the ground floor and the
22 first floor is really the art of what we want to
23 create, and the ground floor is really the place
24 where we have you know, in each project that we
25 developer, we invite 20 to 25 (indiscernible) for

1 free. We offer a desk. We have free Wi-Fi, and a
2 communal printing system to invite your local
3 investor, local creator of project to be with us, you
4 know, in the energy of the ground floor. We have the
5 reception. It is not exactly a reception, a
6 classical vision of reception. It is more sundry
7 where you can find an artisan's items, local
8 artisans, where you can find souvenir of D.C., but
9 not made in China. I have nothing against China, but
10 we try to have a local vision of what we created in
11 Washington.

12 And that's where we have, at the same time,
13 our café. We use more of the café of the village,
14 like we created in Europe, in France, that's the
15 place where the neighbors, they can meet the people,
16 the guests, and they can share our reflection, you
17 know, about the world, about the life.

18 And really, these grand floor is more dynamic
19 in my opinion, than the hotel. It is really the art
20 of what we're doing and including the restaurant that
21 we have in the loja to use the fact that we have a
22 (indiscernible) place and the people, they can eat
23 something and drink a coffee. And at the same time
24 they have no the noise, you know, of the avenue.
25 That's the reason why we wanted to create the loja at

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1 the first floor to protect the guests and the
2 neighbors when they want to drink something and enjoy
3 doing the summer outside, the outside place to be
4 together.

5 And in all the project that we realized we
6 are all the time, organic. That's the decision that
7 I take a couple of years ago in my projects. And we
8 try to do the best to be, of course, local in our
9 restaurant and bar.

10 The culture, like I say, it is very, very
11 important. In each project that we have, we have
12 artistic manager, and that's more important in my
13 opinion than the manager himself. The manager do the
14 job. You know, he check, he'd have to do it. But
15 the manager, the artistic manager is in a position
16 for me to you know, support the artistic movement
17 that I know that in Washington D.C., we have a lot of
18 artists, you know, in music, in you know, painting,
19 in happening movement. And I want to create really
20 what I already do in Europe. And again, that's a
21 very, very important part of the MOB Hotel of the
22 People.

23 Of course, at the same time the books is in,
24 for me, because (indiscernible) is very important.
25 On each floor we have library, very strong library.

1 We have 3,000 books open for the people, for the
2 neighbors, and for the guests of course, but that's a
3 very, very important point for me to create, you
4 know, conferences.

5 We have writers, we have philosopher, poetry
6 and again, that's not to seduce, you know the
7 Committee, the Commission. That's already my
8 position in all the project that I realize since a
9 couple of years now.

10 What I can you know, explain to you that of
11 course I hope that I will have the chance, you know,
12 to as soon as possible, realize this project in
13 Washington, D.C. That's my position to realize the
14 first project of MOB Hotel in Washington, and I would
15 be very, very happy to beginning, as soon as
16 possible, to work with the organization. Especially
17 the local organization. Especially for the training
18 to create the jobs.

19 And again, there is not to seduce the
20 Commission in all the project that are realized, you
21 know. A person touch very important of jobs are
22 created locally and that is not to obtain a ride
23 that's really my philosophy of life because I think
24 that if we want to create the theater of Union
25 Market, and I think that my hotel, MOB Hotel of the

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1 People, can be the stature of the people of the
2 neighborhood. We can do that, but just together.

3 And together is my last word. And well, and
4 at the same time, that's my philosophy. Thank you.

5 MR. RADUVESCU: Good evening. I'm Marius
6 Raduvescu, and I will just go over a few slides
7 presenting the hotel.

8 The project consists of two distinct
9 architectural expression that are relating in
10 different ways to the vernacular of the Union Market.
11 On the west side, on the left-hand side, is the hotel
12 and on the east side, the right-hand side, is a
13 residential building.

14 Both expression relate to various degree,
15 again, to the vernacular of the mercantile industrial
16 warehouse style. And I have a few slides that show
17 modern interpretation of all, again, industrial,
18 commercial, mercantile structures.

19 And there is a common denominator through all
20 these slides, which is the heavy use of brick and the
21 repetitive nature of the windows with small glass
22 panes that reflect the typical windows that used to
23 be used in industrial buildings, with a seam steel
24 frames.

25 The hotel aesthetics follows this vernacular

1 more closely. The interpretation of this -- the
2 vernacular established in the Union Market, and that
3 is done through the use of darker tones of brick, a
4 brick that is not refined. Also by a tight
5 fenestration, fenestration patterns, and again using
6 the, this small glass panes that recollect the steel
7 frames of the old industrial buildings.

8 On top two slides, those are two MOB Hotels
9 that are getting built, and on the bottom is what we
10 propose from Washington, D.C. So, we believe there
11 is a common thread through all these three projects.

12 The Union Market, I said was the inspiration,
13 and there are other elements of the hotel that relate
14 to this more classical interpretation of the style.
15 The desire was not to reproduce the past, but perhaps
16 go back to a more pure time, a more simpler time.
17 And that's why the building has a very pure shape,
18 very elegant shape. And that is done for two
19 reasons, mainly.

20 One is to showcase what Cyril mentioned is
21 the life or the signature if you want, of the
22 project, which is the loja on the second and third
23 floor.

24 And also to act as a background to showcase
25 the liveliness and the vibe that is going to happen

1 inside of the hotel, once that is programmed. So the
2 desire was to create something that is very pure,
3 very true, without any pretense.

4 The use of bricks, as I mentioned, we're
5 going to try to use something that emulates what has
6 been done in Union Market in the past, using unglazed
7 brick, a brick that has a texture to it in a darker
8 tones. There is the rigor of the fenestrations.
9 There is an emphasis of using brick piers that
10 anchors the building to the ground. And there's a
11 few slides going around the building. Now we are on
12 4th Street looking to the alleyway.

13 Also, we are -- we would like to incorporate
14 brick details that are still can be found along the
15 Florida Avenue Corridor. And there are areas that
16 will be an excellent addition to the building. So if
17 we use something around the cornice, or around the
18 openings on the loja. And the few slides on the
19 right-hand side, they show a few examples on what
20 those buildings could be like, and the two slides in
21 the middle, how those could be incorporated in the
22 building. The top slide is the cornice and the
23 bottom slide is a detail around the arch of the loja.

24 On the other hand, the residential building
25 is a more modern interpretation of an industrial

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1 building. If you want, on one hand you have a
2 building that has a connection to let's say a steam
3 engine industrial past, while the residential is more
4 of a technological building.

5 And this particular composition has two
6 components. One is two bookends, book -- plain form
7 by two bookends that act as a connector to the brick
8 reading of the hotel. But also by extending these
9 bookends on the first floor it acts as a bracket if
10 you want to showcase a corner element that is mainly
11 formed by glass and metal. And that creates an
12 accent at the corner of Florida Avenue and 5th
13 Street.

14 So, the residential building has a super
15 frame -- I'll go back to the previous slide, that is
16 two-story high but two bays wide that forms this
17 connection with a more technological industrial
18 building, and inside there is a secondary and
19 tertiary grade.

20 The secondary is formed by the slab edges and
21 the demising (phonetic) walls, while the third one is
22 formed by the (indiscernible). And that is to give
23 scale on one hand, and also to break down the scale
24 and mitigate the large scale of an industrial
25 building to the very intimate scale of a residential

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1 building.

2 Also, we are breaking the mass by
3 introducing, on Florida Avenue, two rows of
4 balconies, and we have the same type of reading with
5 just one row on -- on the 5th Street.

6 The ground floor is meant to be very
7 transparent. We are using a lot of metal and glass
8 store fronts, and the idea is to make the amenities
9 of the hotel and the residential as transparent and
10 as friendly and as permeable to pedestrian traffic as
11 possible.

12 All the store fronts facing 5th Street,
13 Florida Avenue, and 4th Street are treated that way.

14 This is, on the bottom, is a street view of
15 Florida Avenue, again showing how transparent the
16 building is. And on the hotel what is important to
17 stress is that that transparency establish a
18 connection between Florida Avenue and the patio in
19 the back. So then it will be a constant movement,
20 constant traffic that is going to make the street
21 experience very lively.

22 On the top slide is the two-story loja, and
23 as I mentioned this is almost like a signature piece.
24 And it's meant to have a -- to be a window, but a
25 window inside the life of the hotel, but also the

1 hotel to have a window into the neighborhood.

2 And next few slides there are materials that
3 we are programming for the hotel, and in the back you
4 will see the real boards. On the back of your seats
5 there are the real materials. And we show the range
6 of our brick. Then on the bottom is the range of the
7 cast stone that is going to be the detail of the
8 sills and maybe lentils. And then the range of the
9 metal panels.

10 And we are going with a darker tone again to
11 emulate the vernacular of the historical Union
12 Market. And this is actually a picture of the real
13 board.

14 A detail of the loja, and then the materials
15 for the residential building, or darker brick, but
16 contrasting with the very light metal panels.

17 This is the ground floor of the project. On
18 the left-hand side is the hotel. And in blue it
19 represents the amenities, so everything is going to
20 be open, it's going to be fluid, it's going to be
21 dynamic. And I mentioned the opening between Florida
22 Avenue and the patio, so the patio is active or is
23 prominent as will be a storefront or activity inside
24 the building.

25 On the residential side we are aligning as

1 much of the storefront as possible with retail. That
2 is represented in orange. In purple color is the
3 amenities of the hotel.

4 So again, there is a lot of retail along
5 Florida Avenue. We have the corner entrance of both
6 buildings set back, and that is to create a more
7 inviting environment.

8 This is the second floor that shows the loja
9 on the left-hand side, and that will be opening to
10 the street, obvious. But it's going to open to a
11 second floor amenities of the hotel. On the right-
12 hand side is a typical residential floor, and orange
13 and blue colors, they represent how the IZ units are
14 going to be distributed throughout the building.

15 Again, this is a third floor that shows the
16 loja of the hotel on the left-hand side, open to the
17 second floor. And then the typical hotel; the
18 typical residential.

19 This is a typical floorplan. The roof, both
20 hotel and residential building will have amenities at
21 the top. We're going to have outdoor deck
22 representing by the horizontal hatches, and then the
23 reminder -- the remainder of the, of the surface is
24 going to be green roof.

25 And that is the penthouse showing all the set

1 backs. And this is a slide that shows the
2 projection, the required projection into Florida
3 Avenue.

4 The next slides are the façade, so this is
5 the Florida Avenue that shows, left-hand side, the
6 simplicity and the minimalism of the hotel. The
7 right-hand side, a more modern interpretation of the
8 industrial buildings for the residents.

9 The west -- the west elevation is on the
10 left-hand side, the hotel. On the right-hand side is
11 the 5th Avenue, 5th Street elevation of the
12 residential.

13 There's an alternate residential elevation
14 employing the same elements. And this is the
15 alleyway elevation.

16 The section through the hotel showing how the
17 residential -- the hotel amenities, they expand on
18 two floors and then there's going to be top floor
19 amenities with hotel units in between.

20 On the residential height, on the right-hand
21 side, we have ground-floor amenities and retail, and
22 again, top floor we have amenities. And the -- we
23 have dimensions demonstrating the one-to-one
24 setbacks.

25 The cross-sections, left-hand side for the

1 hotel, right-hand side for the residential building.
2 And those are details of the hotel because we have
3 areas in which we need some flexibility with vertical
4 circulation. But we are demonstrating through the
5 sections that we are meeting the Height Act of 1908.

6 And that's the presentation for the
7 architecture.

8 MR. ANDRES: Good evening, Chairman Hood,
9 Members of the Commission. Erwin Andres with Gorove
10 Slade Associates. I'd like to go quickly through the
11 transportation elements of the proposed plan.

12 The site is located approximately three and a
13 half blocks to the NoMa Metro Rail Station as
14 identified on the aerial. The site is well served by
15 local transportation facilities which include Metro
16 rail and Metro bus, and car sharing and other
17 transportation facilities that are shown on the map.

18 With respect to the specific transportation
19 characteristics for the plan, as I mentioned, the
20 site is very proximate to the Metro rail station.
21 That proximity is actually going to be improved with
22 a future planned new Metro Rail portal on 3rd Street.

23 In addition to that the site is convenient to
24 the Metropolitan Branch Trail and other bicycle
25 facilities. There's sufficient Capital Bikeshare

1 stations in the area, as well as Carshare vehicles,
2 and the site is a walker's paradise with a walk score
3 of 93, given the nearby retail amenities and
4 services.

5 We are committed to implementing a
6 comprehensive transportation demand management plan
7 and implementing on-site pedestrian bicycle and
8 loading facilities.

9 With respect to the flexibility we're seeking
10 as part of this project, the flexibility includes
11 parking and loading. For loading we're required to
12 provide one 55-foot space, one 30-foot space, and one
13 20. We're proposing two 30-foot loading spaces, and
14 we had originally proposed one but given our
15 coordination of DDOT we added another 30-foot loading
16 space.

17 With respect to parking the requirement is 69
18 spaces, especially considering that it was filed
19 under ZR-58. We're proposing three spaces which
20 include one Carshare -- one car charging space and
21 two Carshare spaces. Just to give you a sense of
22 comparison, if this were filed under ZR-16 the
23 requirement would be 35 spaces.

24 As part of the site plan, as I mentioned,
25 there are three parking spaces located off of the

1 alley. We're providing two 30-foot spaces. There's
2 one there and the other one is over here. There are
3 residential and hotel entries, both along Florida
4 Avenue.

5 In addition to that we are closing four curb
6 cuts around the site. Two on 4th Street as well as
7 two on Florida Avenue.

8 In order to address the parking flexibility
9 that's requested, we as I mentioned, we are providing
10 three parking spaces on site. With respect to off-
11 site parking we have committed to contract with the
12 owner of Square 3587, Lot 9, which is 1270 4th Street
13 to provide up to 50 available parking spaces.

14 With respect to valet to serve the hotel
15 function, we're committing a higher third-party valet
16 service and we're also providing transportation
17 options on bundling, parking, and restricting a
18 residence from obtaining RPP.

19 In addition to these parking management
20 elements a very recent activity that we've engaged in
21 is we've coordinated with U Street Parking, who has
22 identified a parking garage that they control at 501
23 New York Avenue, which is approximately three blocks
24 from the site.

25 In addition to these 50 spaces at 1270 4th

1 Street, U Street parking has identified that they can
2 also provide an additional 50 spaces at the garage
3 that they are managing. So, it will be given that
4 the AR requirement -- ZR-16 requirement is only 35
5 spaces, we believe we have more than enough parking
6 to serve the site.

7 What we've identified on this slide is --
8 which is located in our traffic study, is we've
9 identified several off-site parking locations which
10 given that they are serving weekend and retail
11 services, that our patrons can actually use this
12 parking as well.

13 We've coordinated with DDOT in preparing an
14 extensive -- a traffic demand management program
15 which includes the elements that are identified on
16 the screen. As one of the things I wanted to
17 highlight is that we're providing long-term bicycle
18 parking, unbundling residential parking, providing
19 TDM materials and marketing, and installing transit
20 screens.

21 In addition to that we're also offering
22 Capital Bikeshare and Capital Bikeshare incentives
23 and also providing Capital Bikeshare incentives for
24 the hotel component at well.

25 And a significant component of this plan

1 includes the funding of a new Capital Bikeshare
2 station.

3 In conclusion, as I mentioned before, we've
4 coordinated with DDOT extensively, and we agree to
5 all of DDOT's conditions, the conditions that are
6 identified in our October 17th letter on page 3
7 include these five bullets. We, as I mentioned, we
8 agreed to implement all of these bullets which
9 include implementing the TDM, adding the additional
10 loading berth which I had shown you, providing to
11 your connections as part of this condition. We are
12 actually -- each building will have its own bike room
13 with an interior connection to their own respective
14 lobby. We're strengthening a loading management
15 plan. As I mentioned, we've identified two 30-foot
16 loading bays in the event and a rare event that a
17 larger truck has to show up.

18 We've identified contingency plan for that
19 truck to unload on 4th Street. And the last item on
20 here includes reconstructing curb ramps and cross-
21 walks which we are committing to.

22 So with that, I'm available for questions.
23 Thank you.

24 MR. FREEMAN: Mr. Chairman, Mr. Andres
25 mentioned a letter from U Street parking, regarding

1 parking availability. That's not in the record. Can
2 I submit that now, please? Thank you.

3 CHAIRMAN HOOD: Mr. Freeman, you finished or
4 --

5 MR. FREEMAN: That concludes our -- yeah.

6 CHAIRMAN HOOD: All right. We thank you all
7 for your presentation. Let's see if we have any
8 comments or questions. We'll start over here.
9 Anybody? Okay, Commissioner May.

10 MR. MAY: Okay. So, unfortunately I have a
11 good number of questions. That's never a good sign
12 to start things off.

13 First of all, can you explain to me the
14 parking, the need for the parking relief? I mean, I
15 understand you know, you can get some parking within
16 some reasonable proximity, but why is it not
17 possible? I mean, I don't see anything in your
18 submissions and maybe I missed it, but I didn't see
19 anything in the submissions that specifically said
20 it's really difficult to do because of Condition X,
21 Y, Z.

22 MR. FREEMAN: It's not physically impossible.
23 So that's the short --

24 MR. MAY: Well, I mean, it's never physically
25 impossible. The question is, how difficult is it,

1 right?

2 MR. FREEMAN: We looked -- the hotel operator
3 and the owner looked at the need for whether we
4 needed parking in terms of the demographic of the
5 hotel users --

6 MR. MAY: Okay, and I completely got that
7 argument. But, you know, it's unusual to not hear
8 anything about how --

9 MR. FREEMAN: I'll let Mr. Stein answer that.

10 MR. STEIN: [Speaking off mic.]

11 MR. MAY: You need to be on the microphone
12 and --

13 MR. STEIN: My name is Sheldon Stein. I'm
14 with the developer. I mean, the project includes two
15 distinct buildings, two separate structures and each
16 of them have two exit stairwells which run from the
17 cellar up through, you know, the roof, as well as two
18 sets of elevators. And it's a very narrow site. So,
19 the actual yield of parking in a building with
20 essentially, you know, six cores running through it
21 is, you know, extremely very low yield to
22 availability. I think we would fit roughly 20 spaces
23 in a cellar, and it's a very long ramp for such a
24 small amount of parking.

25 So we felt money was much better spent

1 mitigating, you know, the parking need through these
2 other measures, compared to the very high cost of
3 producing very few spaces.

4 MR. MAY: Okay. If you're going to sell that
5 argument you need a drawing that shows that, how
6 difficult it is to actually achieve it. And I will
7 not -- I don't think it makes sense to -- I mean, if
8 you're going to show it to me with like a dividing
9 line between the two parts of the building, I'm not
10 sure that's going to make sense either because we see
11 plenty of buildings that are different on top than
12 they are on the bottom and they all share the parking
13 lot. I mean, I don't know how this is going to work,
14 how the ownership works, or any of those sorts of
15 things. But I don't think you need to have two sets
16 of ramps.

17 MR. STEIN: No, no, no, it was -- we were --
18 it would be one ramp. It would be a common garage.

19 MR. MAY: Right.

20 MR. STEIN: But because the cores for the
21 stairs --

22 MR. MAY: Okay. That's fine. So, just --

23 MR. STEIN: And the elevator cores --

24 MR. MAY: Just show it to me in a diagram and

25 --

1 MR. STEIN: I mean, we didn't prepare or
2 present that because we wanted to present on the
3 positive that we have another way to solve a parking
4 demand.

5 MR. MAY: Okay. Except in order to get
6 relief from the Zoning Regulations you need to
7 demonstrate that it's actually a difficult thing to
8 accomplish.

9 MR. STEIN: Okay. Thank you.

10 MR. MAY: And so I'm, I guess, a little
11 disappointed we didn't get that early on. I think we
12 even brought that up at set down.

13 While we're on parking, you're going to put
14 in the RPP restriction, right?

15 MR. STEIN: Yes.

16 MR. MAY: So tell me what that's going to --
17 what that will mean. What does that mean? I mean,
18 there's all leased apartment units and so there will
19 just be standard language in there?

20 MR. FREEMAN: There would be two things.
21 One, a covenant recorded in the land records, and
22 secondly a lease provision that says -- inhibits a
23 tenant's ability to get an RPP permit, and if they
24 try the lease could be -- would be terminated. That
25 would be a condition of the lease and a condition of

1 the order.

2 CHAIRMAN HOOD: Who's going to check on that?
3 How is that going to be dealt with? How will I know
4 that somebody did that? How is it going to be
5 enforced?

6 MR. FREEMAN: So the condition in the order
7 would have -- the city, you can check the city files,
8 so that's one way that it's enforced. Essentially
9 the owner self-manages and --

10 CHAIRMAN HOOD: So the owner is going to
11 check the files and see if this person has a car?

12 MR. FREEMAN: The property management
13 company.

14 CHAIRMAN HOOD: Property manager is going to
15 periodically check the files to see if this person
16 has applied?

17 MR. FREEMAN: Has applied for an RPP permit.
18 Yes, sir.

19 CHAIRMAN HOOD: How often? How often? All
20 that needs to be spelled out. How often they going
21 to check it? Once a month?

22 MR. FREEMAN: We can spell all of that out in
23 a condition.

24 CHAIRMAN HOOD: Six months. Okay. All
25 right. All right. I don't believe that's going to

1 work but we can see.

2 MR. MAY: Thank you. I'm just glad I teed
3 that up for you. I knew you were going to ask.

4 So is the building actually eligible for RPP?

5 MR. FREEMAN: I'm sorry?

6 MR. MAY: Is the building actually eligible
7 for RPP?

8 MR. FREEMAN: With the Florida, I'd have to
9 double check just to --

10 MR. MAY: Okay, that's --

11 MR. FREEMAN: It has a Florida Avenue
12 address, so Florida Avenue --

13 MR. MAY: I would assume it probably
14 wouldn't.

15 MR. FREEMAN: Correct.

16 MR. MAY: But I think that, you know, any
17 time, and this is not just for you but for every
18 attorney representing clients who bring things to us,
19 we ask this question all the time. We shouldn't have
20 to ask it, it should be in the argument, right, in
21 your presentation. Just tell us, you know, you
22 object, the street is not eligible for RPP. Just put
23 it in there up front.

24 MR. FREEMAN: Yes.

25 MR. MAY: Maybe it was in there and I missed

1 it?

2 MR. FREEMAN: We're double-checking right
3 now.

4 MR. MAY: Yeah, okay. It's always a
5 possibility I missed it, but it is something I look
6 for.

7 All right. Still on parking. So, you have
8 that diagram of the locations where there is parking
9 available. Okay. So, and you cited 501 New York
10 Avenue which is not there.

11 MR. ANDRES: So 501 New York Avenue is --
12 there's a hotel project that fronts on New York
13 Avenue, but the access is to the rear. And so that's
14 --

15 MR. MAY: That's the one that goes through
16 the alley?

17 MR. ANDRES: Yes, the one that -- there's
18 actually two that are served off the alley. There's
19 411 New York Avenue which this Commission approved a
20 few months ago.

21 MR. MAY: That was the arts project --

22 MR. ANDRES: Yes.

23 MR. MAY: -- leasing. Yeah. Okay.

24 MR. ANDRES: And then there is -- and then
25 there was another one adjacent to that which is 501

1 New York Avenue.

2 MR. MAY: Okay.

3 MR. ANDRES: And so we spoke to that garage
4 operator and he said that they can provide up to 50
5 in addition to the contract that we'll enter into
6 with 1270 4th Street.

7 MR. MAY: Okay. So 501, that was a PUD,
8 right?

9 MR. ANDRES: Yes.

10 MR. MAY: So, how much -- all right. Doesn't
11 really matter. I mean, when they say that they can
12 provide 50 spaces, is that 50 spaces above and beyond
13 what their zoning requirement is?

14 MR. ANDRES: I do not know.

15 MR. MAY: Okay. So that's important to know
16 because if their requirement is to have 100 parking
17 spaces and, you know, they want to you know, give you
18 50 of them, then they're not meeting theirs anymore.
19 So I think we actually need to know that and I think
20 that's probably true for all the other PUDs when
21 you're thinking you might do it.

22 I know some of them have excess parking
23 planned. Which is never something that we, you know,
24 really want to see. Certain DDOT brings that up when
25 anything is overparked in their perspective, from

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1 their perspective. But, you know, it has to be truly
2 excess parking if it's going to be applicable.

3 Second thing is that if you're proposing that
4 that's going to be what the deal is, then you've got
5 to show us on a map how people are going to get to
6 the hotel from 501, because frankly I don't think
7 it's a very good walkable distance. I mean, you say
8 it's four or five blocks, whatever it is. It's not a
9 great four or five blocks right now. I mean, maybe
10 in 10 years it's going to be great, but you're also
11 walking uphill the whole time to get to the parking
12 spaces. I mean, it has to be a practical
13 alternative. It can't just be, you know, 50 spaces
14 within you know, 1,000 feet or 2,000 feet, or
15 whatever it is. It has to be a walkable reasonable -
16 distance.

17 MR. ANDRES: Understood. Absolutely.

18 MR. MAY: Okay. So more documentation on
19 that would be most helpful, and so you know, again if
20 -- I think what I saw in one of the submissions was
21 that there would have to be an agreement with
22 somebody to provide the spaces by the time permit is
23 issued. And my recollection of when we'd done these
24 things in the past is that we actually had that
25 agreement when we made a decision. Now, maybe I'm

1 wrong but --

2 MR. FREEMAN: Well, let me be clear.

3 MR. MAY: Yeah.

4 MR. FREEMAN: The developer currently has an
5 agreement with the owner of Square 3587, Lot 9, so
6 let's just call that the Edens site.

7 MR. MAY: Uh-huh.

8 MR. FREEMAN: So they have an agreement for
9 that for 50 spaces. I believe it's a 10-year
10 agreement. So the spaces at 501 New York are extra
11 capacity, not the 50 that you already have an
12 agreement for. So --

13 MR. MAY: So, 3587, is that a --

14 MR. FREEMAN: It's an Edens PUD. It's a --

15 MR. MAY: So an Eden Street. So for when
16 it's done. So they're building an extra 50 spaces
17 for you?

18 MR. FREEMAN: Yes.

19 MR. MAY: Isn't that nice of them?

20 MR. FREEMAN: Well --

21 MR. MAY: All right. So again it needs to be
22 demonstrated that that's actually excess and I want
23 to know how you -- how you walk to it. I guess I
24 could probably figure that out from that diagram
25 because it's on there, right? Which one is it?

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1 MR. FREEMAN: We have a drawing of that in
2 our submission dated October 7th, Commissioner May.
3 It's early in the packet.

4 MR. MAY: Okay.

5 MR. ANDRES: Commissioner, that site is a
6 block, essentially a block to the north of the site.

7 MR. MAY: So it's the one that's labeled with
8 350 spaces?

9 MR. ANDRES: Yes.

10 MR. MAY: Okay, because --

11 MR. FREEMAN: It's sheet A0002, Commissioner
12 May.

13 MR. MAY: Okay. So, yeah. I mean, it's
14 helpful when we have diagrams like this that if we're
15 going to refer to what those sites are we know what
16 the actual buildings are. I mean, if that's what the
17 agreement is that's why I can read that.

18 But I'll also look at A002 from the October
19 7th submission.

20 CHAIRMAN HOOD: What do you want, because
21 someone could come back and ask that same question.
22 What building is the 140 spaces? Or what is the 140
23 spaces? What is it? What is the 140 spaces? Where
24 is it?

25 MR. MAY: I heard 50, not 140.

1 MR. FREEMAN: So we have a contract with
2 Edens for 50 and that is at Square 3587, Lot 9.

3 CHAIRMAN HOOD: Okay. Well, what is this
4 page right here I'm looking at, then? I think I'm on
5 the same one.

6 MR. FREEMAN: I think Mr. Andres is showing
7 kind of overall parking in the --

8 CHAIRMAN HOOD: Okay. What building is --
9 what building is this that --

10 MR. ANDRES: So this one is at the corner of
11 Florida and New York. Essentially what this graphic
12 shows is that there are spaces in the neighborhood
13 that we're not quite sure if they're going to be
14 used, but at a minimum --

15 CHAIRMAN HOOD: Okay. So that's an unknown.
16 So we just brought the sheet down here. But let me
17 ask you, what building is that, the 140 spaces? Do
18 we know?

19 MR. ANDRES: That's one at the corner of New
20 York and Florida.

21 CHAIRMAN HOOD: Do we know what building?
22 What is --

23 MR. ANDRES: Yeah, it's the gateway building.

24 CHAIRMAN HOOD: Okay. Okay. And the 350?

25 MR. ANDRES: And the 350 is the Edens

1 building.

2 CHAIRMAN HOOD: Okay. So these are just
3 spaces that are in the neighborhood but not
4 necessarily what you can use.

5 MR. ANDRES: Well, these are spaces in the
6 neighborhood that are available for evening and
7 weekend use, that they're available for those uses.
8 So they're essentially nonresidential spaces.

9 CHAIRMAN HOOD: Okay. And how do we know
10 they're available?

11 MR. ANDRES: Well, we went out and checked
12 the actual developments since we've worked on
13 basically all of these except for the one on the
14 corner.

15 CHAIRMAN HOOD: Okay. So, because of the
16 ownership and every -- so we know those are
17 permissive.

18 Anyway, I don't want to keep -- I just don't
19 want to have to come back and go through this.

20 MR. ANDRES: We understand.

21 CHAIRMAN HOOD: Okay. But so we already have
22 cleared that and we know that that can happen, so we
23 need to make sure something is in the record of that,
24 of the nature of that. Whenever they're built, or if
25 they're not built, or whatever the case may be, that

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1 that parking is going to be accessible for this site.
2 That's what you're basically presenting to me. At
3 least the way I'm understanding it.

4 MR. FREEMAN: So let me be clear on what
5 we're presenting. So, what we're saying and what we
6 did is we looked at kind of other cases with no
7 parking, and we looked at what was done, and we said,
8 we will provide -- for the life of the project we
9 will provide a minimum number of spaces in either one
10 location or another location within a quarter mile
11 radius of the PUD site. So that we do not have
12 agreements with the sites shown on that drawing.
13 We're just saying they're available.

14 So for as long as the building exists, a
15 condition of our order would be that we have to
16 provide at least 50 spaces within a quarter mile
17 radius of the PUD site.

18 CHAIRMAN HOOD: So we're operating on the
19 premise that we think they may be available.

20 MR. FREEMAN: Well, we know we have 50 now
21 for at least --

22 CHAIRMAN HOOD: I know about the 50.

23 MR. FREEMAN: -- 15 or 20 years.

24 CHAIRMAN HOOD: But I'm looking at this sheet
25 that you presented. There's more than 50. We think

1 that we might be able to park there. That's kind of
2 what we're saying, right?

3 MR. FREEMAN: That's showing that we think
4 there could be excess capacity at that time.

5 CHAIRMAN HOOD: Right. So we're thinking
6 that this might --

7 MR. FREEMAN: Yes, sir.

8 CHAIRMAN HOOD: -- be a potential place to
9 park.

10 MR. FREEMAN: Yes, sir.

11 CHAIRMAN HOOD: Okay. That's all I'm
12 getting. Okay. Sorry to interrupt. I won't have to
13 revisit that.

14 MR. MAY: I'm glad you, you know, you're
15 carrying on. That's good. It makes sense. All
16 right.

17 Talk about the design for a bit. So, I mean
18 first of all, I do think the design has improved
19 significantly from what we saw at set down. I'm
20 still not sold on some of it. And some of it I just
21 have questions about.

22 Can you explain the bay projection issue, and
23 how this complies with the building code regulations
24 for bay projections or whether -- I mean, there was
25 something about having flexibility to go one way or

1 another depending on whether a building code change
2 is approved, or did that get fixed?

3 MR. FREEMAN: Marius, I'll let Marius walk
4 you --

5 MR. MAY: Okay.

6 MR. FREEMAN: -- through that.

7 MR. RADUVESCU: So what is -- what the
8 diagram shows in hatches is where the projections
9 occur. The balcony, or the loja on Florida Avenue is
10 a balcony, therefore has an unlimited length. And on
11 the residential high we have multiple projections.

12 So on multiple projections we are not
13 exceeding the D.C. Building Code. And by multiple
14 projection, I mean that the balconies are not
15 structurally attached to the bay.

16 And unfortunately I cannot zoom in this
17 image, but the darker area, the smaller -- if I may
18 borrow this. So, the smaller, the smaller sections,
19 those are the balconies while the longer ones are the
20 bays. The balconies are not, as I said, structurally
21 attached. Therefore, I meet the definition of
22 multiple bays.

23 MR. MAY: What do you mean they're not
24 structurally attached? Of course, they're
25 structurally attached or else they wouldn't stay up.

1 MR. RADUVESCU: They're not structurally
2 attached to the bay, I'm sorry.

3 MR. MAY: So they project from the face of
4 the building.

5 MR. RADUVESCU: So they --

6 MR. MAY: As balconies, independent
7 balconies. They're not spanning --

8 MR. RADUVESCU: Right. So there is a
9 structured gap between the bay and the balcony.

10 So of course the balcony is structured,
11 attaching the back to the back of the slab. But then
12 horizontally along Florida Avenue they are detached.

13 MR. MAY: I understand what you're saying
14 there now. So, the -- but what was the point of
15 having two options there?

16 MR. RADUVESCU: That's on 5th. So that --

17 MR. MAY: Right.

18 MR. RADUVESCU: -- the flexibility is
19 required on 5th in which we are -- we are exceeding
20 the allowable length for a single projection, but we
21 are under the allowable lengths on multiple
22 projection. So we are showing two facades, and I'm
23 not sure -- I'm going in the wrong direction,
24 actually.

25 But we are showing on 5th Avenue, two

1 options. On here is a single projection that again
2 as a single projection exceeds the length, but it
3 doesn't exceed a multiple bay projection. And as an
4 option here we have multiple bay projections so we
5 have the same technique as on Florida Avenue in which
6 the balcony that sits in between the two projections
7 is not structurally attached left and right to the
8 bay.

9 So we have a multi or two-bay projection
10 reading versus a single bay projection reading.

11 MR. MAY: So the alternative design is
12 acceptable under the building code now.

13 MR. RADUVESCU: Yes.

14 MR. MAY: And the other one would require
15 some -- would require a waiver or something.

16 MR. RADUVESCU: Yes.

17 MR. MAY: But it says pending code
18 modification approval. That's really just a waiver,
19 right?

20 MR. RADUVESCU: Yes.

21 MR. MAY: Okay. So when you look at these it
22 looks like they are structurally attached across the
23 face. Are we just not seeing that because we are not
24 zoomed in close enough?

25 MR. RADUVESCU: The elevation will not show

1 the gap between the two slabs. So --

2 MR. MAY: Oh, so it will look like it's a
3 single mass, but it technically is not a single mass
4 because it has -- because you have independent slab
5 projections.

6 MR. RADUVESCU: Well, we don't want to have a
7 single mass, that's why we have this two readings of
8 the balconies to actually make the projection. The
9 only thing is, it's continuous is actually the grade
10 in front of it. But the mass itself --

11 MR. MAY: Which makes it look like a single
12 mass.

13 MR. RADUVESCU: The idea was to make it look,
14 and I'm trying to get to a perspective, to make it
15 look actually like two bays.

16 MR. MAY: Right. And it doesn't look
17 anything like two bays. It looks like a single mass.

18 MR. RADUVESCU: The line of the grade, yes,
19 is like a single mass.

20 MR. MAY: Yes, it's a single grid. Yeah.

21 MR. RADUVESCU: But the imitation of the
22 shadow will create that two bay effect.

23 MR. MAY: Well, I mean, you know --

24 MR. TURNBULL: I think we need --

25 MR. MAY: -- when I think of a bay --

1 MR. TURNBULL: I think we need a blow up of
2 that. I think we need a blow up of now of your
3 issue.

4 MR. MAY: Yeah, we need -- but I think it's
5 not -- I mean, what we're going to see is that grid,
6 that frame is essentially continuous across that
7 entire façade, which to me is nothing like a bay.

8 Now, I don't, you know, we don't get into
9 what's a bay and what's not a bay. Maybe we should,
10 but it's, you know, that's not -- I don't see a bay
11 there in any way, shape, or form. I see a grid with
12 the entire building projecting out.

13 MR. RADUVESCU: That was the intention, to
14 have a continuous grade. But then to have a gap so
15 there are grooves or reveals.

16 MR. MAY: Okay. So then if you're going to
17 show -- if that's what's going to happen then you
18 need to zoom in on that and show us that. Maybe we
19 need to understand.

20 But, Ms. Schellin, can we put in -- make a
21 note of this for future training sessions to
22 understand the bay projection regulations because
23 this has come up several times. Isn't that -- I
24 mean, would other commissioners feel that is helpful,
25 because I don't really understand it?

1 It's not really our domain. We don't want to
2 step into the building code regulation, but we also
3 want to understand what is allowable and what's not
4 because you know, we're about the overall aesthetics
5 of the building and you know, we keep talking about
6 bay projections but this is not -- I mean, this is
7 the entire mass of the building projection. That's
8 what I read; the way it reads.

9 All right. I'll stop going on about that
10 one.

11 So the use of the white metal is
12 questionable. And I'm not a big fan of white metal
13 detailing. Can you go to page A403? It's this page.
14 Maybe it's numbered differently in your package, but
15 it's A403 on what you gave us tonight.

16 There. That's it. Okay. So, I don't know
17 where all of these buildings are but I think I
18 recognize the -- in the precedent images, the lower
19 right building. Right, 18th Street, downtown.

20 When that building opened up I thought it was
21 a fantastic thing. It was so different from
22 everything else around it. Now that I look at it 20
23 years later, it looks terrible. And it looks
24 terrible because it gets dirty and it doesn't clean
25 well. So, I mean, I don't know if it looks dirty at

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1 the moment because maybe they clean it periodically,
2 but the times I've been by it since then, it is not
3 aging well.

4 So, I would strongly encourage you to look at
5 that and how it's aging right now. I mean, have you
6 seen it lately?

7 MR. RADUVESCU: [Speaking off mic.]

8 MR. MAY: Your microphone seems to be off.

9 MR. RADUVESCU: I didn't stop with this
10 particular one. I stopped with the one which one,
11 the upper right corner, which is in close to the OP
12 office. And then the one on the --

13 MR. MAY: Which is quite a bit newer.

14 MR. RADUVESCU: Quite a bit newer. And then
15 the one on the upper left side, which is in New York,
16 close to the Battery Park.

17 MR. MAY: Right. And I mean, that treatment
18 is a little bit more understandable. It's the
19 extensive use of metal panels in that kind of a
20 gridding. You know, what happens is that there's
21 enough pollution in the air that when it rains you
22 just wind up getting streaked, you know, black
23 streaks on it. And when it's a -- when you have a
24 lot of those horizontal pieces especially it just
25 sort of bleeds over and it makes it look old and

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1 dirty.

2 And I mean, buildings can get old and dirty
3 and some of them, when they are designed well, when
4 they get old and dirty they actually look okay. They
5 look good. What happens is that little bit of dirt
6 highlights the detailing of the building. That
7 doesn't happen when you have big metal panels or, you
8 know, metal grids, basically white metal grids.

9 So I would just encourage you to look very,
10 very carefully at that because I think it's -- you
11 don't want the building to look dirty, you know, five
12 years from now.

13 Explain to me the window detailing. You had
14 those freezes and other details that's in a -- I
15 can't remember what slide. 404. There you go.

16 So, you're showing photos of existing
17 buildings and you're saying that you're going to use
18 that detail or something similar to it in that area?
19 What are you saying?

20 MR. RADUVESCU: Right. On the right-hand
21 side there are examples of big details from this
22 area.

23 MR. MAY: Uh-huh.

24 MR. RADUVESCU: And then like the top or the
25 bottom could be easily employed on our building. So,

1 while we did not make a decision to which exactly
2 detail, but we selected areas that -- leading
3 themselves to receiving this type of detailing.

4 MR. MAY: All right. So, I think this is
5 something that actually has to be designed,
6 particularly in the cornice.

7 The window opening or the portals, I guess,
8 into the loja area, I have a hard time understanding
9 how incorporating a -- that kind of brick detailing
10 makes sense when the detailing that you have right
11 now is essentially an inset I beam, right?

12 MR. RADUVESCU: Yeah, we have a I beam but
13 instead of having a soldier course on top of the I
14 beam --

15 MR. MAY: Yeah.

16 MR. RADUVESCU: -- maybe that soldier course
17 has a more intricate (indiscernible).

18 MR. MAY: Okay. So I mean, maybe that works
19 perfectly fine. I mean, typically when we see that
20 sort of, you know, the inset piece of steel and it's
21 the dark, you know, it's black or dark gray or
22 whatever, I mean, that's essentially the detail of
23 it.

24 But you know, you want to do something else
25 there, that's fine. Just, we need to actually see

1 what it's going to be? I mean, particularly in those
2 key locations. And if you're -- once you start doing
3 that, you know, it just sort of raises questions
4 about the detailing of some of the other openings.
5 So you'll have to give that some thought and show us
6 something that explains what you intend to do, not
7 what you might do. I think that's something we need
8 to know.

9 All right. So let's go up to the roof and
10 let's see. What's the right drawing?

11 MR. RADUVESCU: A110 and A111.

12 MR. MAY: Okay. All right. So, and
13 basically you're having single floor amenity spaces
14 with some mechanical above that in some places. And
15 you meet all the setback requirements on the
16 apartment building. And the only area where you do
17 not now, this is based on what you submitted tonight,
18 the only area where you do not is where you have the
19 stair that kind of wraps around the elevator core at
20 the back there. Is that what's happening?

21 MR. RADUVESCU: Yes.

22 MR. MAY: So you have the stair back there.

23 MR. RADUVESCU: And elevator overrun on the
24 hotel side. So the area that is hatched in the red.

25 MR. MAY: Right. So, I mean, that shows the

1 vicinity of it but it's -- that's not the actual
2 extent of it, is it? I mean, it's a little
3 confusing.

4 MR. RADUVESCU: It is --

5 MR. MAY: It's set back four foot, seven, but
6 I don't know what the building -- what the stairway
7 height is there.

8 MR. RADUVESCU: I have a section so that --

9 MR. MAY: Yeah, okay. So, where is that?

10 MR. RADUVESCU: And that is --

11 MR. MAY: Is it towards the end, those
12 sections?

13 MR. RADUVESCU: 303, yes. It's the last page
14 with the sections. And both sections are taken
15 through that problematic, if you will, elevator
16 overrun.

17 MR. MAY: Got it. One, two.

18 MR. RADUVESCU: So what we are trying to show
19 that on Florida, facing 4th Street, we are meeting
20 the Zoning Regulations. On the alleyway facing the
21 alleyway, we need flexibility but we are meeting the
22 Height Act.

23 MR. MAY: Okay. Well, and we don't enforce
24 the height act here, even though we talk about it
25 occasionally.

1 Have you looked at other configurations of
2 that stair? The reason I'm a little concerned about
3 it -- I mean, well, first of all I appreciate having
4 the sections. This is -- again, this is new
5 information because this is -- we didn't have this in
6 anything before tonight, right?

7 I think we do need to blow up those couple of
8 sections and see them a little bit more carefully.
9 And I guess I can understand on the elevators,
10 although I'm not sure how that reverberates through
11 the rest of the floors. I mean, I think you need to
12 demonstrate why actually things can't be shifted.

13 And you're doing a shift of the stairway,
14 right? You have a transfer --

15 MR. RADUVESCU: Yes, we --

16 MR. MAY: -- that's up on the top floor?

17 MR. RADUVESCU: We are transferring or
18 shifting --

19 MR. MAY: Yeah.

20 MR. RADUVESCU: The majority of the stairs to
21 conform with the Zoning Regulations.

22 MR. MAY: Right. Well, I think the thing
23 that concerns me the most is the potential visibility
24 through the alley. It's a relatively wide alley,
25 being able to see it from the street and how visible

1 it is from the street. Last time we had a case like
2 this, that's what we asked for were views from the
3 street up into the alley to see whether in fact that
4 would be visible. I mean, there are several issues
5 that relate to setbacks. One has to do with
6 perceived height of the building. But it also has to
7 do with light and air and how it affects things like
8 courtyards. And so, that's why we're trying to be
9 very strict about maintaining those setbacks all the
10 way around now that you can have more habitable space
11 on the rooftop.

12 So we always want to try to make sure that
13 all those setbacks are met first before you, you
14 know, you figure out what your rooftop amenity space
15 is going to be or any habitable space.

16 In certain circumstances we understand it's
17 not easy to do when you're dealing with residential
18 floor plates that are narrower and you have to fit in
19 elevators and you have to fit in stairs, it can be
20 very difficult to do. In those circumstances the
21 thing that I'm most concerned about is its visibility
22 from the outside. So if it's something that I could
23 see from the street I'm more concerned about it than
24 if it's something that I can see from the alley, or
25 from, you know, on your property or something like

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1 that.

2 So, if you can look at that more carefully
3 and show us. And it can be done with a sightline
4 diagram. It doesn't necessarily have to be a
5 perspective, but you know, it may be the easiest
6 thing to do is a perspective. Again, that's what we
7 did on another recent case.

8 Last thing I have is the -- I seem to see a
9 lot of handrails that are visible in the perspective
10 views. I mean even on the front page of your
11 presentation. So those handrails have to be set back
12 one-to-one from the roof as well. Right? Or they
13 have to be part of a parapet and part of a parapet is
14 not a handrail attached to a parapet that's actually
15 integrated into it. I don't know what the -- what
16 you'd have to do.

17 MR. RADUVESCU: We do have them to meet the
18 requirement.

19 MR. MAY: What's that?

20 MR. RADUVESCU: We do have them to meet the
21 requirement.

22 MR. MAY: Okay. That's not apparent from the
23 drawings. I mean, it's visible in the perspective
24 views but I think even in the sections, I think they
25 were not set back. At least, again, not in the ones

1 that I had before tonight. Have they been moved?

2 MR. RADUVESCU: No. On residential it's
3 unfortunately I cannot zoom the image, but they are
4 set 45 degrees from the edge of the parapet to the
5 edge of the railing.

6 MR. MAY: Okay. So then you just need to
7 show that to us in a drawing because what I see here,
8 it doesn't look like it does. It doesn't look like
9 it's set back one-to-one.

10 All right. So I think that's it for me.
11 Thank you.

12 CHAIRMAN HOOD: Okay. Vice Chair, you want
13 to go next? Vice Chair Miller.

14 MR. MILLER: Thank you, Mr. Chairman. And
15 thank you for your presentation and thank you for
16 bringing MOB Hotel to the United States, the first
17 one to the United States. So, it's -- this is
18 another one of those continuing revitalization
19 projects in this area of the city, which is a
20 definite positive for the neighborhood and for the
21 city.

22 I would -- had just a couple -- a few
23 comments. I would agree with Commissioner May that
24 we need more information about why the one level of
25 parking could not be provided. I think the 20 spaces

1 that you said you could get in the cellar, I think
2 would be useful to have for this project rather than
3 these ad hoc arrangements of different agreements
4 with developers. You say you have an agreement with
5 the Edens PUD for 10 years for 50 spaces. I don't
6 think we have that in the record, but if we don't
7 could you provide that, and if we do just point me to
8 where it is.

9 MR. FREEMAN: We'll make sure.

10 MR. MILLER: Okay.

11 MR. FREEMAN: We'll make sure it's in there.

12 MR. MILLER: So, I think you're trying to
13 show that you'll have a certain number of spaces. At
14 least the 35 that would be required by the ZR-16,
15 even though this is being evaluated under ZR-58, the
16 '58 regulations. But I think we just need more
17 definite accounting of those agreements that you do
18 have and why you can't do that one level for the
19 cellar because I think you're going to want to have
20 these spaces for the life of the project. You only
21 have it for 10 -- you only have the 50 spaces for 10
22 years at the Eden site. So, I think that needs more
23 work or more information. We need more information
24 on that.

25 I appreciate as the Office of Planning has

1 noted in its report, the deeper amount of
2 Inclusionary Zoning units provided and the deeper
3 level of affordability and the greater amount, 12
4 percent set aside, versus the eight percent that's
5 required and doing half at 50 percent AMI when all
6 that's currently required is the 80 percent AMI.

7 So I think that's a very positive important
8 element and amenity and benefit. And the fact that
9 there are all, as most of the residential building is
10 large units, two bedrooms or more, including four-
11 bedroom units as well, and they're two and three and
12 four-bedroom IZ units. They do still seem to be
13 mostly concentrated towards the back of the building
14 adjacent to the loading/stairwell/trash area. So, I
15 think we just need -- unless I'm reading the charts
16 wrong I think they either need to be more diversified
17 in terms of their location, or I just need more
18 information as it -- that they are in fact
19 diversified. They seem to be concentrated, mostly,
20 in that back loading -- adjacent to that loading
21 stairwell area.

22 But I think it is a great -- it's great that
23 they're a deeper level and greater amount than what's
24 required. That's important for the city.

25 On the -- OP pointed out that the -- also

1 appreciated which I'll share the appreciation of that
2 25 percent, the commitment, the 25 percent of the 80
3 new hotel jobs will be afforded to District of
4 Columbia residents, which I think is great. They
5 asked in their report for the applicant, for you all
6 to examine a more robust commitment. Have you
7 examined a more robust commitment like, just throwing
8 out a number, 51 percent District of Columbia
9 residents? We've got a lot of need for jobs in the
10 city and these hotel entry level jobs which people
11 can be trained for.

12 MR. FREEMAN: Yes. Fifty-one percent will be
13 D.C. residents.

14 MR. MILLER: That's excellent. Thank you
15 very much.

16 What is the -- so I'm almost done, having, I
17 think, gotten that answer. What is the hotel amenity
18 on the roof and the residential amenity on the roof?
19 Do you know what the actual -- what kind of amenity
20 each of those is right now?

21 MR. AOUIZERATE: Well, you can imagine that
22 the life of the rooftop is all the time to create
23 something, especially for the summer. You know, like
24 a summer bar. But absolutely not like an exclusive
25 VIP bar just for the guests of the hotel. You know,

1 all the philosophy of MOB Hotel is to create the
2 chance for guests to meet the people of the
3 neighborhood. That's the vibe of everything that I
4 do in my projects. You know, and the hotel is not
5 the kind of hotel where you have body guards who want
6 to push the people out and keep the guests alone.
7 That's the whole (indiscernible) of my philosophy,
8 the objective that I have, and I think that's the
9 desire of all the guests in the world is to meet the
10 people of the neighborhood and have the chance to
11 speak with them. That's the reason why this rooftop
12 is more place where the people, they can have a drink
13 during the summer when the weather is okay, and have
14 the chance to speak and to have a moment together.
15 That's all.

16 MR. MILLER: Okay. That's great. I look
17 forward to someday being able to enjoy that; so that
18 space. Thank you very much. Thank you, Mr.
19 Chairman.

20 CHAIRMAN HOOD: Thank you, Vice Chair.
21 Commissioner Turnbull, any questions or comments?

22 MR. TURNBULL: Yeah, thank you, Mr. Chair.
23 Thank you for your presentation tonight. Adding on
24 to what has already become a very heavily developed
25 area of the city, but well needed and was -- I think

1 it's going to be very exciting at it come -- as we go
2 forward.

3 But I guess reflecting some of the comments
4 of my fellow commissioners, we worry about
5 infrastructure. And we worry about how things are
6 really going to work. And one of the things is
7 parking. And we've had a lot of other hotels in
8 certain areas that don't want parking, and it comes
9 to a point where if nobody is parking then there is
10 no parking. So, I think it's very important that you
11 do provide a proof of -- what I call a proof of
12 scheme that shows why you can't get parking in the
13 building. So I think we've already asked for it.

14 But I think that's going to be important.
15 I'm not going to repeat a lot of the issues that have
16 already been said, but I think again, we do
17 appreciate the affordable housing gesture. I think
18 it's a very important. But I would echo Commissioner
19 Miller's concern that the 50 percent units at the
20 back of the rear of the building right now is really
21 not appropriate. I think you've really got to take a
22 better look at how that mix is spread so we're just a
23 little bit concerned about how that's being
24 developed. So I think you need to revisit that.

25 I think the other thing which we're going to

1 need, it's hard to get a good view of what's going
2 on, on the roof of both buildings. A210 is the only
3 aerial view that sort of shows something what's going
4 on. What I would like to see are blow-ups. Blow-up
5 plans of both rooftops showing how they're going to
6 be laid out and what the use is going to be as far as
7 what type of amenities are going to be up there. I
8 think we need to see a large scale of sections and
9 plans of what's going up there. I would like to see
10 sections through the parapets of both buildings at
11 different points to show exactly what the heights
12 are, what the overhangs look like, and what the
13 projections are going to be.

14 So more information on the roof plans as far
15 as what's really going on up there. And I would also
16 like to see a lighting plan of the rooftops as to
17 what type of lighting is going on up there, what kind
18 of activity is going up there, is there any large
19 screen TVs going up there, is there a grill going up
20 there? I want to see what those amenities are so I'd
21 like to see blow-ups of the rooftop areas.

22 And maybe a couple of perspective views might
23 also be worthwhile for us to actually know what kind
24 of a -- what kind of life is going to be up there.

25 I think Commissioner May has touched on a lot

1 of the things that I had down. I think the only
2 other -- one of the other big issues that I had is on
3 Drawing A221, 221. In the October 10th submission
4 which shows an elevation -- it shows the elevation of
5 the hotel and the residence.

6 And this, this signage. A little large. I
7 think you really need to rethink that. I think that
8 vertical signage is way too large. I think with the
9 flagpole and the signage it really is something that
10 I don't think I want to see. I think that signage is
11 just too intense for what we're trying to do. So I
12 think you need to go back and rethink that.

13 And I think what I think you're going to
14 provide us, I think Commissioner May was getting,
15 you're going to provide us with a better view of the
16 bay projections, a blow-up scale of what's going on
17 with those areas. Okay. Architecturally.

18 And I guess I just want to clarify. OP had a
19 question. I guess the gallery space has gone away
20 and what you're basically providing now is a 10 by 10
21 wall in both the hotel and in the residence lobbies.
22 Is that correct?

23 MR. FREEMAN: Yes. But that's -- the
24 artistic director --

25 MR. AOUIZERATE: And again, including if we

1 have -- that's really the roots of MOB Hotel to have
2 a place for artists. And all the other project we
3 have not only a war, but more all the manager of the
4 artistic place that we created. And this place can
5 be a place where the photograph and the creation of
6 the artist can have their place to share that with
7 the guests.

8 MR. TURNBULL: But you're talking -- what
9 you're talking about is what's called the business
10 incubator area.

11 MR. AOUIZERATE: Yeah. No, we have the
12 incubator, will be on the left side of the wall. And
13 on the right side we have the wall where we can
14 expose, you know, the photography or the artistic
15 work of the artists from the neighborhood.

16 MR. TURNBULL: But it's still only 10 by 10.

17 MR. AOUIZERATE: That's minimum, yeah.

18 That's the minimum that would be --

19 MR. TURNBULL: But it's 10 by 10 on a wall.
20 It's like, it's like five of these squares by five of
21 these squares.

22 MR. AOUIZERATE: Yeah, that's why I say
23 that's the minimum and I'll tell you in all the other
24 project where we do, we can -- we do bigger, but for
25 the moment we don't finalize the design with Philippe

1 Starck. That's why we have to work more on the
2 design on each part of the ground floor.

3 MR. TURNBULL: Okay. All right, Mr. Chair, I
4 think we've covered everything.

5 CHAIRMAN HOOD: All right. I think a lot has
6 been flushed out. Especially I want to associate
7 myself with Vice Chair Miller about the 20 parking
8 spaces. And I think all of us have kind of hit on
9 that.

10 One of the things that happens to us, and not
11 just this developer, when we approve projects that --
12 with no parking, I don't think we've done but a few
13 hopefully, we actually get criticized quite a bit
14 when we walk in -- we live in the city too and we get
15 criticized quite a bit. So we have to make sure we
16 have a good plan when we're talking about building a
17 project with no parking.

18 I can tell you that, you know, they know who
19 we are, why did you approve that? So we get a lot of
20 that. So we have to make sure, and I think there
21 were some very valid questions and I think they're on
22 the map. Commissioner May mentioned about showing us
23 exactly why we're able to do this and Vice Chair
24 Miller came up with another scenario which I agree
25 with, so I'm looking forward to see what you say

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1 about this parking issue, because I agree with the
2 Vice Chair about all these different parking spaces
3 that we assume are going to be here and we already
4 covered. There are going to be some over there, but
5 the question is, we think we might be able to use
6 them. We don't know. So we need some certainty for
7 the residents of this city when we start talking
8 about parking, because everybody doesn't ride a bike.
9 Which leads me to my next question.

10 How convenient is the Metropolitan Branch
11 Trail to his project, to this proposed project? How
12 convenient is it?

13 MR. FREEMAN: Mr. Andres can walk us through
14 that.

15 CHAIRMAN HOOD: So how do I get there from
16 here?

17 MR. ANDRES: Unfortunately I don't have a
18 graphic, but let me say --

19 CHAIRMAN HOOD: Just tell me, do I ride my
20 bike across Florida Avenue? How do I get there? How
21 do I get to it?

22 MR. ANDRES: Well, the Metropolitan Branch
23 Trail essentially runs behind Union Station and this
24 project runs a couple blocks north of Union Station.

25 With respect to our --

1 CHAIRMAN HOOD: If I leave this site am I
2 going to have to cross -- am I going to have to cross
3 New York and make a left on 1st? How am I going to
4 get there? I'm just curious because it says
5 convenient.

6 MR. ANDRES: Well, on a bicycle obviously
7 there's opportunities to get to the trail. If you
8 can excuse me. There you go. Great. Thanks, Kyrus.

9 So essentially on page 22 shows our -- of our
10 traffic study, shows the circulation paths to and
11 from the site that includes bike circulation. In our
12 report that identifies the regional --

13 CHAIRMAN HOOD: Which exhibit is that, we're
14 looking at?

15 MR. ANDRES: Well, there's exhibit -- there's
16 Figure 8 that identifies the circulation plan for the
17 site.

18 MR. FREEMAN: Excuse me. It's Exhibit 27B on
19 the -- on IZIS.

20 CHAIRMAN HOOD: Okay.

21 MS. SCHELLIN: D.

22 MR. FREEMAN: Sorry, 27D.

23 CHAIRMAN HOOD: 27D.

24 MR. FREEMAN: As in dog.

25 CHAIRMAN HOOD: Okay. The report.

1 MR. FREEMAN: Sorry.

2 CHAIRMAN HOOD: Because I noticed that DDOT
3 used some of your report also, but okay. 27D. Okay.
4 What page are you on?

5 MR. ANDRES: So on page 13 for the major
6 local transportation facilities, if you look at sort
7 of the -- where the Metro is and you look on Delaware
8 Avenue where 2nd Street is, towards the bottom of
9 that page is where you would connect essentially from
10 our site to the trail.

11 So you would ride down 4th Street where there
12 is a bicycle lane and essentially turn right on L
13 Street to get you to the trail.

14 CHAIRMAN HOOD: Okay. Well, I guess traffic
15 must have eased up on 4th Street. I haven't been
16 down that way in a while because it's too much
17 traffic. But I guess 4th Street, traffic must have
18 eased up in that area.

19 Okay. And the reason I say conveniently, I
20 want to make sure that we're not doing anything, you
21 know, and then I know there's a -- I think now where
22 bicycles and cars have to share and we still are
23 trying to learn that on how to be accommodated. And
24 I know we have bicycle lanes and laws and everything,
25 but when you say convenient, that's still something

1 this city is going through as a learning process.

2 The other thing is the -- let me ask you
3 this, Mr. Andres, in your expert opinion. Every time
4 I walk by a bus stop, nobody is there. And when I
5 catch the bus I'm the only one standing there. So I
6 noticed that we always presented with bus stops. And
7 I need an expert opinion. Is it that is it my
8 timing, because I want you to -- I want everyone to
9 pay attention. When you ride past the bus stop, I
10 don't see many people there.

11 So, and these are being presented to us as
12 transportation mode -- transportation models. Three
13 nearby Metro bus routes. I don't know, maybe I'll
14 ask the Commission in that area. Maybe they all in
15 his area. But in my area, which is a little ways
16 away, most of the bus stops. I mean you might have
17 one or two people standing there, but I'm standing at
18 the bus stop and seeing plenty of cars riding right
19 by me.

20 MR. ANDRES: Uh-huh.

21 CHAIRMAN HOOD: But we offer this up as a --
22 and I'm not picking on you. This is something I just
23 thought about tonight. We offer this up as a
24 mitigation or something why we're not doing
25 something.

1 MR. ANDRES: Uh-huh.

2 CHAIRMAN HOOD: But yet the bus stop is
3 empty.

4 MR. ANDRES: Well, with respect to
5 potentially -- with respect to when you show up at
6 the bus stop, if the headways, for example, are every
7 15 minutes or every 20 minutes, the bus arrives
8 essentially four times an hour. So, you know, in
9 instances where you show up and there's nobody there,
10 it might be within that time -- a time period where a
11 bus just got picked up or just left, or there's
12 essentially -- or the people that would have used the
13 bus might have gotten picked up or dropped off.

14 CHAIRMAN HOOD: Well, Vice Chair Miller has
15 taught me how to use the app, so I don't really wait
16 on the bus long. I'm there a minute before it gets
17 there.

18 MR. ANDRES: Uh-huh.

19 CHAIRMAN HOOD: So I don't necessarily buy
20 that argument, but I appreciate you telling me that
21 so maybe I'll start looking at it a little
22 differently, but that app actually works. So, let me
23 publicly thank you. So I'm only at the bus stop for
24 maybe a couple, two or three minutes. So I'm there
25 when the bus comes, and those apps work well.

1 So I just don't -- I just don't understand --
2 I see it always being offered, and I'm not getting on
3 this applicant. I'm just in general, just happened
4 to think about this in general. I see it all the
5 time but when I go past the bus stop nobody is there.

6 MR. ANDRES: Well, Mr. Hood, essentially when
7 we do our projections one of the first things that we
8 source and the way we do our projections is census
9 data that identifies that within a certain census
10 tract, how many people have admitted to using
11 transit, whether it's taking the bus or metro. So
12 they're all essentially lumped together so that's
13 where we take those credits.

14 CHAIRMAN HOOD: Okay. Let me get back to
15 this case because those are some more general
16 comments.

17 The charging station and the -- the way I
18 look on the diagram, the charging station and the
19 carsharing station is on the residential side. Are
20 the hotel users going to be able to also use that or
21 what's going on with that?

22 Are the guests at the hotel going to be using
23 the car sharing?

24 MR. ANDRES: If the space is available, then
25 yes, they would be able to use the electric cars at

1 our charging station. The --

2 CHAIRMAN HOOD: But I mean, the carsharing,
3 the two carsharing cars --

4 MR. ANDRES: Oh, the -- yes. Oh, well
5 there's two items here. There's the car charging and
6 then there's the car sharing.

7 CHAIRMAN HOOD: Right. And the car charging
8 is in the middle the way the diagram shows it, and
9 then you've got the car sharing on the ends, right?

10 MR. ANDRES: No, I believe the --

11 CHAIRMAN HOOD: Did I look at that wrong?

12 MR. ANDRES: Yes, that is correct. I'm
13 sorry.

14 CHAIRMAN HOOD: Okay. I know my glasses
15 sometimes are a little dirty but I thought I --

16 MR. ANDRES: It's my eyes that I'm concerned
17 about.

18 CHAIRMAN HOOD: Okay. So, I understand about
19 the car charging. I mean, that's cool. But I was
20 just wondering because it seems to be in the diagram
21 on the residential side, I believe, and will the
22 hotel patrons be able to use the car sharing also?

23 MR. ANDRES: Well, that space will be open.
24 So essentially the -- so, the hotel patrons and the
25 residences can use that car sharing space. And

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1 essentially anybody in the community can.

2 CHAIRMAN HOOD: Oh, okay. So it's open.

3 MR. ANDRES: Because it is open. And
4 depending on what app you use and the car sharing
5 company.

6 CHAIRMAN HOOD: Okay. I actually like the
7 design of this building, both of them, the hotel and
8 residential the way it conforms. I know my
9 colleagues have mentioned some other things they'd
10 like to see worked on. But I actually like the
11 design of the building.

12 I do know that the ANC -- this is in ANC 5D,
13 right?

14 MR. FREEMAN: Yes, Chairman.

15 CHAIRMAN HOOD: But I know this is six -- is
16 it 6D? Had some issues and I understand working with
17 the Office of Planning, they still -- they're still
18 working through those, some of those issues that 6D
19 had.

20 MR. FREEMAN: So the 5D had some questions
21 and comments and their letter is in the record.

22 CHAIRMAN HOOD: Right. I read their letter.

23 MR. FREEMAN: And then they kind of
24 delegated.

25 CHAIRMAN HOOD: The single-member district --

1 MR. FREEMAN: Said, continue to work with the
2 SMD Commissioner.

3 CHAIRMAN HOOD: Right.

4 MR. FREEMAN: And we have that letter in the
5 record as Exhibit 37. And that letter says -- talks
6 about some of the updates we made with respect to
7 architecture, and says based on these updates I'm
8 satisfied that the applicant adequately addressed the
9 ANC's concerns. So that's from 5 --

10 CHAIRMAN HOOD: Right. I realize 5D's
11 position.

12 MR. FREEMAN: -- D. But we haven't gotten
13 anything else from 5C, sir.

14 CHAIRMAN HOOD: 6C.

15 MR. FREEMAN: 6C.

16 CHAIRMAN HOOD: 6C. So, 6C is -- but this is
17 in ANC, and I know what -- well, we're under the old
18 rules in this. But the 6C, 6C is across the street,
19 correct?

20 MR. FREEMAN: Yes, sir.

21 CHAIRMAN HOOD: Okay. So the project is in
22 5D.

23 MR. FREEMAN: Yes, sir.

24 CHAIRMAN HOOD: All right. I think that's
25 really all I had. The parking. I interrupted

1 Commissioner May enough on parking and I don't want
2 to get back on the RPP. I'm not going to do that
3 because we'll be here the rest of the evening.

4 MR. ANDRES: Chairman Hood, I do want to say
5 as we were speaking I did check to see if the site is
6 RPP eligible, and it is not. I just wanted to --

7 CHAIRMAN HOOD: I could have -- I would have
8 told you that earlier, because I already knew it, but
9 I just figured it's better coming from you all so
10 thank you for getting that. Commissioner May is not,
11 which I think we are --

12 MR. MAY: I --

13 CHAIRMAN HOOD: I kind of figured that.

14 MR. MAY: I knew it wasn't either, but you
15 know, it's always best to have it in the record.

16 CHAIRMAN HOOD: Okay. All right. Any other
17 questions up here? I don't have any at this time.

18 Okay. Do we have anyone from ANC 5D here to
19 cross-examine? Do we have somebody from 5D? No, I
20 mean here. I know we have some from 6C. Now I'm
21 trying to remember. You know, I'm still learning the
22 new rules. Are these -- what rules are we under?
23 What rules? This is '58. So --

24 MS. SCHELLIN: The relief is under '58 but
25 procedurally we're under ZR-16.

1 CHAIRMAN HOOD: Okay. So they can come up
2 and cross-examine too under the new rules, 6C.

3 MS. SCHELLIN: Yes, they are considered an
4 automatic party.

5 CHAIRMAN HOOD: All right. I'm going to ask
6 Commissioner Goodman -- I was going to bring him up
7 anyway, but if he had any cross-examination.

8 MR. GOODMAN: [Speaking off mic.]

9 CHAIRMAN HOOD: Okay, let the record reflect,
10 not at this time.

11 Let's go to the Office of Planning's report
12 and District Department of Transportation.

13 MR. JESICK: Thank you, Mr. Chairman and
14 Members of the Commission. My name is Matt Jesick.
15 The Office of Planning is generally supportive of the
16 project and feels that the design as I mentioned
17 earlier has greatly improved since set down. We also
18 note that the proposed height and density are in line
19 with the maximums envisioned by the Florida Avenue
20 Small Area Plan.

21 We support the general use mix of the
22 project. One new item we did hear today about the
23 use mix is that there could be a bar on the hotel
24 roof. If that is the case the applicant would need
25 to request approval for that use. But in general we

1 do support the use mix.

2 Another positive aspect of the project that
3 we mentioned earlier was the IZ mix and we strongly
4 support that, especially the family size units. We
5 agree with some of the Commission's comments
6 regarding the location of those units, and that
7 should be examined a little bit further.

8 We also appreciate the detailing that has
9 gone into some of the proposed brick freezes and
10 other details. I believe that may have been in
11 response to some community input as well, but we
12 agree again with the Commission that that should be
13 shown in more detail and the exact design should be
14 shown in the plans.

15 Now, we did mention in our written report
16 some items where we had some concern, maybe needed
17 some clarification or the items needed refinement,
18 and we've gotten a little bit more information this
19 evening about some of those things. And the other
20 day the applicant did file to the record, response to
21 our comments. We haven't had very much time to
22 review that but just at first glance some of the
23 items kind of raise additional questions or maybe
24 even represent steps, we feel, in the wrong
25 direction.

1 Just to highlight a few examples we viewed
2 the art gallery and the start-up office space as two
3 of the stronger amenities for the project. And we
4 feel the concept for the hotel is very cool and would
5 be a great fit for this neighborhood.

6 But we thought that having a separate gallery
7 space was really a strong amenity. And of course as
8 the Commission noted the latest design eliminates the
9 gallery all together. And you know, has some art
10 that could be located on the lobby walls in the
11 residence and the hotel. But OP would not view that
12 as an amenity item.

13 Similarly, we felt that the start-up office
14 space could be a really great asset for the
15 community. In fact, the wording proffered in the
16 October 7th submission made it sound like a real
17 legitimate office space. The most recent submission
18 the other day made it sound like more of a nebulous
19 space in the lobby. Again, we wouldn't consider that
20 an amenity item.

21 We're very pleased that the applicant this
22 evening has raised their commitment to District jobs.
23 We feel that is a huge plus for the project. One
24 other concern, though, that we had was the -- some of
25 the details of the floorplans, which may be lacking.

1 Specifically the ground floor. And we had asked the
2 applicant to provide much more detail on how the
3 hotel lobby would be laid out. An important policy
4 goal is to activate the street with the uses inside
5 the hotel. But it's hard to assess that, you know,
6 with no layout.

7 Again, we like the vision of the hotel, but
8 it helps to see it on paper. So, you know, those
9 items, if they were completely flushed out in the
10 plans and in writing and with strong commitments from
11 the applicant, we think that would have gone a long
12 way to meeting the policy guidance for the
13 comprehensive plan and the Florida Avenue Small Area
14 Plan, as well as Office of Planning's Ward 5 Work
15 Study which talks about -- or provides guidance when
16 industrially zoned areas are redeveloped.

17 And in addition, without those items it's not
18 clear that the amount of amenities would be
19 commensurate with the large degree of flexibility
20 proposed with this PUD.

21 I'm just going to turn it over to Mr. Lawson
22 right now to add one or two more items.

23 MR. LAWSON: I was just going to follow up on
24 the parking issue. I think in general Office of
25 Planning is actually not opposed to parking relief on

1 the site. That's because the site that they had
2 originally identified, the Edens property, was
3 actually -- and that, which did go through a PUD was
4 specifically designed to be somewhat vastly
5 overparked. They had intended to provide
6 significantly more parking spaces than were required,
7 and the intent was the other buildings where parking
8 was not as feasible, would utilize those parking
9 spaces through agreements.

10 That, in this case, is what the applicant is
11 to some extent, certainly proposing to do. So I
12 think in concept we're certainly not opposed to the
13 principle, we're certainly also not opposed to the
14 applicant providing additional information regarding
15 why parking at this location would be less feasible
16 than for some of the other properties.

17 We also definitely agree with the comments
18 that that -- the off-site parking should be more
19 defined. We feel that the agreement should be in
20 place for the parking. I think our preference would
21 obviously be that the agreements be, for the life of
22 both buildings, since the parking need doesn't go
23 away and neither do the buildings. I don't know if
24 that's -- if something that kind of longstanding is
25 feasible, but we definitely think that those should

1 be worked out.

2 We're not comfortable with just general
3 guidance that the parking be within a quarter of a
4 mile in this case. That parking, for example, could
5 be located, you know, across Florida Avenue in some
6 other neighborhood all together. We think that the
7 commitment should be to a building a or a small group
8 potentially, of specific buildings that we know
9 through the PUD process have been designed to
10 accommodate these additional parking spaces.

11 So we think that additional definition is
12 needed, but in concept we're not opposed to the
13 parking relief.

14 CHAIRMAN HOOD: Okay. Let's go to DDOT. Mr.
15 Zimmerman.

16 MR. ZIMMERMAN: Thank you, Mr. Chairman and
17 Commissioners. My name is Aaron Zimmerman. I'm with
18 DDOT.

19 So through this development process we've
20 worked very closely with the applicant on a number of
21 issues that we raised through the development
22 process, and the applicant has agreed to all the
23 issues -- to resolving all the issues that we raised.
24 One of which was the loading berth, adding a second
25 loading berth so that there would be one for each

1 component of the building, one for residential, one
2 for the hotel. They've also agreed to remove the
3 laybys on 4th Street and 5th Street Northeast.
4 They've committed to a robust TDM package that
5 includes the construction and funding of maintenance
6 and operations of a Bikeshare station, as well as by
7 our count, 54 secure long-term bicycle parking
8 spaces. They've also agreed to upgrade the curb
9 ramps and cross-walks up at 4th Street and 5th -- on
10 4th Street and 5th Street Northeast at Morse, which
11 is a block north of the site. And that's to provide
12 a safe and comfortable walk to the parking garage,
13 parking spaces.

14 So with that we have no objection to the
15 approval of this planned unit development and map
16 amendment.

17 CHAIRMAN HOOD: Okay. We want to thank both
18 the Office of Planning and DDOT. Let's see if we
19 have any questions or comments, follow up. Mr.
20 Turnbull.

21 MR. TURNBULL: Oh, thank you, Mr. Chair. I
22 guess my only comment is sort of getting back to the
23 parking issue and I really appreciate Mr. Lawson's
24 explanation of the Eden aspect.

25 And I guess the only thing is that, and when

1 we're in a forum like this, it would -- I think it's
2 helpful for the Zoning Commission to maybe have that,
3 some of that information somehow ahead of time, or to
4 whether the applicant is providing it or the Office
5 of Planning or Department of Transportation is
6 putting that in. I think those kinds of issues about
7 looking at a previous PUD and giving those factors, I
8 think, help us as we go forward.

9 So I think the additional information, I
10 think the -- still asking the applicant to go through
11 the motions of doing that I think is worthwhile. But
12 I think your information is -- I think it's one of
13 the necessary aspects that we need to help us
14 understand how they reached where they are. But
15 thank you.

16 MR. LAWSON: So noted. Thank you.

17 CHAIRMAN HOOD: Any other questions or
18 comments?

19 Okay. Does the applicant have any cross of
20 either -- well, cross of either Office of Planning or
21 DDOT?

22 MR. FREEMAN: No, Mr. Chairman.

23 CHAIRMAN HOOD: Okay. Does the ANC? Any
24 cross? Okay. Vice Chair.

25 MR. MILLER: Sorry, Mr. Chairman. I meant to

1 speak up. I had one question for Office of Planning.
2 So, Mr. Jesick, you identified a number of -- the
3 still outstanding issues. Are you saying that the
4 Office of Planning still cannot recommend approval
5 without the resolution of those issues? That's what
6 the written report indicates.

7 MR. JESICK: That's correct, yes. We cannot
8 make a recommendation at this time.

9 MR. MILLER: So we're going to need, Mr.
10 Chairman, obviously a response from the applicant and
11 then a further response from Office of Planning as to
12 whether -- what their final recommendation is.

13 CHAIRMAN HOOD: Okay. Thank you. I'm glad
14 you cleared that up because I thought all that had
15 been -- well, I knew there was a few still
16 outstanding issues, but I thought most of it had been
17 cleared up. So that's a good point. Thank you. I
18 missed that.

19 Did we have any other government reports that
20 I may have missed?

21 Okay. Let's go to the ANC. In this case we
22 have the report. Let me read the report first, which
23 ANC that it's in. Okay. I'm going to read the full
24 report. I'm not going to read the single-member
25 district, even though the ANC in their letter as

1 already been stated has given the SMD Commissioner
2 the authority to continue to work. Did they take a
3 vote? The Commission voted six, zero, zero to
4 support this project. Yeah, so they do -- they did
5 support the project, right, Mr. Freeman? So they
6 took the position to support the project.

7 MR. FREEMAN: Yes, sir.

8 CHAIRMAN HOOD: Okay. So I wanted to make
9 sure I read that.

10 And then they also asked should the single-
11 member district person continue to work through. And
12 then obviously you all must have worked through some
13 things. I think her letter is pretty supportive
14 also.

15 MR. FREEMAN: Yes, sir.

16 CHAIRMAN HOOD: Okay. All right. Let's go
17 to ANC 6C and let them present their report.

18 He only needs one seat. It's kind of like at
19 the bus stop. Everybody don't have to move because
20 in this case -- maybe it's just the bus stops I go
21 to. Nobody wants to stand there with me.

22 MR. GOODMAN: I've got extra copies of those
23 too. I've got plenty.

24 CHAIRMAN HOOD: Commissioner, you may begin.

25 MR. GOODMAN: Oh, thank you.

1 So, thank you Chairman Hood, Members of the
2 Zoning Commission. I'm Tony Goodman. I am the ANC
3 Commissioner for 6C-06, directly across the street,
4 authorized by ANC 6C to speak on our behalf.

5 In our neighborhood we've seen a massive
6 number of projects in the past decade. Within just
7 my single-member district there are 2,500 apartments
8 under construction right now, and additional
9 thousands that are within a block of the boundaries
10 of 6C-06. We have a great deal of experience in
11 reviewing development proposals.

12 This proposed project is by far the worst one
13 we've ever seen. We've had disagreements with other
14 developers on specific items, we've occasionally very
15 rarely opposed a project, I can only think of one.
16 But 400 Florida would perhaps be opposed even as a
17 by-right project, we would probably want to weigh in,
18 let alone as a PUD seeking a 5.0 FAR increase.

19 Office of Planning shared many similar
20 concerns, but I want to highlight just a few
21 particular areas. Ground floor activation, this sits
22 on three very prominent streets. I'm very pleased
23 that they've added retail to the intersection of 5th
24 Street and the alley, and that there's better retail
25 in Florida. But I want to make sure that there is an

1 active street presence in perpetuity.

2 The hotel sounds excellent. But tenants come
3 and go and I don't want a blank wall, you know,
4 blinds closed, locked doors if the hotel ever leaves.
5 You know, while the hotel is there it sounds great,
6 but I want to make sure that the doors remain active,
7 the windows remain open, just like we have on H
8 Street Northeast where, you know, the facades have to
9 be visible in 15 feet, 50 percent of the façade.

10 For transportation, in general ANC 6C has
11 supported variances for reducing or eliminating
12 parking at other nearby apartment buildings. 1005
13 North Cap and 301 Florida, and a hotel, 33 New York.
14 Those sites were much smaller. They were awkwardly
15 shaped. They didn't have alley access.

16 We don't necessarily mean to say that, you
17 know, they have to put in parking, but if there's not
18 parking then we want to make sure that there is
19 convenient space for a valet, ideally in the alley,
20 not laybys and that the bicycle parking be improved
21 even more. I mean, think that this level of parking
22 is good but it's similar to what we see in many of
23 the by-right projects in NoMa.

24 And in particular BZA Case 18890, but small
25 bicycle alcoves on every floor of the residential

1 building on H Street Northeast which, you know, I
2 think is -- was a great approach.

3 For the design, we're very disappointed that
4 there is an original market structure at the corner
5 of 5th and Florida that's proposed to be raised as
6 part of this. It's right outside the proposed
7 boundaries of the historic district, but it is an
8 attractive building. It's exactly the same as the
9 ones that are in the historic district just built one
10 year later. And we'd love to see that façade
11 preserved, you know, and then the building even maybe
12 stepped back a bit to accentuate that.

13 You know, directly to the north of this is
14 proposed historic designation for the whole row
15 between 4th and 5th along Morris. And so it's a
16 very, very big jump in height from this project to
17 that proposed historic row. And we're not saying the
18 whole building has to be lower or anything like that,
19 but a little more articulation and especially when
20 you're on 5th Street and 4th Street and looking down
21 from Morris, how it corresponds and how it relates to
22 those low-rise buildings which are likely to remain
23 low-rise is very important.

24 You know, and a couple other projects that
25 are nearby PUDs that are preserving facades, but

1 still have full height, don't have any step -- you
2 know, set down, you know, step backs and I think are
3 still very attractive are Zoning Case 1407 and 1412,
4 which were 1250 4th Street and 1309 5th Street.
5 Just, you know, one of those is just the one that
6 they're proposing to park in, is keeping the façade
7 of the lower case H historic building that's there,
8 which I think is really important to preserving the
9 character of the neighborhood.

10 And 1250 4th Street is doing it for their
11 entire façade. In this case there's only one, you
12 know, nice building and it's just the corner of 5th
13 and Florida. The rest of the site was a smaller ugly
14 commercial building and then a former gas station.

15 For the amenities I think it -- you know, we
16 think that it's meager for the amount of FAR that
17 they're asking for here. And especially in
18 comparison to other recently approved PUDs.

19 1407, the 1250 4th Street, they are extending
20 Neal Place. 320 Florida Avenue, which is, you know,
21 just less than half a block away, they're spending
22 half a million dollars to take a piece of District
23 owned land, adjacent, and turn it into a public
24 plaza.

25 In general our ANC supports PUD amenities

1 that provide a great benefit to the immediate
2 neighbors and to the residents themselves. So if
3 they don't have other ideas, one suggestion that we
4 have is two blocks away there is a large District
5 owned parcel that KIP built a high school on almost
6 all of it. But the very southernmost 10,000 square
7 feet closest to this site, they actually did not turn
8 into a new field and it's just a weedy 10,000 square
9 foot mess. We think that would be a wonderful place
10 for them to either donate money to KIP, or to do the
11 work themselves to turn that into a playground or a
12 dog park or a bouldering park, or some sort of thing
13 that should serve the residents of this building and
14 serve the neighborhood as a whole.

15 So we're very pleased that the applicant has
16 continued to make positive changes, and I think that
17 the most recent changes are positive. But you know,
18 similar to Office of Planning we still cannot support
19 the proposal this time, but we are hopeful that a
20 future iteration will gain our support.

21 So, thank you very much.

22 CHAIRMAN HOOD: Okay. Thank you.
23 Commissioners, let's see if we have any questions or
24 comments. Anybody?

25 MR. MAY: I have a question. You might know

1 the better answer to the Chairman's question about
2 the accessibility of the Metropolitan Branch Trail.

3 MR. GOODMAN: Yes. Thank you for asking.
4 The Metropolitan Branch Trail is not very easy to
5 access from here. But there are improvements in the
6 works. 4th Street Northeast is proposed to have a
7 cycle track on the west side of the street which will
8 connect to an extension of the M Street cycle track
9 Northeast, which will take you right to the Met
10 Branch Trail.

11 Also, this trail will go up 4th, make a jog
12 on Morris, hopefully, if all goes well, DDOT's
13 working on it. And then get up to New York Avenue
14 and, you know, provide another really fantastic
15 bicycle connection through the city.

16 There are also plans for Florida Avenue to
17 have bike lanes, hopefully buffered. We'll see. But
18 it's not terribly great right now, but you know, I'm
19 hoping that you know, even before this project breaks
20 ground that it will be much better.

21 As for buses in the neighborhood, the buses
22 along Florida Avenue are some of the busiest in the
23 city. That's the 90 Series. So the 90, 92, 93, and
24 the -- also the X3. So during rush hour there's a
25 bus every couple minutes. And even so, this is one

1 of the spaces, Chairman, in the city that you will
2 see people waiting for a bus in the mornings, despite
3 the fact that there's a bus every two minutes.

4 There's still going to be people waiting.

5 So I think as far as transportation access
6 goes, it could be a better walk to the Metro, but you
7 know, we've got zoning case, was it -- yeah, Central
8 Armiture (phonetic) Works at -- what's that, 15 dash
9 -- no, it's 16-09. Yup. So it's 16-09 will have a
10 Metro entrance. Hopefully that will be much closer
11 to the site than it is currently. So it's not the
12 best walk now but people do it a lot. We're not
13 opposed to having no parking. We just think that it
14 needs to be better thought out how people get here
15 who you know, who do need a car. So such as a
16 queuing area, making sure that any parking spots that
17 they're leasing that those are for longer than 10
18 years. And then additional, you know, bicycle
19 improvements that -- you know, because 48 spots is
20 good but it's not, you know, it's not any better than
21 what we see in the by-right projects for such a
22 bicycle friendly neighborhood.

23 CHAIRMAN HOOD: Okay. Thank you. Any other
24 comments, Commissioner Turnbull?

25 MR. TURNBULL: Yeah, Thank you, Commissioner

1 for coming tonight. One of your concerns is about
2 the amenities compared to look -- as you look at the
3 relief that's being requested. And maybe just have
4 OP weigh in.

5 As I look at it, C-M-1 has a matter-of-right
6 height of 40 feet and an FAR of 3. I'm looking at
7 the old regs. Is that correct?

8 MR. JESICK: That's correct.

9 MR. TURNBULL: And so now we're looking at
10 115 feet with an FAR of eight. 150. Well, it's
11 either 150, 120. So now we're getting an FAR of
12 eight.

13 MR. JESICK: That's correct and I should
14 point out also -- I'm sure the Commission has heard
15 this before, but the Florida Avenue Small Area Plan
16 says you can get that maximum height but only with,
17 quote, significant amenities.

18 MR. TURNBULL: Right.

19 MR. JESICK: So, we expect even more than a
20 formal --

21 MR. TURNBULL: What we're seeing.

22 MR. JESICK: Right.

23 MR. TURNBULL: Okay. So thank you,
24 Commissioner Goodman for pointing it -- it is a
25 significant increase, so, yeah, we'll -- I'll have to

1 ask the applicant to take another look at benefits
2 and proffers here.

3 MR. GOODMAN: Can I point out that we're okay
4 with you know, maximizing density, but we want to
5 make sure that we maximize benefits.

6 MR. TURNBULL: Understood.

7 CHAIRMAN HOOD: Okay. Any other questions or
8 comments?

9 MR. TURNBULL: Okay. Does the applicant have
10 any cross of Commissioner Goodman?

11 MR. FREEMAN: No cross. No, sir.

12 CHAIRMAN HOOD: Okay. All right. Well thank
13 you very much and we appreciate all the work you do.

14 MR. FREEMAN: Thank you.

15 CHAIRMAN HOOD: All right. Do we have any
16 organizations or persons -- did anybody sign up on
17 the kiosk, Ms. Schellin?

18 MS. SCHELLIN: No.

19 CHAIRMAN HOOD: Oh, okay. How long have we
20 had that kiosk? I think we've only used it twice.

21 MR. MAY: But it's a brilliant idea. It's
22 going to work great. I'm so excited about it.

23 MS. SCHELLIN: It will when we have the
24 soccer stadium case.

25 CHAIRMAN HOOD: Oh, but I would like to get

1 some practice before that. But anyway, so I'll be
2 rusty that night.

3 So anyway, do we have any organizations or
4 persons who are here in support? Any organizations
5 or persons who are here in opposition?

6 Mr. Freeman, you have any rebuttal or
7 closing?

8 MR. FREEMAN: I don't -- we obviously
9 disagree with much of what Commissioner Goodman just
10 stated. We'll put that in writing. I don't want to
11 go through that now. So, no, we don't have any
12 rebuttal worth going through now. We are happy to
13 submit in a post-hearing submission responding to all
14 of the issues that the Zoning Commission raised
15 tonight, parking, why it's practically difficult, the
16 substantial cost associated with it, and all of the
17 other issues that you raised.

18 So, thank you for your time tonight and we
19 look forward to next steps as quickly as possible.
20 Thank you.

21 CHAIRMAN HOOD: Do me a favor. Instead of
22 just saying you disagree with Commissioner Goodman, I
23 can disagree with a whole lot of people down here.
24 Especially the ones that sit up here with me
25 sometimes.

1 MR. FREEMAN: Yeah.

2 CHAIRMAN HOOD: But try to work it out. And
3 I'm not saying change the project, I'm not saying do
4 away with it or anything. But continue to have that
5 discussion because --

6 MR. FREEMAN: I will continue.

7 CHAIRMAN HOOD: -- at the end of the day Mr.
8 Goodman and that community are going to be the ones
9 that's going to be there to look at it.

10 MR. FREEMAN: We've worked on a number of
11 projects with Commissioner Goodman, so --

12 CHAIRMAN HOOD: Okay. So we're going to
13 continue. We're not going to just say, we disagree
14 with them. We're going to work with him.

15 MR. FREEMAN: Yes, sir.

16 CHAIRMAN HOOD: Okay.

17 MR. FREEMAN: Some of the things that he
18 noted we can absolutely do. For example, increasing
19 bike parking.

20 CHAIRMAN HOOD: But no, I want you all to --
21 well, that's the first one that you know, you could
22 let them. But anyway, but I'm just saying, you know,
23 I'm just saying instead of just saying disagree with
24 him, let's work with him. That's all.

25 MR. FREEMAN: Absolutely.

1 CHAIRMAN HOOD: That's all I'm saying.

2 MR. MAY: I think you also have a good bit of
3 work to do with the Office of Planning as well
4 because we do want to have their follow-up report
5 with the recommendation in favor, so.

6 MR. FREEMAN: Oh, absolutely. Absolutely.
7 And we also want to make it clear to Mr. Jesick's
8 point that we will put in our submission, the
9 standard to have a bar. So go through the special
10 exception provisions in our post-hearing submission
11 for the bar on the roof of the hotel. So that will
12 be part of our special -- our post-hearing submission
13 for you to review as well.

14 MR. TURNBULL: That should -- you're
15 providing a lot of extra drawings and blow-ups and
16 that --

17 MR. FREEMAN: We have a lot.

18 MR. TURNBULL: -- on the roof, so --

19 MR. FREEMAN: Yes, sir.

20 MR. TURNBULL: -- the bar should -- will be
21 included.

22 MR. FREEMAN: Yes, sir.

23 MR. TURNBULL: Okay.

24 CHAIRMAN HOOD: Okay. Do we need anything
25 else up here?

1 MS. SCHELLIN: Dates.

2 CHAIRMAN HOOD: Do we need to go down the
3 list, some dates and everything.

4 MS. SCHELLIN: You kept good notes.

5 MR. FREEMAN: Yes, I have good notes.

6 MS. SCHELLIN: And you have the hearing.
7 Okay. So we don't need to go down the list.

8 So how much time do you think you need to
9 provide all of that?

10 MR. FREEMAN: So we need at least three weeks
11 to get it all together.

12 MS. SCHELLIN: Okay.

13 MR. FREEMAN: Yeah, so at least three,
14 because we have internal work, we have work with OP.

15 MS. SCHELLIN: Okay. Is three weeks going to
16 be enough because that will put you on for the
17 December meeting? If not, then we'll move to
18 January.

19 MR. FREEMAN: Yes.

20 MS. SCHELLIN: Okay. So three weeks will be
21 enough. So then that would mean that we would need
22 your submissions by 3:00 p.m. on, we'll just make it
23 the Friday, the 18th of November. 11/18. And then,
24 and if we could have any responses from the two ANCs,
25 OP, DDOT, by 3:00 p.m. on 11/28. And I need draft

1 findings of facts, conclusions of law also by the
2 28th of November. And then we can put it on for the
3 December 12th meeting.

4 MR. FREEMAN: Thank you.

5 CHAIRMAN HOOD: Okay. Do we have everything?
6 Are we all on the same page?

7 All right then. We have anything else, Ms.
8 Schellin?

9 MS. SCHELLIN: No.

10 CHAIRMAN HOOD: I want to thank everyone for
11 their participation tonight and this hearing is
12 adjourned.

13 MR. FREEMAN: Thanks.

14 [Hearing adjourned at 8:43 p.m.]

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