

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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SPECIAL MEETING

+ + + + +

MONDAY

MAY 20, 2019

+ + + + +

The Special Meeting of the District of Columbia Zoning Commission convened in the Jerrily R. Kress Memorial Hearing Room, Room 220 South, 441 4th Street, N.W., Washington, D.C., 20001, pursuant to notice, at 5:30 p.m., Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairman
ROBERT MILLER, Vice Chairman
MICHAEL G. TURNBULL, FAIA, Commissioner (AOC)
PETER G. MAY, Commissioner (NPS)
PETER SHAPIRO, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director, Development
Review & Historic Preservation
JOEL LAWSON
STEPHEN COCHRAN

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

JACOB RITTING, ESQ.

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The transcript constitutes the minutes from the Special meeting held on May 20, 2019.

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

(5:34 p.m.)

1
2
3 CHAIRMAN HOOD: This Special Public Meeting would
4 please come to order. Good evening, ladies and gentlemen.
5 This is a Special Public Meeting of the Zoning Commission for
6 the District of Columbia. My name is Anthony Hood. Joining
7 me are Vice Chair Miller, Commissioner Shapiro, Commissioner
8 May and Commissioner Turnbull.

9 We're also joined by the Office of Zoning Staff,
10 Ms. Sharon Schellin, Office of the Attorney General Staff,
11 Mr. Ritting. Also the Office of Planning, Ms. Steingasser,
12 Mr. Lawson and Mr. Cochran.

13 Copies of today's Special Meeting Agenda are
14 available to you and are located in the bin near the door.
15 We do not take any public testimony in our Special Public
16 Meetings unless the Commissioner requests someone to come
17 forward. Please be advised that these proceedings are being
18 recorded by a court reporter and is also webcast live.

19 Accordingly, we must ask that you refrain any
20 disruptive noise or actions in the hearing room including
21 signs or any objects. Please turn off all electronic
22 devices. Does the Staff have any preliminary matters?

23 MS. SCHELLIN: No, sir.

24 CHAIRMAN HOOD: Okay --

25 MS. SCHELLIN: Well, other than, I'm sorry. I

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1 should have advised that DDOT requested the record to be re-
2 opened to accept the supplemental report, which was approved
3 by the Chairman, and that report is in the record now.

4 CHAIRMAN HOOD: Okay. Thank you, Ms. Schellin.
5 All right, Commissioners, we had asked for a few things and
6 it's already stated DDOT had submitted something, I think
7 last week, a supplemental report in this case and there were
8 a number of items that we have particularly asked for and
9 things that we were looking at.

10 We talked, I guess, traffic litigation measures
11 in the report by DDOT, some responses from LRCA, Lamond-Riggs
12 Citizen Association, as well as conditions from LRCA, and
13 there were some issues of the revised design.

14 I would like to proceed in the manner in which,
15 I guess, I just spoke of, which has been laid out. Let's
16 talk first about the traffic mitigations mentioned in the
17 DDOT report.

18 And I would first like to go to the, let me just
19 say, I don't know if, Mr. Cochran, if you can speak, if we
20 have any questions through these deliberations for DDOT, are
21 those questions we may have to pose for them if we have some
22 follow-up to some of their comments and some of the responses
23 that we've received?

24 MR. COCHRAN: We can certainly convey anything you
25 ask to DDOT. I don't feel competent to actually respond from

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1 a transportation standpoint.

2 CHAIRMAN HOOD: Okay. I think moving forward, we
3 will probably, I will ask the office, we will probably, in
4 cases like this, especially where DDOT submits a report of
5 this nature that we would ask that someone from DDOT attend
6 the Special Public Meetings, I believe, at least from,
7 probably be here for the hearing.

8 But I think it's important so we can, some of
9 these things we might be able to work through this evening,
10 and if not, we will hold off as well anyway. I think we
11 still have some outstanding issues.

12 So let's open it up first, Colleagues, if you'd
13 like to proceed in that order. Let me ask this first. Does
14 anybody have any other opening comments? Okay. I think this
15 whole issue about the traffic light, I am not necessarily on
16 the same page with DDOT about a traffic light if it's found
17 out it's not needed.

18 As I was reading the materials, and I want to talk
19 about the traffic light first. As I was reading the
20 materials, and I know that there was some issues about
21 parking for the neighborhood library.

22 We're looking at mitigations. And yes, there's
23 some, definitely some impacts and we need to make sure that
24 they point it out. That's the reality of it. There are some
25 impacts, but we need to make sure that they are pointed out.

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1 But I do like LRCA's recommendation about trying
2 to relieve some of the parking in that neighborhood, even
3 though I know they're not obligated for certain things. But
4 I think it would be very beneficial and that would offset
5 some of the other issues that are in the community.

6 But anyway let's open up and let's talk about this
7 whole issue about the traffic light.

8 Any other comments or questions? Somebody have
9 any other ideas? So everybody just agrees with Anthony Hood.
10 Okay. That's good. We can move to the next issue then.
11 Commissioner Shapiro?

12 COMMISSIONER SHAPIRO: Mr. Chairman, sorry, I just
13 stepped away. I just wanted to make sure I understood where
14 you are in this. The issue is if the traffic light isn't
15 warranted, then is that \$250,000 or so being programmed for
16 something else? Is that --

17 CHAIRMAN HOOD: Yes, that's kind of where I am.
18 I don't have the answer. I do know that this project is
19 going to cause some adverse impacts. That's the reality of
20 it.

21 It's just, and there are some other impacts around
22 this, especially on South Dakota Avenue. I asked about the
23 queuing, and I understand that the queuing was not an issue,
24 because I asked that at the hearing. But I believe that the
25 impacts are there, and I think that that can be worked out

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1 between the applicant as well as LRCA. And I know that
2 the -- I don't think, at least the way I read it, I don't
3 think the applicant was that high on trying to handle that.
4 Let me, hold on a second.

5 I am made aware of the proposal that DDOT, I think
6 I did remember reviewing that, that DDOT did propose, I don't
7 even know if I agree with that. I always like to leave it
8 up to the community and the applicant. Because those are the
9 ones who are impacted. So that's where I am. Any other
10 comments on that?

11 COMMISSIONER TURNBULL: I just want to clarify.
12 I thought that the report was looking for a study to see if
13 a signal was indicated. Not necessarily saying you have to
14 have a -- they're saying that you should do a study for us
15 to see if it was needed or not.

16 CHAIRMAN HOOD: And if the study, well DDOT, I
17 think, wanted, hold on. Let me, I'm going off the top of my
18 head which may be dangerous. I know that whether it was
19 needed or not, DDOT wanted either the funding or the traffic
20 light. And I may be mischaracterizing that --

21 COMMISSIONER TURNBULL: Yes, they wanted the
22 funding for the study, and the applicant doesn't want to even
23 do the study. As I understood it.

24 CHAIRMAN HOOD: No, no, I don't think that was it.

25 COMMISSIONER TURNBULL: They want to do the,

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1 they'll do the study?

2 CHAIRMAN HOOD: Can somebody point us to it right
3 quick?

4 (Simultaneous speaking)

5 COMMISSIONER SHAPIRO: If I'm reading the right
6 thing, it says if traffic signal, if I haven't misread it.
7 Is this what you're referring to?

8 It says, if the traffic signal on South Dakota
9 Avenue and Ingraham Street is not found to be warranted at
10 full build-out, DDOT wants the applicant to commit to funding
11 the signal if a warrant study supports the construction of
12 a full traffic signal in the first two years after full
13 build-out.

14 CHAIRMAN HOOD: What page are you reading from?
15 (Simultaneous speaking)

16 COMMISSIONER MAY: Exhibit 50 is the last thing
17 we got from --

18 CHAIRMAN HOOD: Oh --

19 COMMISSIONER SHAPIRO: As I'm reading that
20 sentence, I'm not quite sure I understand it.

21 COMMISSIONER MAY: As I understood it, it meant
22 that they would -- the study would be done and if it was, if
23 the traffic signal was warranted, then it would be built.
24 But if it was not warranted at that time, and a later study
25 within two years said that it is warranted, then they would

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1 be responsible for doing it then. So it's an after the fact
2 obligation.

3 CHAIRMAN HOOD: So I guess the way it's reading is
4 that if it's not warranted at first and after we have a
5 history, and I'm looking at you, Mr. Tummonds, to shake your
6 head up or down, as long as, once we get the track record or
7 we get some experience behind this situation and if it's
8 warranted, then they want you to come back and pay for it.

9 Could you come up -- I'm going to ask that you
10 come up and explain to us.

11 COMMISSIONER SHAPIRO: How would we enforce that?
12 I'm not sure.

13 CHAIRMAN HOOD: I want to make sure, I want to make
14 sure we have it right. Because the way it reads is --

15 MR. TUMMONDS: Again, Paul Tummonds, on behalf of
16 Goulston & Storrs, on behalf of the applicant. So during the
17 hearing, I think there was a discussion of the signal. Both
18 the applicant, LRCA said, we want the signal. We think the
19 signal makes sense. We will do the analysis, pay for the
20 analysis, and then if we meet the traffic warrants, we'll pay
21 for the installation of the signal.

22 I believe that what DDOT was saying at that time
23 was, you should, if in fact that signal is not warranted, you
24 should give us the \$250,000, and we'll use it for mitigation
25 measures.

1 The document that came in the record today didn't
2 quite put it in that way, but it seems to be, maybe, they put
3 a little more information detail behind it. And so they came
4 up with this idea of the, okay, this is where the traffic
5 mitigation is. We'll look at it two years down the road.

6 This was, we had not heard that before until we
7 saw it in the record today. I'm assuming, I think you got
8 it right. I'm assuming that's what they mean.

9 CHAIRMAN HOOD: Okay. All right. Thank you Mr.
10 Tummonds. We're going to put this in the parking lot, I
11 believe. But let me hear other comments.

12 VICE CHAIR MILLER: Before we put it in the
13 parking lot, so how would that be? If we were to agree with
14 that, which I think I'm inclined to agree with, their
15 recommendation, how would we make it enforceable in this
16 zoning order?

17 Is there a later phase of this project that it
18 could, that this zoning order could tie that requirement to?

19 MR. TUMMONDS: I think yes. I mean, in this order
20 and in the draft order, we talked about timing for the
21 development of Box C and D. So I think, yes, that would
22 absolutely make sense. We could tie it to one of those.

23 VICE CHAIR MILLER: Okay. Thank you.

24 MR. RITTING: I just request that if we're going
25 to do that, that we have a little bit of a time to deliberate

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1 on what those conditions say before we move forward with
2 this.

3 COMMISSIONER MAY: I'm not, given that they're
4 talking about something that would be required in the future,
5 I think that's unusual for an order. We want to have stuff
6 delivered, you know, with the project.

7 The requirement to do it after the fact, I think,
8 is more logically tied to subsequent phases. So I think that
9 having a language in there simply saying that this is a
10 matter that will be taken up, and if warranted in a future
11 phase, the applicant has pledged to take care of it, or
12 something like that. Just to note that it's something that
13 it will deal with at a later phase.

14 I just don't feel like we can, you know, I mean,
15 what if the, you know, the next phase doesn't come for, you
16 know, four years and what do we have, other than pointing to
17 the order. I mean, there's no real way to enforce it.

18 You know, we don't have zoning penalties that we
19 can go out and fine people for. So I mean I'd rather it be
20 tied to a future action of the Zoning Commission.

21 CHAIRMAN HOOD: Okay. Again, I think for me to
22 continue to deliberate on that one particular issue, I need
23 to really understand exactly where DDOT is. I know we kind
24 of think that's where they are, but we would probably, we
25 probably would have to have another, a limited scope, well,

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1 not limited scope, a special public meeting for about 15
2 minutes once they narrow that down.

3 That's just kind of, I'm throwing that out there.
4 Any other comments on this issue? Because I'd rather for it
5 to be clarified first and then we'll get to all the other
6 nuances that go along with it.

7 COMMISSIONER SHAPIRO: That sounds good.

8 CHAIRMAN HOOD: Okay. All right. Let's go to
9 pedestrians and bike improvements on, I think, 3rd Street.
10 Any recommendations, comments? Does the Commission believe
11 that these improvements are necessary to mitigate potential
12 adverse impacts of the development?

13 COMMISSIONER MAY: So I mean, as I recall there
14 were two that DDOT wanted that the applicant hasn't agreed
15 to. Right?

16 And they seem logical to me. I mean, that they
17 are, you know, there is going to be a lot of people coming
18 and going from this development, and those are pieces of the
19 pedestrian infrastructure that are missing that should be
20 addressed.

21 So I'm much more, I mean, this is something that
22 can be addressed with the timing of this project, and I
23 really think it should be. So.

24 COMMISSIONER SHAPIRO: I concur, Mr. Chair.

25 CHAIRMAN HOOD: Okay.

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1 VICE CHAIR MILLER: I also concur that it should
2 be a condition to mitigate potential adverse impact on
3 projects.

4 CHAIRMAN HOOD: All right. So we will, I think
5 the goals would be implemented, so we will give them time to
6 respond to that. Or did they respond? Didn't they respond
7 already?

8 COMMISSIONER SHAPIRO: I think we could ask the
9 applicant to work with OAG to, if they're so inclined to
10 craft an appropriate condition.

11 CHAIRMAN HOOD: Well, I, okay. Yes. Yes. I
12 think we're inclined for the applicant, so yes. Okay. All
13 right. So we're going to be inclined for the applicant. So
14 the applicant will work with OAG to take care of it.

15 The electric charging stations, I think they
16 wanted 16 in the app, I don't know if you all agree with the
17 16. Is it 16? Or was it 32? I thought it was quite a bit.
18 Maybe I'm behind in time.

19 When I go certain places, I see four and five, and
20 I don't even see those being used. So I don't, 16, I think,
21 is a lot. Maybe DDOT has seen something that I can't
22 forecast, but I think that, Mr. Cochran, I would ask DDOT to,
23 unless my colleagues disagree, I would ask them to look at
24 that number. Or let's open it up for discussion. 16?
25 Anybody disagree?

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1 COMMISSIONER MAY: Well, I think DDOT is unclear
2 on what is actually being proposed here. Right? It's not
3 clear. It's just what is necessary to meet lead ND. So what
4 is that number? Maybe the applicant can tell us.

5 MR. TUMMONDS: I think what DDOT's were saying,
6 it's lead ND or one for 50 parking spaces, which gets to the
7 16, whichever is less. So I think DDOT's saying, at a
8 minimum, we want the 16.

9 And if, in fact, you have to do more for the lead
10 ND rating, great. We'll make you do a little more for the
11 lead ND rating.

12 CHAIRMAN HOOD: So but is the lead ND, the way I
13 interpreted it, the lead ND was less.

14 MR. TUMMONDS: We, yes. We don't think it's going
15 to be 16. And I think the applicant agrees with Mr. Hood.
16 We think that 16 spaces would be probably more than we need.

17 COMMISSIONER MAY: Well, I think that's wrong, but
18 whatever. I mean, but I'm still unclear about what the
19 applicant thinks it should be.

20 MR. TUMMONDS: The applicant believes that we
21 would satisfy whatever lead ND is. We haven't, I don't have
22 that answer right now. But what the math is, how much less
23 than 16 it is, but I hear you.

24 COMMISSIONER MAY: I mean on a certain basic
25 level, I just want to know what the math is.

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1 MR. TUMMONDS: Right.

2 COMMISSIONER MAY: And that's what DDOT seems to
3 be asking, so.

4 MR. TUMMONDS: Okay.

5 COMMISSIONER MAY: Clarity on that would be
6 helpful.

7 COMMISSIONER TURNBULL: Well, Mr. Tummonds, would
8 the applicant be opposed to 16?

9 MR. TUMMONDS: I think, it sounds like what we're
10 going to have is probably a limited scope discussion about,
11 hopefully a discreet number of items. And this is the kind
12 of answer, I'll be able to give you an answer tomorrow.

13 So I think that if, in fact, we are going to have
14 a special public meeting within the next week or so, so that
15 DDOT can respond to some of these things, we can, these are
16 all very, rather, unlike say changes to the architecture,
17 these are things I can do quickly.

18 CHAIRMAN HOOD: So I would also ask if Lamond
19 Riggs representative wants to come sit at the table, you can
20 also do that. Because it seems like I can change the course
21 of our normal discussion.

22 But let me also say though that, you know, I know
23 that we are planning for the future and I agree we should
24 have it ready. But I can tell you, every, maybe, I know this
25 is long-term, but what I see, what I see in parking lots now,

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1 those spaces are empty. So I would ask that the applicant
2 and DDOT get back together and help clarify a lot of these
3 things. That would be very beneficial for us.

4 And I would ask Office of Planning if they would
5 chime in and help make sure that this gets clarified. Our
6 next special public meeting should not be long. We just need
7 clarification. Anything else before we move on? Vice
8 Chairman.

9 VICE CHAIR MILLER: Thank you, Mr. Chairman. So
10 add to that list, I think what needs to be added to that
11 growing list is the pedestrian infrastructure improvements
12 at Hamilton, Ingraham and the alley intersection.

13 I'm not sure we, that was the DDOT recommendation
14 that the applicant make those improvements, and I don't know
15 if we got a response from the applicant. So I think we need
16 that fully fleshed out as well, Mr. Chairman.

17 CHAIRMAN HOOD: Okay. Okay, Commissioners, will
18 we accept, I believe, the applicant responded and would only
19 comply with the IZ only if the project includes more than the
20 929 units approved in the original PUD order.

21 COMMISSIONER MAY: I really disagree with that.

22 CHAIRMAN HOOD: Now, let's talk about the shared
23 parking with the Lamond Riggs Library. Is that totally off
24 the table in the applicant's response? I mean --

25 MR. TUMMONDS: We can make that happen.

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1 CHAIRMAN HOOD: You can make that happen? Mr.
2 Tummonds, you're all right. You've made my life so much
3 easier. I didn't even have to push.

4 Okay. Good. All right. Anybody else, any other
5 comments on this? All right. And everything else was agreed
6 to for LCRA. Right? Okay.

7 MALE PARTICIPANT: Is that --

8 CHAIRMAN HOOD: I think it's noted, but you want
9 to, could you introduce yourself and just, if you could just
10 respond to the, everything else, if you can introduce
11 yourself first.

12 MS. EVANS: Sure, my name is Uchenna Evans,
13 serving as the President of the Lamond Riggs Citizens
14 Association. And as we indicated in our letter to the
15 Commission, we do believe that the applicant addressed most
16 of our concerns, with the exception of the shared parking.
17 But as noted just now, they will continue to work on that.

18 CHAIRMAN HOOD: Okay.

19 MS. EVANS: And I would also ask if there is going
20 to be further discussion about the lot at Ingraham, that
21 would be permitted to send a response.

22 CHAIRMAN HOOD: Of course.

23 MS. EVANS: Okay.

24 CHAIRMAN HOOD: Because you all are a party, so
25 yes.

1 MS. EVANS: Yes.

2 CHAIRMAN HOOD: Will be. Okay. Now the issues
3 with the revised design, there were a lot, a few changes
4 made. Let me open it up and see if any comments or questions
5 on the revised design.

6 And if not, is there anything else we need to
7 discuss on this, other than hopefully, we can have DDOT here
8 for our special public meeting. We need to schedule that for
9 their responses. Commissioner Shapiro.

10 COMMISSIONER SHAPIRO: Thank you, Mr. Chair. I,
11 not being one of the architects of our crew, I was a bit, it
12 was hard for me to track exactly, that coherence of the
13 revised designs.

14 Perhaps it's clear to my colleagues, but I saw
15 notes below the elevations where they listed some of the
16 issues. But I had questions about that. I didn't quite get
17 it. I don't know if Mr. Tummonds can help walk us through
18 that a bit, or there's somebody else there who might be able
19 to take just a few minutes to help clarify.

20 CHAIRMAN HOOD: Mr. Tummonds, do you have
21 something?

22 COMMISSIONER SHAPIRO: If I'm the only one and my
23 colleagues can help clarify it, I'm fine with that.

24 CHAIRMAN HOOD: Well, I think it's good for all
25 of us to understand. Can somebody walk us through that and

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1 tell us what document they're going to be looking at?

2 MR. QUIJANO: This is Tomas Quijano with Perkins
3 Eastman.

4 COMMISSIONER SHAPIRO: And Mr. Chair, if I may,
5 let's make sure that we're, we have the correct attachment
6 that we're looking at.

7 MR. TUMMONDS: So --

8 COMMISSIONER SHAPIRO: Are we starting at 44A1?

9 MR. TUMMONDS: That is the submission we put on
10 May 2nd, 2019?

11 COMMISSIONER SHAPIRO: Yes.

12 MR. TUMMONDS: Okay perfect. Yes. That's a, Mr.
13 Shapiro, specifically were there --

14 COMMISSIONER SHAPIRO: So what I'm looking at is,
15 you, for example, on page seven, you list the items that
16 you're saying are responses to our hearing comments. So this
17 is essentially, this is the totality of the design changes
18 in bullet points. And then we'll see each of these items
19 reflected in the drawings that we have? This is all the new
20 version that we have?

21 MR. TUMMONDS: Correct.

22 COMMISSIONER SHAPIRO: Okay. So for example, talk
23 to me about the bridge, and the decisions you made about the
24 bridge, and why, and --

25 MR. QUIJANO: Yes. So I'll refer you to page 12

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1 of the May 2nd Exhibit.

2 COMMISSIONER SHAPIRO: Hold on one second. We
3 have to switch documents to do that. So if I'm correct,
4 we're now at 44A2, which is, of course, now not opening.

5 MR. QUIJANO: Yes.

6 COMMISSIONER SHAPIRO: Hold on one second. Okay.

7 MR. QUIJANO: So there was concern about the
8 architectural character of the bridge. That it was
9 cartoonish, for lack of a better word. And we reduced the
10 complexity of the structure to a simple box truss, which
11 served a structural function, and we elevated it just to
12 create more light and air underneath the bridge.

13 So again, that was the concern expressed at the
14 hearing, that it was cartoonish, and we sort of -- that's how
15 we addressed that.

16 COMMISSIONER SHAPIRO: Thank you.

17 CHAIRMAN HOOD: One of the Commissioners said it
18 was cartoonish, or did you all think it was cartoonish?

19 MR. QUIJANO: I think that was our interpretation
20 of, it was, of the --

21 CHAIRMAN HOOD: Because I'm sure nobody up here
22 would have said your -- they might have thought it, but they
23 wouldn't have said it.

24 COMMISSIONER MAY: No, we say cartoonish all the
25 time.

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1 CHAIRMAN HOOD: Oh.

2 COMMISSIONER MAY: But I don't remember saying it
3 about this project.

4 MR. QUIJANO: I meant the bridge in particular,
5 that it was, the historical nature of it seemed out of
6 context and --

7 COMMISSIONER TURNBULL: I think it was the bow.
8 The bow was an integral element that sort of was extraneous
9 and looked a little bit out of place.

10 VICE CHAIR MILLER: And I would agree that the
11 change is responsive to the Commission's general concerns and
12 is an improvement, as are some of the other changes when we
13 get to them.

14 COMMISSIONER SHAPIRO: So this is just one. I
15 mean, are there other --

16 CHAIRMAN HOOD: Just all the ones that you kind
17 of changed, if you could run through that right quick, that
18 would be helpful.

19 MR. QUIJANO: So on the residential, the basic
20 comment that it was undercooked, and there was not -- it
21 wasn't sufficiently detailed and had sufficient architectural
22 interest or indicated that it was of a quality type building.

23 So we added further detail showing that the
24 masonry opens were indeed masonry opens. That there was
25 depth in the facade, and we added articulation of the mass

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1 to give it proper scale and definition.

2 So on the residential facade, the main gist is
3 that we added more detail and more specificity of materials,
4 and where they are and how they get applied.

5 On the commercial facade, the basic comment was
6 that it was overcooked. There was maybe too much going on.
7 Probably the largest move we did was to remove the kinetic
8 facade and this really sort of made the architecture more the
9 focus of the facade rather than sort of an element tacked on,
10 sort of, we did that on South Dakota Avenue but also on 4th
11 Street, we simplified the architectural expression of the
12 commercial building.

13 COMMISSIONER SHAPIRO: Can I ask, what was the
14 flower shop, can you talk through the changes you made, if
15 any on that?

16 MR. QUIJANO: So --

17 COMMISSIONER SHAPIRO: Or is this just a different
18 rendering to help us see the roof differently?

19 MR. QUIJANO: I think the response at the hearing
20 to the comment was that it wasn't being shown as originally
21 expressed. So if you will refer to sheet number five, page
22 number five of the exhibit, we added more clarity on the roof
23 of that and how that roof is being articulated.

24 COMMISSIONER SHAPIRO: Have you changed any of the
25 materials on this, or the width of the columns, or --

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1 MR. QUIJANO: What we added is a transom beam.
2 So if you see at the top of the heptagon, we added a metal
3 structure to really hold the roof and give it a little more
4 weight, make it look a little less like four columns with
5 glass in between. I mean the seven columns with glass in
6 between.

7 MR. TUMMONDS: Those were the major architectural
8 modifications we made to the project.

9 COMMISSIONER MAY: I think it's been pretty
10 responsive to the comments that I had. So I'm pretty happy
11 with where it landed. I think that the residential buildings
12 are more cooked, and the articulation that you add in the
13 projecting bays, I think that makes sense, than having a
14 little terrace at the top of some of those bays, having more
15 balconies, showing the depth of the window recesses. Those
16 are all very good things.

17 And the simplification of that bridge. I think,
18 into a more understandable form, and also a form that is not
19 as tall so it does not obstruct as much view through it, past
20 it.

21 So I think those are all very good. And so I'm happy
22 where it landed. And also showing how you made a roof over
23 the florist shop or whatever winds up being there. That was
24 an important thing because it didn't look like there was a
25 roof there. Or at least not a, you know --

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1 (Simultaneous speaking)

2 COMMISSIONER MAY: -- standard roof. Right? You
3 know? Anyway.

4 COMMISSIONER SHAPIRO: And if I may say, I believe
5 in the drawings now, you have folks who, they may not be
6 older, but you have put gray hair on some of them. So I'll
7 accept that as a reasonable compromise.

8 I'm fine as well, Mr. Chair.

9 CHAIRMAN HOOD: Okay. So I think, are there any,
10 Mr. Turnbull?

11 COMMISSIONER TURNBULL: They did address signage,
12 and retail, and marking. It's not as much as we usually get
13 with heights identified for letters, and as actual locations,
14 but I think from the views that we have, I think that would
15 give enough clarification as to maximum heights and locations
16 of where signage would go. So I'm willing to go along with
17 this.

18 CHAIRMAN HOOD: Okay. Thank you, Mr. Turnbull.
19 Do we have anything else outstanding that we want to discuss?
20 All right.

21 So now we need to, the way I see it, the applicant
22 and DDOT still need to, I guess, have discussions. Then
23 after that, we need to provide a date for that. So we'll
24 provide a date to the record.

25 Then we need to have the comments by the parties,

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1 Office of Planning and DDOT by a date. And then we will have
2 a final date for our special public meeting and then we'll
3 do our final order.

4 So I think that's, I'm kind of leaving a lot of
5 that up to Ms. Schellin to help, but the Vice Chair has a
6 follow-up.

7 VICE CHAIR MILLER: Yes. I meant to mention this,
8 Mr. Chairman. So one of the questions I think I had asked
9 at one point, I guess it was during the hearing, was the
10 consistency of the height and with the future land use map,
11 and the applicant provided a response that, it was persuasive
12 that it is consistent with the medium density
13 commercial/medium density residential designation on the land
14 use map.

15 But what had confused me was that, I believe, Mr.
16 Cochran, the OP report, both the original set down report and
17 the hearing report, each referred to a moderate density
18 designation, I think, just inadvertently.

19 MR. COCHRAN: That's correct. I was consistently
20 wrong.

21 VICE CHAIR MILLER: So if you can --

22 MR. COCHRAN: And we will submit a report --

23 (Simultaneous speaking)

24 MR. COCHRAN: And we will be correcting the record
25 formally.

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1 VICE CHAIR MILLER: Yes, so that --

2 MR. COCHRAN: Yes.

3 VICE CHAIR MILLER: -- you just clear up that
4 confusion. Thank you.

5 CHAIRMAN HOOD: Commissioner Shapiro.

6 COMMISSIONER SHAPIRO: Thank you, Mr. Chairman.
7 I'm just looking through notes from the previous meeting, and
8 I did, there was a discussion, I had a question about
9 integrating the solar panels in the green roof. And you may
10 have responded to it in some way where I have not seen, but
11 you did say that you would look further into that.

12 MR. TUMMONDS: So yes. So in our response of
13 Exhibit 44, we requested that the applicant be provided
14 flexibility to include solar panels on the roof of the
15 building if it is economically feasible. If they are
16 provided, they will be set back from all building walls at
17 a one to one ratio to minimize any appearance of adjacent
18 public spaces, and we showed those potential locations on
19 sheet 30.

20 COMMISSIONER SHAPIRO: Thank you for pulling that
21 detail up for me. I appreciate it. I also have a note that
22 you, at the previous meeting, affirmed that you would find
23 a way to guarantee a relocation of the dog park.

24 MR. TUMMONDS: Correct.

25 COMMISSIONER SHAPIRO: And you, is there, you have

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1 referenced that somewhere as well?

2 MR. TUMMONDS: Yes. Here and then also in the
3 draft.

4 COMMISSIONER SHAPIRO: Okay. Thank you. That's
5 all I have, Mr. Chair.

6 CHAIRMAN HOOD: Okay. Mr. Tummonds, let me ask
7 you this. In the order, what I see, did you have anything,
8 I've got like the bridge was, I wouldn't say cartoonish, but
9 for something, legal efficiency, did you have in there where
10 the Commission expressed concern about, I don't know what the
11 word would be, but something that alludes that the Commission
12 had the concern about the bridge?

13 I didn't see that in the order. Those are the
14 kind of things I'm going to start looking for so we can put
15 them in one place. And how the Commission, the Commission,
16 not the applicant, but some things were done because the
17 Commission kind of insisted.

18 And I think it would be well-advised if we start
19 doing that because we don't want to make it look like the
20 Commission didn't do anything. So --

21 MR. TUMMONDS: Sure, sure.

22 CHAIRMAN HOOD: And I'm going to start asking that
23 of all of the cases that come down here from this point going
24 forward. And if we can put it all singleized in one place.
25 And if you can work with OAG on that, that would be very

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1 helpful.

2 MR. TUMMONDS: Absolutely.

3 CHAIRMAN HOOD: Okay. All right. Anything else
4 up here? Ms. Schellin, do we have any dates?

5 MS. SCHELLIN: How much time do you want to give
6 DDOT to, and you want the applicant to work with DDOT. Do
7 you want to give them a week?

8 CHAIRMAN HOOD: Mr. Cochran, how much time do you
9 want to give DDOT?

10 MR. COCHRAN: Two weeks would seem appropriate.

11 CHAIRMAN HOOD: Two weeks.

12 MR. TUMMONDS: We can deal with this with DDOT in
13 a week.

14 CHAIRMAN HOOD: One week?

15 MS. SCHELLIN: Yes.

16 CHAIRMAN HOOD: Oh, okay. One week.

17 MS. SCHELLIN: I mean, they're just responding to
18 a couple of things that they've already --

19 MR. COCHRAN: I would only point out that next
20 week is Memorial Day weekend.

21 CHAIRMAN HOOD: DDOT may be on vacation next week.

22 MS. SCHELLIN: Well, we'd give them until the day
23 after.

24 CHAIRMAN HOOD: Okay. The day after.

25 MS. SCHELLIN: Yes, I mean, I know --

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1 CHAIRMAN HOOD: Well, are they going to work on
2 it on their vacation?

3 (Laughter)

4 MS. SCHELLIN: -- he's there because he responded
5 today.

6 MR. COCHRAN: So you're saying next, a week from
7 tomorrow?

8 MS. SCHELLIN: Yes. A week from tomorrow. So
9 they would have until 5-28 --

10 CHAIRMAN HOOD: Can we at least give them until
11 Wednesday? I mean, really. Really.

12 MR. TUMMONDS: What are we backing off from, what
13 day?

14 MS. SCHELLIN: Well, if we give them a week, and
15 you guys a week to respond, then we can work this out at our
16 regular public meeting.

17 MR. TUMMONDS: June 10th?

18 MS. SCHELLIN: June 10th.

19 CHAIRMAN HOOD: Okay. Yes. Okay. Whatever date
20 that works then.

21 MS. SCHELLIN: Yes. I know he is in the office
22 today because we corresponded.

23 CHAIRMAN HOOD: He'll be in the office Monday too.
24 Okay.

25 MS. SCHELLIN: So that would be 5-28 3:00 p.m. for

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1 DDOT, and 6-3, June 3rd for the applicant and Lamond to
2 respond.

3 MR. TUMMONDS: I think it should be the other way
4 around. I think it should be the other way around.

5 MS. SCHELLIN: No. Because they asked for DDOT
6 to provide some information. Some clarification on what they
7 wanted in regard to that light and then for the applicant to
8 respond.

9 CHAIRMAN HOOD: Yes. So if DDOT can clarify, and
10 also if they can be here for the next special public or the
11 next -- they'll be at our meeting.

12 MS. SCHELLIN: And then they also want the
13 applicant to provide some information also.

14 CHAIRMAN HOOD: No. She said --

15 MS. SCHELLIN: So the information they asked from
16 you guys, you also need to provide by the 28th. And then you
17 get to respond to anything that DDOT provides. Lamond gets
18 to respond to anything both of you provide by June 3rd.

19 MR. TUMMONDS: And then we'll, decision --

20 MS. SCHELLIN: And then we can put it on for June
21 10th. Yes.

22 MR. TUMMONDS: Perfect.

23 MS. SCHELLIN: Okay.

24 CHAIRMAN HOOD: Great. So we won't need a special
25 public meeting. We'll do that at our regular meeting.

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1 MS. SCHELLIN: At a regular meeting.

2 CHAIRMAN HOOD: Right. All right. So do we have
3 anything else Commissioners? Ms. Schellin, do we have
4 anything else?

5 MS. SCHELLIN: No.

6 CHAIRMAN HOOD: Okay. Thank you all.

7 MR. TUMMONDS: Thank you.

8 CHAIRMAN HOOD: Thank the applicant. Thank LCRA,
9 everybody in this case. And with that, this Special Public
10 Meeting is adjourned.

11 (Whereupon, the meeting in the above-entitled
12 matter went off the record at 6:10 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Special Meeting

Before: DC Zoning Commission

Date: 05-20-19

Place: Washington, DC

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.



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