

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF: :

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MCF WALP Phase 1, LLC - : Case No.

Consolidated PUD : 19-16

@ Square 481 :

:

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Thursday,

January 16, 2020

Hearing Room 220 South

441 4th Street, N.W.

Washington, D.C.

The Public Hearing of Case No. 19-16 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Jerrily R. Kress Memorial Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

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

OFFICE OF ZONING STAFF PRESENT:

- SHARON S. SCHELLIN, Secretary
- PAUL YOUNG, Zoning Data Specialist

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director, Development
Review & Historic Preservation
KAREN THOMAS

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

ALEXANDRA CAIN, ESQ.
DANIEL BASSETT, ESQ.

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF PRESENT:

CYNTHIA LIN

The transcript constitutes the minutes from the
Public Hearing held on January 16, 2020.

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

6:30 p.m.

1
2
3 CHAIRMAN HOOD: Good evening ladies and gentlemen,
4 this is the Public Hearing of the Zoning Commission for the
5 District of Columbia.

6 My name is Anthony Hood. I'm joined by Vice
7 Chairman Miller. And also joining us, Commissioner Shapiro,
8 Commissioner May and Commissioner Turnbull. We're also
9 joined by the Office of Zoning Staff, Ms. Sharon Schellin.
10 As well as behind the scenes, Mr. Paul Young, of the Office
11 of Zoning, who operates our technical equipment.

12 At this time, I'm going to let the Office of
13 Attorney General introduce themselves. After which I'm going
14 to ask the Office of Planning to introduce themselves, after
15 which the District of Department of Transportation introduce
16 themselves. In that order.

17 MS. CAIN: Alexandra Cain, Office of the Attorney
18 General.

19 MR. BASSETT: Daniel Bassett, Office of Attorney
20 General.

21 MS. THOMAS: Karen Thomas with the Office of
22 Planning. And Ms. Steingasser, she's on her way.

23 CHAIRMAN HOOD: Right.

24 MS. LIN: Cynthia Lin with the Department of
25 Transportation.

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1 CHAIRMAN HOOD: Okay, thank you all. Notice of
2 this hearing is published in the D.C. Register. And copies
3 of that announcement are available on the wall being near the
4 door.

5 Because the hearing is being recorded by a court
6 reporter, and is also web cast live, we ask you to refrain
7 from any disruptive noises or actions in the hearing room.

8 The hearing will be conducted with provisions of
9 11 DCMR, Chapter 4 as follows. Preliminary matters,
10 applicant's case.

11 The Applicant has up to 60 minutes. I believe you
12 all have requested 30, that's fine.

13 Report of the Office of Planning and Department
14 of Transportation, report of other government agencies,
15 report of the ANC, testimony of organizations, individuals.
16 Each will have five and three minutes respectively.

17 And we'll hear from those who may be in support
18 first, opposition second, and those who are undeclared we'll
19 hear from last.

20 Then we'll have the rebuttal and closing by the
21 Applicant.

22 A couple of housekeeping items are as follows.
23 Please turn off all electronic devices. Anyone who will be
24 testifying tonight are to register at the witness kiosk to
25 my left. If you need any help doing that, Ms. Schellin will

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1 be able to assist you. She sits to my left, as announced
2 earlier.

3 Also, those who testify are asked to fill two
4 witness cards before you come up, which can be found on the
5 table near the door. Give the cards to the court reporter
6 sitting to my right before taking a seat the table.

7 When you present your testimony, turn on the
8 speaker, the microphone. First stating your name and home
9 address. When you are finished speaking, turn off your
10 microphone.

11 Does anybody remember all of this stuff that I'm
12 saying? I've always wanted to ask that question because
13 sometimes I forget.

14 (Off-microphone comments.)

15 CHAIRMAN HOOD: You remember, okay, good. You're
16 good.

17 Okay, the Commission decision must be based
18 exclusively on the public record. There should be no direct
19 contact whatsoever with any Commissioner concerning this
20 case. And if so, the Commission will discard.

21 The Staff will be available throughout the hearing
22 to discuss procedural questions.

23 Okay, would all individuals wishing to testify
24 please rise and take the oath? Ms. Schellin, would you
25 please administer the oath?

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1 MS. SCHELLIN: Please raise your right hand. Do
2 you solemnly swear -- anybody who's going to testify please
3 rise.

4 CHAIRMAN HOOD: If anybody is going to testify,
5 please stand and take the oath. I see, hold on, Ms.
6 Schellin, I see some more people --

7 MS. SCHELLIN: Yes.

8 CHAIRMAN HOOD: -- supposed to be standing. If
9 you think you going to testify, why don't you just stand.

10 MS. SCHELLIN: I see people filling out cards but
11 they're not standing. So, if you're going to testify, you
12 need to stand.

13 CHAIRMAN HOOD: Okay, let's just wait. You can
14 put your hands down and rest for a minute. Just tell them
15 stand. Is everybody standing who is going to testify?

16 Okay, I'm going to remember you when you come to
17 the table. Okay, go ahead.

18 MS. SCHELLIN: So you guys are filling out cards
19 but you're not going to testify? So you don't need to fill
20 out cards then.

21 Okay. So raise your right hand. Do you solemnly
22 swear or affirm the testimony you'll give this evening will
23 be the truth, the whole truth and nothing but the truth?
24 Thank you.

25 CHAIRMAN HOOD: Okay. At this time the Commission

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1 will consider any preliminary matters. Does the Staff have
2 any preliminary matters?

3 MS. SCHELLIN: Yes, sir. Just for the audience's
4 sake, there was a party status request in opposition, but
5 that was withdrawn. From the Metropolitan Community Church
6 of Washington, D.C.

7 So, the only other preliminary matters are the
8 expert, proffered expert witnesses. Sarah Alexander in
9 Architecture. She's previously been accepted by the
10 Commission as an expert.

11 Dan VanPelt. But it's not going to be Dan
12 VanPelt.

13 MR. TUMMONDS: I'm sorry, it should be Mr.
14 Schiesel.

15 MS. SCHELLIN: Yes, Mr. Schiesel. And he has
16 previously been accepted. So we'd ask the Commission to
17 accept them in this case.

18 And the only one that has not been accepted before
19 is Joseph Plump, Plumpe.

20 MR. TUMMONDS: Plumpe.

21 MS. SCHELLIN: Plumpe. In landscape architecture.
22 And his resume is Exhibit 23D.

23 CHAIRMAN HOOD: Okay. So I'm sure, unless someone
24 hears something, the two that we've already --

25 MS. SCHELLIN: Although he was not sworn in I

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1 don't think. Was he?

2 COMMISSIONER TURNBULL: I don't think he stood to
3 be sworn in.

4 MS. SCHELLIN: Yes, I don't think he --

5 MR. TUMMONDS: Based on where we are with our
6 testimony statements, Mr. Plumpe is not going to be
7 presenting.

8 COMMISSIONER TURNBULL: Okay.

9 MR. TUMMONDS: And so, he does not need to be
10 admitted as an expert.

11 CHAIRMAN HOOD: Okay.

12 MS. SCHELLIN: Okay. So you're withdrawing that?

13 MR. TUMMONDS: We'll withdraw that, yes.

14 CHAIRMAN HOOD: So that's been withdrawn.

15 MS. SCHELLIN: Okay.

16 CHAIRMAN HOOD: We will just deal with the two
17 people that we have. I don't see any objections to undoing
18 what we've already done.

19 MS. SCHELLIN: Okay.

20 CHAIRMAN HOOD: Okay. Anything else?

21 MS. SCHELLIN: So that's all I have.

22 CHAIRMAN HOOD: All right. Mr. Tummonds, you may
23 begin.

24 Let me, before I start, how many people here who
25 are in support of this case, if you can raise your hand?

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1 Okay, if you're with the Applicant, put your hand
2 down. But how many people who are here in support of this
3 case? Who's not with the Applicant.

4 How many people, I would hope that the people here
5 with the Applicant are in support. How many people, you're
6 not with him, okay.

7 How many people who are here in opposition of this
8 case? Okay.

9 How many people who are undeclared in this case?
10 All right.

11 And I ask that so I'll know how to call everybody
12 up at the appropriate time. Okay, Mr. Tummonds.

13 MR. TUMMONDS: Great, thank you. Good evening.
14 I'm Paul Tummonds of Goulston & Storrs, land use counsel on
15 behalf of the Applicant.

16 We're excited to be here with a new PUD this
17 evening that makes a meaningful contribution to the
18 District's Housing and Affordable Housing goals.

19 This project enjoys the support of ANC 6E, the
20 Ward 6 Councilmember, and numerous members of the immediate
21 neighborhood, as evidence by the letters of support submitted
22 into the record prior to this evening.

23 I'd like to spend a few minutes talking about the
24 items that were, I would say the outstanding items that were
25 raised in both the OP and DDOT reports.

1 First, with regards to the DDOT report, there are
2 two fairly minor comments that Mr. Schiesel will address
3 during his portion of the presentation.

4 In regard to the OP report, we are seeking
5 slightly more density, about 6,700 square feet more, than is
6 possible with the PUD incentive and IZ bonus density,
7 typically allowed in a PUD application. That's about 2.5
8 percent of the additional five percent of density that the
9 Zoning Commission is allowed to grant.

10 As you know, the Zoning Commission is allowed to
11 grant that if we show that this additional density is
12 necessary for the essential functioning of the project. We
13 believe we meet that standard for two reasons.

14 First, the majority of additional density we are
15 requesting is provided in exterior covered balconies. We
16 know that the Commission prefers private outdoor space and
17 the proposed exterior covered balconies contribute to the
18 design of this building and integration of it into the
19 community.

20 We also note that it is only through recent
21 interpretations from the Zoning Administrator that we are
22 required to include these exterior covered balconies in the
23 calculation of buildings gross floor area.

24 The remainder of the additional density that we
25 are requesting is due to the two separate loading facilities

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1 that are provided in this project. In order to accommodate
2 a high level of building design reflective of the
3 neighborhood context, we are providing separate loading
4 facilities for each residential bar of the project.

5 In addition, we have designed the loading so that
6 all truck maneuvers are front in, front out. While
7 technically not required by the Zoning regulations, this is
8 something that DDOT wants to see in all projects.

9 We believe that having the front in, front out
10 loading, the loading for each residential bar, will assure
11 that loading activity will occurring inside and not on the
12 surrounding neighborhood streets.

13 As a result, our loading is somewhat inefficient
14 for a building this size, but this additional gross floor
15 area is essential to make this loading work at grade.

16 The second issue raised by OP in the report was
17 that they ask that contributions, which comprise a portion
18 of the public benefits package for this application, that we
19 provide during the proffers portion of the application, the
20 information regarding the timing.

21 As we will note in our proffers that we submit
22 next week, we will make sure that all financial contributions
23 will be made prior to the certificate of occupancy issued in
24 this case. And we note that all of the proposed elements of
25 the community benefits package satisfy the relevant

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1 requirements of the zoning regulations.

2 All of these public benefits are tangible,
3 concrete and will related to pre-identified programs and
4 services.

5 Another issue raised by the Office of Planning was
6 with regards to design flexibility and what we had previously
7 requested. In response to those questions we note that
8 first, with regards to the flexibility we had requested about
9 the number of residential units, plus or minus, we are
10 agreeing to limit that flexibility to a maximum of five
11 percent increase plus or minus for the number of units.

12 But we think more importantly, we agreed to
13 maintaining a minimum of 18 three-bedroom units in this
14 project.

15 Similarly, one of the other questions with
16 regarding the flexibility requests was with regards to the
17 number of parking spaces. We are fine to commit to limit
18 the parking space flexibility to a ratio of not more than 0.3
19 spaces per unit.

20 We note that that is DDOTs preferred maximum ratio
21 for a project of this size and location. And we believe that
22 it provides the necessary flexibility that we need in this
23 application.

24 Finally, we note that OP's report supports the
25 DHCD recommendation for more affordable housing in this

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1 project. We believe that the 12 percent IZ set aside, that
2 is proposed in this application, is commensurate with the
3 Zoning Commission's approval, and other similar PUD
4 applications.

5 We strongly feel that this robust commitment to
6 the City's Affordable Housing stock correlates logically to
7 the additional density that we are requesting in this
8 project.

9 As we will discuss, and as noted, we are not
10 seeking a zoning map amendment with this application, this
11 is purely a RA2 PUD application that is utilizing the bonus
12 density achieved through IZ and through the PUD.

13 We also note that the 12 percent affordable
14 housing proffer is not the only benefit of this project. For
15 instance, we are offering 18 three-bedroom units, enhanced
16 environment aspects to this project, including solar on the
17 roof.

18 And we believe that the community benefits
19 package, with those other factors, fully satisfy the PUD
20 balancing test that is undertaken in every PUD case.

21 With that, I will now ask Jamie Weinbaum of
22 MidCity to present his testimony.

23 MR. WEINBAUM: Thank you. Good evening,
24 Commissioners. I'm Jamie Weinbaum, executive vice president
25 of MidCity Financial Corporation. It's good to see you

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1 again.

2 I'm pleased to be before you this evening to
3 present our application for a PUD in Ward 6. For the record,
4 I am a District resident.

5 Our company, MidCity, was founded in 1965 by the
6 late Gene Ford, Sr. a Washingtonian who spent more than 50
7 years building, owning and managing multifamily housing in
8 the Metro area. The vast majority of it being affordable to
9 households of low and moderate incomes.

10 As a development company, MidCity has constructed
11 and rehabilitated more than 15,000 units of market rate and
12 affordable housing and is proud to be a long-term holder of
13 quality housing in the region. MidCity remains committed to
14 its legacy of quality housing, community development and
15 corporate social responsibility.

16 We're very excited about this project before you
17 tonight and believe that our application represents a
18 thoughtful effort to provide housing in concert with Mayor
19 Bowser's ambitious housing production goals and an example
20 of superior architecture with substantial community benefits.
21 Overall, our project that is not inconsistent with a
22 comprehensive plan.

23 We've carefully examined the recent PUD
24 applications before this body and believe that our current
25 application encompasses and exceeds the necessary

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1 requirements.

2 The subject site is about a block from the
3 convention center metro rail station. And we propose 360 new
4 units, which is a full one percent of the Mayor's goal of
5 producing 36,000 units of new housing.

6 Of the new units, approximately 12 percent of the
7 new residents will be affordable, at a mix of 50 and 60
8 percent of AMI. And as Mr. Tummonds mentioned, we're
9 delivering 18 new three-bedroom units.

10 In developing a strategy for this site, we sought
11 to balance the dire need for additional housing in the
12 District, with the relatively moderate and medium density
13 character of the street surrounding our site.

14 As a result, we designed a project that's
15 constructed to the matter of right height limit, as one way
16 of respecting nearby blocks. But we're seeking the
17 additional density available through the PUD process, in
18 order to provide more housing, and affordable housing, than
19 can be constructed by right on the property. And in order
20 to take advantage of the site's proximity to the metro.

21 As our architect will speak to, this thoughtfully
22 designed building will be constructed of high-quality
23 materials and will be built to be held long-term by the
24 existing owners.

25 In sum, the project is a block from metro, adds

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1 360 units of housing, including 18 three-bedroom units and
2 is at 12 percent affordable.

3 We've also proposed lead silver version four,
4 rooftop solar panels and a robust package of public benefits
5 that address important social and service needs in the
6 community.

7 We're proud to come here tonight with the support
8 of ANC 6E, Council Member Charles Allen, and support for many
9 neighbors and community organizations. I'll note, I believe
10 we have 35 letters of support in the record.

11 We've spent months meeting with and listening to our
12 neighbors and others in the community to hear their
13 preferences and concerns. The public benefits, which include
14 the projects affordable housing and unit makeup, represent
15 the culmination of that outreach. And the project has
16 evolved in response to the comments and the concerns that
17 we've heard.

18 We're also proud to point out that after extensive
19 engagement with leaders of the Metropolitan Community Church
20 of Washington, D.C., the church has withdrawn its request for
21 party status in opposition.

22 We're glad to work with another long-term member
23 of the community, to help Shaw to be progress and forward
24 thinking in terms of creating an inclusive community.

25 We think that the projects new housing and new

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1 affordable housing promote that inclusive ideal in the Shaw
2 neighborhood. And we're glad to have formed a new
3 partnership as part of this process.

4 I'm happy to answer any questions now or at the
5 end of the presentation, but with those comments I'll turn
6 it over to Sarah Alexander to discuss the projects design
7 strategy. Thank you.

8 CHAIRMAN HOOD: So, let me do this. Sharon, if
9 you could stop the clock.

10 The person who has a class upstairs, are they
11 here? I was going to bring them right up. Do you know
12 anything about that?

13 MS. SCHELLIN: That is the ANC vice chair. I
14 can't remember his name.

15 CHAIRMAN HOOD: So they have a class upstairs --

16 PARTICIPANT: Commissioner Wiggins?

17 CHAIRMAN HOOD: Yes. So when they come in,
18 because I understand their class is going on tonight?

19 MS. SCHELLIN: At the same time our hearing
20 starts, so I don't know if he's here or not.

21 CHAIRMAN HOOD: So when they come in, if somebody
22 knows who it is could you let me know so we can stop and do
23 that? Because I would hope somebody would do that for me if
24 I had a class because I can't miss a minute in my class.

25 So anyway. All right, you may continue.

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1 MS. ALEXANDER: Good evening. As Jamie said, my
2 name is Sarah Alexander and I'm an architect at Torti Gallas
3 Urban, a CBE in the District. And I'm also a District
4 resident.

5 When MidCity came to us we were immediately very
6 excited by this site. It has wonderful proximity to the
7 metro and the site's unique shape and ample street frontage
8 allow for an excellent opportunity to help improve a part of
9 the urban fabric that is currently occupied by a modest
10 housing unit and surface parking lot.

11 There are beautiful historic townhouses to our
12 south and various community churches immediate adjacent in
13 each direction. The overall height of the context tappers
14 down from south to north.

15 We felt strongly that our proposed building needed
16 to better define the public realm than the current
17 development by creating a northern/southern wing, as shown
18 here in yellow, that meet the property lines on each side.

19 We were able to remit this block into the urban
20 fabric of the city, maintaining the street while akin to what
21 you see in the adjacent townhouses to our south.

22 This approach of modestly increasing the lot
23 occupancy to best define the street edge also allowed us to
24 maintain the 50-foot matter of right height limit and not
25 increase the height to the 60 foot allowed in the PUD. Given

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1 the heights of the adjacent context, especially on the
2 northern side and from the conversations we had with the
3 community, we felt that our project should do everything
4 possible to minimize its height.

5 Our next big urban design move was to create a
6 height in mid-block between these two wings, seen here in
7 orange. And sat on both sides and shorter in height than the
8 adjacent wings to break down the overall length of the block
9 and directly respond to Ridge Street to our east.

10 Here you can see the inset on 6th Street which
11 forms the entry court and the main residential lobby. The
12 second floor has the amenity space and the rooftop has a
13 rooftop pool. This hyphen is the amenity core for our
14 building and unites both the northern and southern wings.

15 And here is a view looking east at the main lobby,
16 which will help bring life and activity to the currently
17 mundane stretch of 6th street. Large amounts of glass on
18 both sides of this hyphen will allow visual transparency
19 through this length.

20 And here is the corresponding view looking west
21 across 5th Street. And the new landscape courtyard, which
22 will be available for public use during the day.

23 A cascading water feature will activate this new
24 terminus for Ridge Street.

25 Our final open design move was to create a

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1 variegated street wall, which reflected the rhythm of the
2 adjacent historic townhouses seen here in yellow.

3 We employed both an additive and subtractive forms
4 to create a rhythm of vertically oriented elements breaking
5 down the scale of the building both in plan and in height.

6 And here you can see this articulated street wall
7 at the southwest corner of our project. The bays, pavilions
8 and balconies working in tandem to break down the scale of
9 the building and animate the street.

10 Entry stairs add additional texture to the public
11 realm activating the street and reflecting similar condition
12 scene along M Street with the historic townhouses. The bays
13 and pavilions are only three and a half stories tall
14 furthering, reducing the apparent height of the building as
15 the upper story recedes from view.

16 In response to your comments at the sit down, we
17 have revised our material palate in all the renderings you
18 just saw. Our building is still largely comprised of masonry
19 with light gray brick and a darker gray textured brick.

20 And we have darkened the upper levels from white
21 panel to dark gray panels, as well as revised the windows
22 from white to dark gray. Both moves add contrast to the
23 building, colors, while also relating to the dark gray
24 textured brick. And we have the material board for you here
25 tonight.

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1 Another response to sit down comments, we have
2 shown the elevations of our internal courtyards, as shown
3 here in section. This section also nicely illustrates how
4 the building tapers down in all sides, and additionally, from
5 south to north. The norther portion is one story shorter
6 than the southern portion.

7 The three main urban design moves I just reviewed
8 translate nicely into a coherent residential building. The
9 two wings break down the scale for residents so that the
10 corridors are never too long and they can fill part of
11 smaller communities within the overall building.

12 The height informs the amenities court centrally
13 located with the landscape courtyard to either side. Each
14 wing has its own dedicated residential loading, shown here
15 off of 5th Street. And then over here off of M Street.

16 With one service birth in each location, which
17 exceeds our requirement for one birth and one service space
18 for the project. The garage entry is also off of N, and
19 utilizes the same curb cut as the loading.

20 Our project, as Jamie mentions, also exceeds the
21 Districts sustainability goals, committing to achieve lead
22 silver version four and providing solar panels shown here in
23 yellow, on the roof.

24 Now I'd like to quickly walk you around the
25 building so you can better see how it's been carefully

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1 crafted to fit within the context. First here you can see
2 we're standing on M Street looking towards the east, and the
3 United House of Prayers on the left-hand side.

4 Next, moving along M, you can see how the rhythm
5 of the bays and pavilions blend nicely with the historic
6 townhouses to our south. And similarly, the relationship is
7 maintained as you move north along 6th street.

8 Here you're standing on M Street looking towards
9 the west. And our project nicely nestled into the context.

10 And then lastly, here you're standing on Bridge
11 Street looking towards the west. And the landscaped
12 courtyard forming the terminus for our project. For that
13 street.

14 We have worked very hard with the community and
15 we feel that we have crafted a project that sensitively fits
16 into the neighborhood. And as Jamie mentioned, provides a
17 large amount of housing for the district, so very excited to
18 share with you tonight. Thank you.

19 MR. TUMMONDS: Perfect. I'll now have Mr.
20 Schiesel present his testimony.

21 MR. SCHIESEL: Good evening, Commissioners. For
22 the record, I am Robert Schiesel, the Transportation Firm of
23 Gorove Slade.

24 I will be briefed tonight, and mostly rest on the
25 record. But I want to discuss a few items focusing on

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1 responses to the DDOT staff report.

2 In quick summary, the Applicant has been
3 coordinating with DDOT throughout the entire PUD process.
4 And agrees with DDOT's mitigations that they elicit in their
5 staff report.

6 And is willing to commit to the, essentially the
7 mitigations are TDM additions, but with one slight change.
8 And moving forward, the Applicant looks forward to working
9 with DDOT, and noted their comments about the public space,
10 and is looking forward to working with them in the public
11 space committee on those elements moving forward.

12 So, discussing the transportation land management
13 plan. The first list up here is what was proposed in the
14 CTR.

15 And then we've also listed the additional measures
16 proposed by DDOT in their staff report. And all of this is
17 agreed to by the Applicant, with one minor change. Just
18 going into a little bit of detail there.

19 As you've seen on a bunch of projects, there is
20 a TDM measure calling for SmarTrip cards and Capital
21 Bikeshare coupons. And the Applicant here would just like
22 to put a cap on that. As because it's written, as suggested
23 by DDOT, it's open-ended.

24 Given the quality design, especially the parking
25 ratio and then the loading docks we've mentioned on the

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1 project, the Applicant feels that a good limit is to first
2 resident of each dwelling, unit at initial lease up is a good
3 cap. So that would basically be, every apartment gets one
4 free SmarTrip card and complimentary Capital Bikeshare
5 coupon.

6 Other than that, clarification and note. I don't
7 anything to add, and I'd like to rest on the record. And I
8 look forward to any questions.

9 MR. TUMMONDS: Perfect. In conclusion, I think
10 I'd like to reiterate the fact that this PUD does not include
11 a map amendment.

12 The PUD incentive and the IZ bonus density creates
13 the right amount of density, we believe, for this location.
14 Balancing its proximity to metro to the west, with the row
15 houses and Historic District to the east.

16 As evidence by this significant amount of
17 information that we have submitted into the record, we
18 believe that this project is not inconsistent with the
19 comprehensive plan and fully satisfies the zoning regulation
20 standards for approval of the PUD project.

21 With that, we conclude our testimony this evening
22 and are available to answer any questions that you may have.

23 CHAIRMAN HOOD: Okay. Well, thank you for your
24 presentation, very succinct, we greatly appreciate it.

25 But I, normally I don't go first but I'm going to

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1 ask one question. I'm going to ask Mr. Weinbaum and the
2 architect.

3 You mentioned that I am a D.C. resident, well, why
4 did you do that? I'm just curious?

5 MR. WEINBAUM: I think for me it just kind of
6 gives some context that we've been a part of the community,
7 we've been residents here for a long time, we care about the
8 city and its growth. That was the reason I wanted to mention
9 it.

10 CHAIRMAN HOOD: Okay.

11 MR. WEINBAUM: I don't know if Sarah had a
12 different reason or just said it because I said it.

13 MS. ALEXANDER: I heard it because you said it.
14 I was like, yes, me too.

15 CHAIRMAN HOOD: Okay. I thought the reason being
16 that Mr. Meer, I know he watches what we do down here.

17 And that's one of my questions. Who from the
18 neighborhood is on your development team. So, I just wanted
19 to, I want you to know that I do watch him, even when it's
20 not his case, he's in the hearing room.

21 And I know that's one of my questions. So I was
22 just curious to know how people are paying attention to
23 things that come from up here, so we appreciate it.

24 All right. So with that, who would like to get
25 us started? Any questions, comments? Let's go in the

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1 regular order. Commissioner May.

2 COMMISSIONER MAY: Mr. Weinbaum, nice to see you
3 again.

4 MR. WEINBAUM: Nice to see you as well.

5 COMMISSIONER MAY: At the witness table.

6 MR. WEINBAUM: Uh-huh.

7 COMMISSIONER MAY: No, no worries. I have a
8 handful of questions. So, I appreciate the fact that at
9 least some of the concerns that I had had at set down have
10 been addressed. And not completely but some of it.

11 But I have a few questions to start with. First
12 of all, what's the type of construction of this? I mean, is
13 this stick on a podium or --

14 MS. ANDERSON: Correct.

15 COMMISSIONER MAY: Yes. And so, the podium goes
16 up to the first floor and then you've got four plus
17 penthouses on top?

18 MS. ALEXANDER: So, the northern half is entirely
19 wood.

20 COMMISSIONER MAY: Okay.

21 MS. ALEXANDER: And the southern, because it is
22 one story taller --

23 COMMISSIONER MAY: Yes.

24 MS. ALEXANDER: -- has a one-story taller, has a
25 one-story podium and then the wood above.

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1 MR. WEINBAUM: And the central bar, also --

2 MS. ALEXANDER: Is all concrete.

3 MR. WEINBAUM: -- is all concrete. Correct.

4 COMMISSIONER MAY: Yes, got it. Okay, that makes
5 sense because of the pool.

6 Okay, so given that, can see one of the
7 perspective views, like at a corner?

8 MS. ALEXANDER: Yes.

9 COMMISSIONER MAY: Yes. Okay, it's that. So,
10 those are pretty substantial. I mean, I like the balconies
11 but it looks pretty substantial. Cantilevered balconies at
12 the corner.

13 MS. ALEXANDER: So --

14 COMMISSIONER MAY: Are you very confident that
15 those are going to not sag?

16 MS. ALEXANDER: So, we've actually been already
17 consulting with CB --

18 MR. WEINBAUM: CBG.

19 MS. ALEXANDER: -- CBG, yes.

20 MR. WEINBAUM: Clark Builders Group.

21 MS. ALEXANDER: And they have --

22 COMMISSIONER MAY: I'm sorry, CBG?

23 MR. WEINBAUM: Yes, Clark Builders Group.

24 COMMISSIONER MAY: Oh, okay.

25 MS. ALEXANDER: As well as the structural engineer

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1 for the project.

2 COMMISSIONER MAY: I thought it was CBGE. That
3 wouldn't be the right thing.

4 (Laughter.)

5 MS. ALEXANDER: And there is two aspects to this.
6 One is the corner detail, the wood. And your 100 percent
7 right, the detailing, that is very critical.

8 And we've worked out with them a few strategies
9 to do it. We're still in the concept, but we're confident
10 we can do it.

11 COMMISSIONER MAY: Okay.

12 MS. ALEXANDER: And then there's also some details
13 where you can actually build concrete balconies and set them
14 in the wood. And so that's something that they've done on
15 other projects, and we're interested in that as well.

16 COMMISSIONER MAY: Yes, okay. So, when you come
17 back another time, after you have built this, you can tell
18 us how that was done. I mean --

19 MS. ALEXANDER: Evidentially it actually works
20 out.

21 COMMISSIONER MAY: Yes. No, I'm sure it can be
22 done. And it's certainly a substantial enough section that
23 it seems like there is enough room to make it work. But
24 there's a little bit of gymnastics going on there to make it
25 work. I mean, it looks good.

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1 What I wouldn't want to do is like find out later
2 you had to like stick columns in. That's why I asked the
3 question.

4 MS. ALEXANDER: I think it's a very valid
5 question. And yes, we --

6 COMMISSIONER MAY: Yes.

7 MS. ALEXANDER: -- we're dedicated to making it
8 look like that.

9 COMMISSIONER MAY: Okay, good. So, speaking of
10 balconies, how much, Mr. Tummonds mentioned that the
11 balconies were a part of the issue with FAR. So, how much
12 FAR did they actually add?

13 MS. ALEXANDER: So, there are 5,460 square feet.
14 So I'd have to do the math to find out the FAR on that.

15 MR. TUMMONDS: But, to that is Page G6 of --

16 COMMISSIONER MAY: Okay.

17 MR. TUMMONDS: -- our submission.

18 MS. ALEXANDER: So we're about 6,700 square feet
19 over and 5,400 of that is the balconies.

20 COMMISSIONER MAY: I'm sorry, do that again more
21 slowly.

22 (Laughter.)

23 MS. ALEXANDER: My problem. Okay. We are
24 approximately 6,700 square feet above the PUD density and
25 approximately 5,400 of that are balconies.

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1 COMMISSIONER MAY: Okay, that's very helpful to
2 understand that number. And do you know what the extra
3 loading dock is in terms of square footage, because that's
4 got to be --

5 MS. ALEXANDER: 4,500.

6 COMMISSIONER MAY: Yes, I was going to say, that's
7 a few thousand. 4,500. That's for one of them or for both
8 of them?

9 MS. ALEXANDER: Combined.

10 COMMISSIONER MAY: Combined.

11 MS. ALEXANDER: So it's about 10,000 for both of
12 those elements.

13 COMMISSIONER MAY: Got it.

14 MS. ALEXANDER: Now you're jumping ahead of me and
15 doing weird math, so. But 4,500 was for two loading docks?

16 MS. ALEXANDER: Correct.

17 MR. WEINBAUM: Correct.

18 COMMISSIONER MAY: Okay. It's helpful to have
19 those numbers.

20 So, let's see. There were a couple other things.
21 I mean, the small area plan had these guidelines that were
22 surprising architectural in nature. Including the privacy
23 concern.

24 And I saw the explanation of that. And I'm not
25 sure that that's entirely satisfying. And I'm not sure

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1 exactly why it was so important that it actually made it into
2 the small area plan because I'm not comfortable, I'm not
3 uncomfortable with this kind of a, having the units that are
4 several feet down and then having another units that's
5 several feet up.

6 And yes, you're not looking eye-to-eye at people,
7 but you are looking down into their apartments and you are
8 looking up into their apartments, depending on how they're
9 furnished or whatever. And there's a substantial amount of
10 glass there.

11 So, maybe people are more comfortable with that
12 or maybe there's going to be some sort of window treatments
13 that will help or maybe there's treatment of the glass that
14 won't be so, you know, not going to be super clear. But I'm
15 not, again, not totally sure that that's compelling.

16 I mean, you have room to put in more substantial
17 plantings in that margin between the sidewalk and the area
18 ways, right?

19 MS. ALEXANDER: We are showing some trees and
20 shrubbery, but yes, we could put taller planting than that.

21 COMMISSIONER MAY: Yes. I mean, I don't feel very
22 strongly about this, but I think that's something that you
23 should consider.

24 And it's not just driven by a small area plan it's
25 driven by a real concern that when you have those kind of

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1 spaces that they may not, you know, people may not be that
2 comfortable being in them or even walking by them. Because
3 you're getting a bird's eye view into somebody's living room
4 or a worm's eye view of somebody's living room.

5 MS. ALEXANDER: Yes. I mean, in the past it's a
6 direct eye-to-eye that's the most awkward, when you're
7 walking, right.

8 COMMISSIONER MAY: Yes.

9 MS. ALEXANDER: So if it's a little bit elevated,
10 two to three feet, or four, we're about four to five feet
11 elevated in this project --

12 COMMISSIONER MAY: Yes.

13 MS. ALEXANDER: -- it's less awkward.

14 COMMISSIONER MAY: Hmm.

15 MS. ALEXANDER: But this occurs throughout the
16 District where every --

17 COMMISSIONER MAY: Well I know. I mean, I sit in
18 my front window in the booth in the kitchen and I'm eye-to-
19 eye with the people walking by.

20 MS. ALEXANDER: Oh dang.

21 COMMISSIONER MAY: I'm not uncomfortable with it,
22 maybe they are.

23 (Laughter.)

24 COMMISSIONER MAY: Anyway, just something to think
25 about. I think the lower units are probably less of a

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1 concern because if there's some distance between the sidewalk
2 and where the area way begins, it's not like it's a clear
3 shot into it.

4 And I know that you're going to be limited in how
5 far out you go in the, with those area ways. So, I
6 understand the argument for the architecture in not having
7 a tripartite form. I mean, that was, again, an oddly
8 architectural consideration.

9 And I understand that the buildings are not
10 currently occupied, right?

11 MR. WEINBAUM: That's correct. Yes.

12 COMMISSIONER MAY: And how is it they have come
13 to be not occupied?

14 MR. WEINBAUM: About three years ago we stopped
15 leasing at the property, and those were market rate units.
16 There were 63 units there.

17 And so, over time people have moved to other parts
18 of the City or to other parts of Washington Apartments.

19 COMMISSIONER MAY: I see.

20 MR. WEINBAUM: There are two other parts of
21 Washington Apartments.

22 COMMISSIONER MAY: Okay.

23 MR. WEINBAUM: So, some people have moved there.
24 And when they done that, there were newer renovated units
25 that they moved to.

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1 COMMISSIONER MAY: Got it. I mean, in Washington
2 Apartments, those apartments that your firm controls?

3 MR. WEINBAUM: Yes.

4 COMMISSIONER MAY: And did you incentivize that
5 and --

6 MR. WEINBAUM: We provided, we knew because based
7 on occupancy that there was some opportunity for folks to
8 move into those other two buildings --

9 COMMISSIONER MAY: Yes.

10 MR. WEINBAUM: -- or those other two locations.
11 So those units were renovated, and we covered the cost of the
12 moves for folks --

13 COMMISSIONER MAY: Right. Okay, so there was some
14 sort of incentive.

15 And it's interesting because we occasionally have
16 to deal the issue of relocating existing residents and you
17 have basically taken care of all that and everybody seems to
18 be satisfied at this point, so I think that's an interesting,
19 and frankly, welcomed strategy.

20 All right, last question is also architectural.
21 Can we get one of the closer up renderings on the screen?

22 Maybe not that. Maybe it's in elevation. Yes,
23 just a straight up elevation. I'm not sure if you have it
24 in the presentation. I saw it in, what I'm looking for is
25 a view that, oh, there we go. Okay.

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1 So zoom in a little bit there. So, we're seeing
2 two little square vents on the projecting bays.

3 MS. ALEXANDER: Correct.

4 COMMISSIONER MAY: So I appreciate the honesty and
5 the fact that you've shown them, because some people might
6 try to not show them. But don't you think it's a problem?
7 Particularly on a projecting bay.

8 MS. ALEXANDER: I will be honest with you, vents
9 aren't my favorite thing.

10 (Laughter.)

11 COMMISSIONER MAY: Well, I'm very relieved to know
12 that.

13 MS. ALEXANDER: But they are a fact of our --

14 COMMISSIONER MAY: True.

15 MS. ALEXANDER: -- construction life. And we do
16 everything possible to make them go away.

17 In this case we had the glass corner and then the
18 glass portions in-between. So they are very limited
19 locations where we had to put vents in order to get them out,
20 and we tried not to put them on projecting bays.

21 You'll see them on the side on most of these bays.
22 But this was a unique situation. We could try and avoid it
23 entirely by going through another unit, but there is some
24 like smoke buffer, smoke dampers required if you do that.

25 COMMISSIONER MAY: Yes.

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1 MS. ALEXANDER: So this was the solution we came
2 to for now.

3 COMMISSIONER MAY: I mean, it also sort of
4 highlights the fact that you have this white metal panel
5 construction. It's no secret, I'm not a fan of white metal
6 or pretty much white anything because of the way it can get
7 dirty over time. And I think when you start putting,
8 especially when you start putting things like that that are
9 going to generate dirt, I mean, are some of these like dryer
10 vents or are they just bathroom vents?

11 MS. ALEXANDER: There will be dryer vents, yes.

12 COMMISSIONER MAY: Yes. So dryer vents are going
13 to be pumping lint out and that's going to add to the suet
14 that trails down the white building and makes it dirty.

15 So, I would urge you to find another way to deal
16 with those. And if they have to be on that facade that they
17 be integrated in some way in the facade and they're just not
18 like punched in wherever they have to be. Because right now
19 they're just, these are warts on the face of otherwise a nice
20 building.

21 MS. ALEXANDER: We were proposing that they would
22 be flush vents as opposed to the ones that stick out that are
23 the most offensive.

24 COMMISSIONER MAY: Okay.

25 MS. ALEXANDER: But I hear you.

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1 COMMISSIONER MAY: You know, but I mean, if there
2 were some sort of coursing to the metal, or something like
3 that, that they integrated into, I mean, you also have two
4 different sizes, I'm not sure what's driving that. Other
5 than the mechanical guy is the one who sized them and --

6 MS. ALEXANDER: There are different types, and we
7 can study that.

8 COMMISSIONER MAY: Yes. I mean, at least make
9 them the same size. And surely, I mean, have you researched
10 other products that make them look less obvious?

11 MS. ALEXANDER: There are different products, and
12 we can continue that conversation.

13 COMMISSIONER MAY: Yes. I mean, I really think
14 you should because it's just, like I said, otherwise the
15 building is quite nice and those look bad.

16 I know it pains you to have to sit there and
17 defend them, but I'm trying to inspire your whole team and
18 the owner to try to deal with that because it just, they just
19 look bad.

20 MS. ALEXANDER: Thank you.

21 COMMISSIONER MAY: Too much time on vents, sorry
22 about that.

23 CHAIRMAN HOOD: Thank you. Commissioner Shapiro.

24 COMMISSIONER SHAPIRO: Thank you, Mr. Chair. Just
25 a few questions. First of all, a comment about this. The

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1 issue of the sight lines, people looking in.

2 I share Commissioner May's concerns about that,
3 or your curiousness about that. Though I wouldn't want to
4 over plant because then you might have issues around feelings
5 of safety for going down the stairs. So it's a bit of a
6 balancing act. Yes, I'm not sure what to say beyond I see
7 both sides of that.

8 Can you talk for a few minutes about this whole
9 exterior access? Which units and how many units and how
10 that, I just want to understand it better.

11 MS. ALEXANDER: Let me just get to that drawing.
12 So, we have a variety of different ways the units are
13 accessed.

14 This sheet here shows the typical condition on the
15 mid-block portion. So, where we have the bay windows, where
16 we have an up and a down. Each going to balconies or a
17 terrace below.

18 So that's the one that most simulates your typical
19 townhouse condition.

20 On the corners are a little bit more constrained
21 for space. You'll see --

22 COMMISSIONER SHAPIRO: So, is there interior
23 access as well --

24 MS. ALEXANDER: Correct.

25 COMMISSIONER SHAPIRO: -- to these units? Okay.

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1 MS. ALEXANDER: Yes. So, the lower level would
2 have a door onto a terrace and then the upper floor also has
3 a door on the side of the bay that goes into the living room.
4 Which is the large glass portion.

5 COMMISSIONER SHAPIRO: But again, you're entering
6 from an interior hallway as well --

7 MS. ALEXANDER: Oh, I am sorry, I misunderstood
8 your question. Yes.

9 COMMISSIONER SHAPIRO: Okay.

10 MS. ALEXANDER: Yes.

11 COMMISSIONER SHAPIRO: Okay. And how many units
12 have this configuration?

13 MS. ALEXANDER: I do not know the exact number.
14 We have shown all the access points on the site plan, so we
15 can count them if you give us a minute.

16 COMMISSIONER SHAPIRO: I mean, I'm wondering, I
17 couldn't tell, does every first floor unit have exterior
18 access?

19 MS. ALEXANDER: Oh. Between 14 and 18 units.

20 COMMISSIONER SHAPIRO: So every first floor unit.
21 Now it's --

22 MS. ALEXANDER: No.

23 COMMISSIONER SHAPIRO: -- like about --

24 MS. ALEXANDER: No.

25 COMMISSIONER SHAPIRO: -- something like that.

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1 MS. ALEXANDER: There are some --

2 COMMISSIONER SHAPIRO: Sorry.

3 MS. ALEXANDER: Some units do not have access --

4 COMMISSIONER SHAPIRO: Okay.

5 MS. ALEXANDER: -- because, again, their location
6 in proximity to the corner or other areas that didn't allow
7 for direct access.

8 COMMISSIONER SHAPIRO: Okay.

9 MS. ALEXANDER: They do have terraces. Sorry.

10 MR. WEINBAUM: Sorry. We're counting now, but --

11 COMMISSIONER SHAPIRO: Yes.

12 MR. WEINBAUM: -- I think it's between 14 and 18.

13 COMMISSIONER SHAPIRO: Okay. All right, thank
14 you.

15 So, the other question is related to the
16 environmental features. If you could go to the rooftop.

17 So, I appreciate the solar panels on the roof.
18 Why that number? Why not more? How did you come to that?

19 MS. ALEXANDER: So, this was the number required
20 to get the lead point. It's a good starting place.

21 And it maximized the south facing solar panel
22 opportunities, which are the most efficient.

23 COMMISSIONER SHAPIRO: What would happen if you
24 added more solar panels and integrated it into the rest of
25 the green roof that I see covering much of this, right?

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1 MS. ALEXANDER: It would just be more penetrations
2 potentially or more weight on the roof. More cost.

3 MR. WEINBAUM: if I could just add. I think it's
4 also challenging because we're meeting the .4 GAR ratio.
5 It's already pretty tight in terms of the thickness of the
6 green roof.

7 So we're, again, it's like a balancing act. We're
8 trying to figure out the right thickness of the green roof
9 as well as the solar panels and the weight on the building.

10 So, we wanted to do the, make the commitment on
11 solar and help with the lead point. And also balance the
12 green roof because of that .4 GAR, which I think is higher
13 than in certain projects.

14 COMMISSIONER SHAPIRO: Okay. I appreciate you
15 being thoughtful about it. That's all I have, Mr. Chair.

16 CHAIRMAN HOOD: All right, thank you.
17 Commissioner Turnbull.

18 COMMISSIONER TURNBULL: Thank you, Mr. Chair.
19 Thank you for your presentation.

20 And I think the street views look very, I like the
21 building, I think it looks very well. But I wonder if you
22 could, the courtyard, the little drawings I see don't really
23 tell me much. What's going on in the courtyard?

24 MS. ALEXANDER: In terms of the facade?

25 COMMISSIONER TURNBULL: Materials, yes.

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1 MS. ALEXANDER: So, we did concentrate on the
2 street views, that would be more perceived by the public.
3 So I would say our design efforts on the courtyards aren't
4 maybe completely finished.

5 But the intention is, if I can ever find the
6 section, is that they would be cementitious panel, or siding.
7 I think wide siding or panel.

8 And would have French balconies on the living
9 spaces of the units and then double windows in the bedrooms.
10 And a few of the units on the ends which are --

11 COMMISSIONER TURNBULL: Can you zoom in on that?

12 MS. ALEXANDER: Sure. So, I'll go to this one.
13 So, a few of the units on the short ends, the ones with the
14 wider expanse, would get full balconies. And then French
15 balconies other than that.

16 COMMISSIONER TURNBULL: Yes, I hadn't really seen
17 it in the bigger drawings. When you showed your PowerPoint
18 it looked very stark. The interior courtyard.

19 How many, what is the percentage of units on the
20 courtyard as related to the whole building?

21 MS. ALEXANDER: I would guess roughly a third
22 maybe.

23 COMMISSIONER TURNBULL: A third, that's a
24 significant amount of people living on the inside. And I
25 think if you'd want to attract people, I mean, the outside

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1 looks wonderful. The street views it's like, wow, we met the
2 street and we look nice and everyone's happy.

3 But the poor people in the courtyard get this
4 stark white cementitious panel.

5 MS. ALEXANDER: Well, the one thing I would --

6 COMMISSIONER TURNBULL: I mean, I just think it's
7 sad.

8 MS. ALEXANDER: The one thing I would like to say
9 is we have made a very concerted effort in the landscaping.
10 That the, especially the southern courtyard is going to be
11 extremely green, very, almost jungle like.

12 And so, the thought was that that will help, the
13 building is a quiet backdrop for the landscaping. We wanted
14 it to be light in color so that we did have the reflection
15 of light. We found that to be successful in courtyards of
16 this size.

17 And so, here you can see, again, that very
18 beautiful pallet of green, larger trees that are mature trees
19 on dirt. They're not going to be tiny, they can actually
20 grow to a nice volume because they are sitting on dirt.

21 And then the southern courtyard, or sorry, the
22 northern courtyard, it's one story shorter so it would have
23 more natural light. Inherently, that would be more of the
24 play courtyard. So the idea of kind of the grilling and
25 outdoor activities would happen in that courtyard.

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1 And, again, it's one story shorter so it's already
2 a more sunny experience.

3 COMMISSIONER TURNBULL: Yes. I guess I looked at
4 your design on the exterior, if the street view is up here.

5 MS. ALEXANDER: Okay.

6 COMMISSIONER TURNBULL: The interior courtyard is
7 like, something is missing.

8 MS. ALEXANDER: Okay.

9 COMMISSIONER TURNBULL: I just think that for the
10 lifestyle, I mean, you got Juliet balconies or French
11 balconies and you got all your few units have actually
12 recessed balconies. It just seems that a third of the
13 building is deprived.

14 Maybe that's a little bit strong but it seems like
15 you could have beefed up and had a little more bit accent or
16 something a bit more lively in there. But, I'm not going to
17 make a big deal about it but it just seems that if I'm going
18 to buy a unit in your building I really don't want a
19 courtyard building. Courtyard unit I should say.

20 Can you talk a little bit about, I like the
21 outside of the building, I mean, it's nice.

22 MS. ALEXANDER: Thank you.

23 COMMISSIONER TURNBULL: I think it makes sense.
24 It sort of blends in with the neighborhood. I think there's
25 a lot of character to it.

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1 I think the in-and-out that you're trying to do,
2 you've achieved that. Other than the issues that
3 Commissioner May brought up with the architecturally, you
4 know, structurally kind of isn't going to work.

5 Let me go on. Affordable housing. Can you talk
6 a little bit about your strategy of unit placement?

7 Here's my issue. One of the big things that I
8 really find difficult to deal with is, a lot of times
9 affordable units, IZ units, get stuck in places that, oh,
10 market rate is not going to sell.

11 So where do we put them, loading docks, by garage
12 entrances. Places where you want to sell, where it's going
13 to be difficult to sell that. And you got a little tiny plan
14 in your, and it took me, and I had to go through that
15 document and find this little tiny plan and try to highlight
16 where those units are.

17 So it's like, I felt like, you should have put
18 those units on a big plan so people can see it. But there
19 are some units that are just, it is what it is.

20 But as I say, what I really don't appreciate is
21 seeing a lot of affordable units by garage door entrances and
22 that. I know you have a three bedroom and you have some
23 other units that are like near that.

24 So, I just want to know what your strategy is,
25 what your plan is, how you go about putting out, locating

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1 affordable units in the building.

2 MR. WEINBAUM: I'll say, generally, we really did
3 try to, kind of at a commensurate level, spread them around.
4 So if you see, and I apologize that it's small and hard to
5 see, it's hard for me to see, we did try to spread them.

6 We have some that face each of the streets, some
7 that face the courtyard, spread in both the north wing and
8 the south wing on the different floors. The green units you
9 can see are, indicated there, are the 50 percent of AMI and
10 the yellow are the 60.

11 And they go up. They're not just on the first or
12 second floor, they're not concentrated there. They are as
13 well, if you scroll up on the, you can see on the third and
14 fourth floor as well, that we continue to have units, again,
15 continue to have them spread in both wings, outside, inside,
16 continuing all the way up.

17 So we tried to make it -- can you scroll back down
18 to where the -- yes.

19 MR. WEINBAUM: Yes. Okay. No.

20 COMMISSIONER TURNBULL: I'm just pointing that
21 out.

22 MR. WEINBAUM: Sure.

23 COMMISSIONER TURNBULL: It strike me, when I first
24 see that, you've got four affordable units right by the
25 garage door entrances.

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1 MR. WEINBAUM: Okay. That's fair.

2 COMMISSIONER TURNBULL: Like I say, it happens on
3 most of our projects.

4 MR. WEINBAUM: Okay.

5 COMMISSIONER TURNBULL: And it just irritates me.

6 MR. WEINBAUM: I understand.

7 COMMISSIONER TURNBULL: I don't know what my
8 fellow Commissioners think, but it's just one of those little
9 troubling spots that, I know you're struggling to place units
10 in that, but I think a little bit more care needs to be put
11 into where we locate them.

12 MR. WEINBAUM: Okay.

13 COMMISSIONER TURNBULL: Mr. Chair, that would be
14 my comments for now.

15 CHAIRMAN HOOD: So we want them, and I agree, it
16 does happen, I just want to echo on your comments, it does
17 happen on a lot of projects.

18 We also insist that they re-look at it. And I
19 think that's where you're going, right, Commissioner
20 Turnbull?

21 COMMISSIONER TURNBULL: Right.

22 CHAIRMAN HOOD: Okay. I would, I second that.
23 Vice Chair Miller.

24 VICE CHAIR MILLER: Thank you, Mr. Chairman. And
25 thank you for, thanks for your presentation.

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1 This is very attractively designed project. I
2 like all the materials and colors.

3 But I generally agree with, I just bring a lot of
4 badly needed housing to the District of Columbia, including
5 a greater amount of affordable housing than minimum that's
6 required under inclusionary zoning. But I generally agree
7 with the comments of my fellow Commissioners.

8 I mean, on the housing, I understand, you know,
9 I get a justification why you weren't going with the
10 Department of Housing community developments recommendation
11 which was supported by Office of Planning to increase the set
12 aside to 15 percent from the 12 percent that you've currently
13 proffered.

14 And you provided a fairly reasonable justification
15 that the, there's no map amendment that's being applied for
16 in this case and the extra density is fairly minimal. And
17 it's due largely to the wonderful balconies that you all
18 like, tenants like, we like. The FRA that's being assigned
19 to that.

20 And the additional loading dock, which is better
21 for the efficiency of the building and for the tenants as
22 well, I assume.

23 However, it is, at the very high end of the
24 density and you're getting relief from the lot occupancy, in
25 this case you're way over the lot occupancy, in a moderate

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1 density land use, moderate density residential land use, map
2 designation, which is probably wrong, currently on the future
3 land use map of the current comprehensive plan.

4 But that amount of density is kind of at the high
5 end. And there's a lot of row house development in that
6 neighborhood. Although there is apartment neighborhoods as
7 well.

8 So, I would just encourage you, if you're able to
9 up the, set aside to an even higher amount than you've
10 already gone to, which I said is above the minimum. Just
11 because of the Macmillan Balancing Test that we're, in terms
12 of the comprehensive plan, consistency.

13 So, I just would encourage you to look at that
14 again. Maybe not going all the way to the 15 percent that's
15 being recommended but upping it somewhere.

16 I don't know if you want to comment at this time,
17 but --

18 MR. WEINBAUM: Thank you. I appreciate the
19 question and the comment.

20 And we did, as you know, make an adjustment after
21 the sit down from the ten percent at 60 percent of AMI and
22 two percent at 80.

23 But as was mentioned, we studied it after hearing
24 from DHCD. And the 12 is the maximum of where we can be in
25 terms of the economics. I believe the PUD here yields about

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1 52,000 gross square feet of additional density.

2 So, based on our affordability commitment, 23
3 percent of every additional square foot of bonus density is
4 affordable housing. So we're balancing as well how much
5 we're getting in terms of additional density from the PUD.

6 And if you view it another way, the proposed
7 project provides nearly 12,000 square feet of affordable
8 housing above the amount that would be required in matter of
9 right with the IZ bonus.

10 So, when we balance it, I know we are exceeding
11 lot occupancy, but that was also part of the feedback we got
12 from the community of keeping to that matter of right height
13 of 50. So we would have had a different conversation had we
14 gone higher and not made the request around lot occupancy.

15 And that was sort of a balancing that we've also
16 seen the Zoning Commission do in another part we had as well
17 and felt that that was a way to be more contextually
18 sympathetic to the neighborhood and ensure the project fits
19 in.

20 VICE CHAIR MILLER: And I recognize and appreciate
21 that you are doing a substantial number of three-bedrooms and
22 two-bedrooms that aren't necessarily required. The 18 sales.
23 You're taking three-bedrooms, three of which are affordable.

24 MR. WEINBAUM: Yes.

25 VICE CHAIR MILLER: And the 83 two-bedrooms, 11

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1 of which I think are affordable.

2 MR. WEINBAUM: Yes.

3 VICE CHAIR MILLER: So that goes into the whole
4 balancing as well. The Office of Planning had requested, you
5 had requested flexibility on the number of units and the
6 Office of Planning asked you to restrict that to just the
7 studios and one-bedrooms.

8 MR. WEINBAUM: And I think --

9 VICE CHAIR MILLER: I think you said in your
10 testimony that you would not go under 18 for the three-
11 bedrooms, but what about the two-bedrooms?

12 MR. TUMMONDS: I think we said at some point
13 there's only so much way we can change the unit mix. And
14 we're limiting that total flexibility to five percent.

15 So I think when we started looking at, if you do
16 take the three-bedrooms out of play, there's not that much
17 room to work with, for lack of a better term, in doing the
18 unit counts.

19 So we thought there was, in addressing their
20 concerns, make sure that, all right, we'll limit the
21 flexibility to five percent of the total number of units, we
22 won't touch the threes. And then that does give the, kind
23 of we think the flexibility that we're seeking to make it
24 worthwhile.

25 MR. WEINBAUM: So it's a lesser flexibility

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1 percentage overall and then no flexibility in terms of the
2 minimum of the 18 three beds.

3 MR. TUMMONDS: Yes.

4 VICE CHAIR MILLER: But you're not going to apply
5 that, all that flexibility to the two-bedrooms I hope?

6 MR. TUMMONDS: That is certainly not the intent,
7 no.

8 VICE CHAIR MILLER: Okay.

9 MR. TUMMONDS: To turn it all into studios and
10 ones, yes.

11 VICE CHAIR MILLER: Okay. And I appreciate all
12 the responsiveness that you have made since this, the
13 beginning of this case, to Zoning Commission's comments,
14 Office of Planning's comments, the Agency comments and
15 community concerns.

16 All the community engagement that you have done
17 garnering ANC 6E support and garnering the withdrawal of the
18 opposition of Metropolitan Community Church. So that's all
19 very good. And I applaud you for that.

20 What concerns specifically of Metropolitan were
21 addressed in your discussions, was it the construction
22 management agreement and something else?

23 MR. WEINBAUM: Yes. We had great discussions with
24 them in terms of their concerns about the construction, about
25 loading, about light and air.

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1 Just things about being a neighbor and building
2 a building there because there had been a surface lot on the
3 5th street side. So we worked with them to have those
4 discussions and reach a chord.

5 VICE CHAIR MILLER: Okay. I think that's about
6 it for my questions at this point. Thank you, Mr. Chairman.

7 CHAIRMAN HOOD: Okay, thank you. Can we put back
8 up the viewing that shows around the whole building where we
9 went around, I think it was the last thing you showed us
10 earlier. Walk me around that again.

11 MS. ALEXANDER: So, we're on M Street here looking
12 towards the east. And then we walk a little bit further
13 towards the east. So that's the view with the historic
14 townhouses to our south on the right-hand side.

15 And then here we're on 6th Street looking towards
16 the north. So those same historic townhouses are on our
17 right-hand side. And the other side is also historic
18 townhouses.

19 And then we've crossed over now. We're on M
20 Street again, this time looking towards the west. So our
21 project slightly obscured by the existing trees, but you can
22 start to see it.

23 And then here we're on Ridge Street. So, again,
24 looking towards the west. The MCC Church is here, and our
25 landscape courtyard that's open to the public is here.

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1 CHAIRMAN HOOD: Okay. I appreciate the view. I
2 want the winter view though. I want the view where there's
3 no leaves. So you can submit that for the record. That will
4 be most appreciated. The same thing in all the scenes that
5 we just saw, I want the winter view, okay?

6 MS. ALEXANDER: Okay.

7 CHAIRMAN HOOD: All right. I really like the
8 design, that's why I'm almost hesitant to make this next
9 statement, but I really like the design.

10 The problem that I'm having, and I like the color
11 coordination, the problem I'm having is with the metal canopy
12 and the white panel. Because, I say this all the time, and
13 I didn't hear my other colleagues who have a little more
14 training than I do, saying anything about it.

15 But I'm always concerned about, there's a project
16 and I always bring this up. It's a project that this
17 Commission voted on, and I unfortunately sat on it, and I
18 pick somebody out at that building every time I see that
19 dirty white, it upsets me that I even had a hand in it. But
20 I've learned from that.

21 So I guess the issue is, I don't want to, if this
22 goes forward, we have a nice building and after five or seven
23 years the neighbors have to look at some dirty white. So we
24 need to make sure that we either have a way to clean it or
25 you can give me some assurance, give me a comfort level that

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1 this building will look at least nice for 15 to 20 years.
2 Give me that comfort level.

3 Not after five years then everybody is, and then
4 we ride by and say, what have we done. So give me a comfort
5 level.

6 MR. WEINBAUM: I'll speak on behalf of the fact
7 that MidCity, as you know, has been around for 55 years.
8 We're long-term holders, we're not merchant builders who
9 build and sell.

10 So we have as much incentive, more incentive than
11 anybody, to ensure the building continues to look good. We
12 have 360 reasons to ensure that it looks good for future
13 residents. For people to want to be there.

14 I mean, we're trying to build something that will
15 be accretive and wonderful in the neighborhood and will
16 continue to look good. So, if it's not looking good it's a
17 problem for us.

18 And so, we're going to do everything we can to
19 ensure that it stays clean, it stays fresh, it stays
20 beautiful. I mean, that's our commitment is we're not
21 ditching it, we're not getting rid of it, we're not selling
22 it in five years.

23 CHAIRMAN HOOD: Okay, that sounds good but I want
24 to make sure that we at least note that, Mr. Tummonds, in the
25 order, since I've heard from Mr. Weinbaum -- and I'm not

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1 going to look at anybody else. I just want to make sure that
2 we at least note that in the order.

3 MR. WEINBAUM: Yes.

4 CHAIRMAN HOOD: But I appreciate your comments,
5 Mr. Weinbaum, I appreciate that.

6 You messed up my thunder about the District
7 residents so I'll move on from that question. Help me
8 understand about the parking. Tell me how all that's going
9 to work.

10 I saw some, at least the impression I thought in
11 one of the letters, and I'm going off the top of my head, was
12 that nobody at this site was going to have cars. Help me
13 understand how all that's going to work.

14 MR. TUMMONDS: Go ahead.

15 MR. WEINBAUM: Okay, sure. So we have
16 approximately 100, 103 spaces in the garage. All garage
17 access happens from N Street.

18 So if, and then it goes from N, there's a curb cut
19 there which pretty mirrors where the curb cut is today there
20 into the surface lot. And cars will come down that one ramp
21 and then they'll circle through into that visual there and
22 be able to move around to the different spaces.

23 On that level will also be where we have bicycle
24 parking. And residents will be able to go up in the
25 elevators from there.

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1 And, Sarah, if you can point out. Right there is
2 the elevators that would get you into, if you could just stay
3 on that one. Yes, that will get you into the north wing,
4 which is straight above you.

5 But then if you go to those elevators, that will
6 get you to the south wing. So all the parking for the whole
7 building is under the north wing in that middle bar there.

8 And in terms of the ratio, I believe it's one per
9 three plus a 50 percent reduction by being, as close as we
10 are to Metro. So I think the required spaces for a building
11 of this size are around 61. Is that correct, Rob?

12 I think it's somewhere around there would be the
13 minimum. And so --

14 CHAIRMAN HOOD: It's 61. So you all are, what,
15 about a block away? Two blocks?

16 MR. WEINBAUM: We're a block.

17 CHAIRMAN HOOD: A block, okay.

18 MR. WEINBAUM: Yes.

19 CHAIRMAN HOOD: So, basically, the assumption is
20 that people either ride metro, I saw a submissions card to
21 go, bicycles. And what else?

22 What happens for old, yes, what happens when its,
23 is there RPP in this neighborhood?

24 I don't usually like to talk about RPP, but is
25 there RPP in this neighborhood?

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1 MR. SCHIESEL: Yes, there is some. Including
2 streets adjacent to the --

3 CHAIRMAN HOOD: Is it enforced or is it just
4 there?

5 MR. SCHIESEL: I don't know if it's enforced.

6 CHAIRMAN HOOD: Oh yes, okay. All right, I think
7 though what may get me over the hump is just a few feet away
8 from the metro. A block or so away.

9 The other concern I had, and this may be standard
10 language in the construction management plan, some certainty
11 I think. I know that we have all that evolved, I actually
12 like the plan, but it said that at a reasonable time we will
13 fix some homes.

14 And I understand, explain to me what a reasonable
15 time is? I can go to it if I need to get you the exact
16 language.

17 Mr. Weinbaum, somebody explain to me, what does
18 a reasonable time mean, does it mean wait until we finish
19 damaging everything else and then we will come in and fix it
20 or wait forever until the whole project, what is a reasonable
21 time?

22 And I think this is something we need to tighten
23 up because I think we want to give some predictability to the
24 residents who may have some damage.

25 MR. TUMMONDS: Yes. I think that makes perfect

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1 sense. And we'll tighten up that language.

2 CHAIRMAN HOOD: Okay, let's tighten that language
3 up. All right, other than what I have, I don't have any
4 other questions. And I thank you all.

5 And actually, I really thank the builder. You
6 assure me that white is not going to be dirty in five years,
7 I really like the way the building looks.

8 MS. ALEXANDER: Thank you.

9 CHAIRMAN HOOD: All right, any other questions or
10 comments up here?

11 All right, ANC 6E. Chairman, is the chairman here
12 for ANC 6E?

13 (Off-microphone comments.)

14 CHAIRMAN HOOD: Oh, okay. Yes, I know, but you're
15 not speaking, who's going to represent the, let me ask you
16 this, who is going to represent the ANC, are you representing
17 the ANC?

18 (Off-microphone comments.)

19 CHAIRMAN HOOD: You're not representing them. So
20 nobody is here. The person who was taking the class, the
21 vice chair whoever, is not here? Okay.

22 All right. And this was just for cross
23 examination, so no one is here.

24 So let's go to the Office of Planning, Ms. Thomas,
25 and then the District Department of Transportation, Ms. Lin.

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1 MS. THOMAS: Yes. Good evening, Mr. Chair,
2 Members of the Commission. Karen Thomas with the Office of
3 Planning.

4 We are going to rest on the record in support of
5 this application. With the caveat that we would like a
6 little bit more information on the flexibility, with respect
7 to the units from the Applicant, to get a little bit more
8 comfort level with that. And I'd be happy to take any
9 questions.

10 CHAIRMAN HOOD: Okay, thank you, Ms. Thomas. Ms.
11 Lin.

12 MS. LIN: Good evening, Chairman Hood and
13 Commissioners. For the record, my name is Cynthia Lin with
14 the District Department of Transportation.

15 Throughout this process we conducted a thorough
16 review of the site plans and comprehensive transportation
17 review study. DDOT concurs with the analysis in the CTR that
18 there would not be any impacts to roadway operations
19 necessitating mitigations at intersections in the vicinity
20 of the site. With the addition of the site generated
21 traffic.

22 DDOT is very supportive of this application as the
23 Applicant has proposed a number of positive changes to the
24 building from a transportation perspective.

25 The site is located in a pedestrian oriented part

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1 of the City, within one block of Metro Rail. The Applicant
2 has proposed a low parking ratio that falls within DDOT's off
3 street parking guidelines and a robust TDM transportation
4 demand management plan that is sufficient to encourage non-
5 auto modes.

6 DDOT believes that those are all significant and
7 positive contributions to the neighborhood and we look
8 forward to continuing work with the Applicant during public
9 space permitting.

10 DDOT has no objection to the approval of the
11 design or re-application, with a condition contained in our
12 December 30th, 2019 report. Which included revisions to the
13 TDM plan that were incorporated and covered in tonight's
14 presentation. Thank you.

15 CHAIRMAN HOOD: Okay, thank you both, Ms. Thomas
16 and Ms. Lin. Commissioners, any questions or comments of
17 either the Office of Planning or DDOT?

18 Not seeing any, does the Applicant have any?

19 MR. TUMMONDS: No questions.

20 CHAIRMAN HOOD: Again, I don't see the person
21 representing, I know the chairperson, the current
22 chairperson, I don't see the person representing the ANC 6E
23 at this time.

24 Okay, let's go to other government reports. I
25 think we spoke about it. Are we missing any other

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1 colleagues? Okay, I think we can keep right on moving.

2 The report of the ANC, are you going to give the
3 favorable report or do you want me to? I guess I'll give it.
4 I want to be respectful of the chair even though I know your
5 position.

6 Let me get a report, part of the report of the
7 ANC. I'm not going to read the whole thing.

8 Ms. Schellin, I had it open, can you tell me which
9 exhibit it is again?

10 MS. SCHELLIN: 47.

11 CHAIRMAN HOOD: 47, okay, thank you. Okay, this
12 was done on December 31st, 2019. First, I want to commend
13 them for doing it during the holidays.

14 This is from Alexander T. Marriott. At that time
15 was the chair of ANC 6E. Okay.

16 And they go on to say, Advisory Neighborhood
17 Commission 6E conducted a public meeting on Thursday,
18 December 19, 2019, at the Kennedy Recreation Center.

19 It goes on to talk about, and basically what we
20 were concerned about, all of it, but specifically, at the
21 Commission's meeting, duly noticed and with this case listed
22 in the notice, with a quorum present, four out of seven
23 Commissioners required to be in attendance to achieve a
24 quorum. ANC 6E voted three in favor, one opposed, and one
25 abstention, to support the PUD application. So noted.

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1 All right, let's go to testimony of persons who
2 are, organizations of persons who are here in support. You
3 can come forward at this time if you're going to testify.

4 Now see, did you stand to take the oath? You know
5 I was going to remember that.

6 MS. SCHELLIN: And neither did he.

7 CHAIRMAN HOOD: Okay, so everybody who didn't
8 stand take the oath. I actually wanted to have a little fun
9 anyway because I figured you, I'm glad you did. Come on,
10 come. We just want you to take the other.

11 PARTICIPANT: Oh.

12 CHAIRMAN HOOD: Okay.

13 MS. SCHELLIN: Please raise your right hand.

14 CHAIRMAN HOOD: Everybody who has not taken the
15 oath you come and, hold on for a second. I especially wanted
16 this guy to take the oath. No, I'm just playing.

17 (Laughter.)

18 MS. SCHELLIN: Is this for people in support?

19 CHAIRMAN HOOD: Hold on a second.

20 MS. SCHELLIN: Or opposition.

21 CHAIRMAN HOOD: Are you coming in support?

22 PARTICIPANT: Support.

23 CHAIRMAN HOOD: Okay, in opposition? Here's the
24 thing, if you did not take the oath, whether you're in
25 support, opposition of undeclared, stand at this time and

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1 take the oath. There we go. Okay.

2 MS. SCHELLIN: Raise your right hand. Do you
3 solemnly swear or affirm the testimony you'll give this
4 evening will be the truth, the whole truth and nothing but
5 the truth?

6 (Witnesses sworn.)

7 MS. SCHELLIN: Thank you.

8 CHAIRMAN HOOD: Okay. So, all those that are in
9 support, come forward at this time. Everybody who is in
10 support, come forward.

11 Okay, so my number has grown. Okay, so just have
12 a seat and we got one, we'll hold you. Anybody else who is
13 in support after, I'm going to have one round after this.

14 Okay. So what we will do, we'll start to my left.
15 You may begin and we'll work to our right.

16 You have three, whatever the time the Secretary
17 puts up.

18 MR. CARTER: My name is Dean Carter. I just moved
19 in the area about a year ago with my cousin, I was down in
20 the bad, I just moved up here.

21 But since I've been around here I noticed there
22 is that giant space, giant great big space and I look around
23 and I see there is a lot of places our here looking really
24 modern, up to date. I think you could really do something
25 with that, and this seems like a great idea to do with it.

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1 That's it.

2 CHAIRMAN HOOD: Good man. Thank you. Next.

3 MR. SMITH: My name is Marcus Smith. I've been
4 at 1330 for about two years. To go off what he said
5 basically, it's just a big ass space. Big space. You don't
6 want unwanted attention that will bring from being empty like
7 that for all these years.

8 CHAIRMAN HOOD: Thank you. Next.

9 MS. PRESSLEY: Hello. My name is Darria Pressley.
10 I've actually lived in the neighborhood pretty much my entire
11 life.

12 I used to live in those apartments before they
13 were closed. And I would like to see that area turned into
14 something beautiful.

15 MS. VERBANIC: Hi, I'm Jessica Verbanic. I've
16 been in D.C. for five years and I've lived and worked in Shaw
17 the entire time, so I do feel personally invested in the
18 community and the aesthetic of the community.

19 I used to live on 4th and L for four years. I
20 recently moved to 11th Street so I can speak to just the
21 difficulty of trying.

22 I love this neighborhood and trying to find
23 housing was very stressful in this area. There weren't a ton
24 of opportunities that were affordable. So the fact that they
25 are providing affordable housing above the rate, but also

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1 market rate apartments.

2 I would walk to work and specifically avoid
3 walking by this site just because it's not attractive
4 currently. The parking lot is really awful to walk by I feel
5 like. So I think Torti Gallas did a really good engaging the
6 existing architecture surrounding.

7 I feel like seeing the views I would actually want
8 to walk by that. I would go out of my way probably to walk
9 on their streets.

10 So I think it's really engaging and it's doing
11 much better aesthetically with the site than what's currently
12 there.

13 CHAIRMAN HOOD: Okay, thank you. Next.

14 MR. BROWN: Former Commissioner, ANC Commissioner,
15 Anthony Brown. But I'm the Chair of the ANC 6E Zoning
16 Committee.

17 The project has been through several stages and
18 they met with us on several occasions. I've met with them
19 personally on the street.

20 It brings a new, I guess you would say, feel to
21 the neighborhood to have this project to go forward. We
22 reviewed the material and I think we had some comments about
23 the facade. And I believe they had addressed them. And they
24 were addressing them still, going through the process.

25 We feel that, and we recommended to the full ANC

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1 that they support this project based on our discussion. And
2 I think the vote was unanimous. Total of six people. So we
3 definitely like it.

4 CHAIRMAN HOOD: Okay, thank you. Next.

5 MR. WILLIAMS: Good evening, Commissioners.

6 CHAIRMAN HOOD: Mr. Brown, you want to turn your
7 mic off so we don't get feedback there.

8 MR. WILLIAMS: Good evening, Commissioners. My
9 name is Bob Williams and I'm a member of the ANC 6E
10 development and zoning committee. As well as a neighbor of
11 the proposed Washington Apartments.

12 I live a half block from the apartments. And I
13 walk by this site almost every day. So I will be directly
14 affected by the project during its construction, and more so
15 once its completed.

16 I am in full support of the proposed 1200 5th
17 Street development. As you know, the Development and Zoning
18 Committee approved of the new proposed use and recommended
19 approval by the NAC, which approved the plans as well three
20 to one.

21 My background is in real estate, multifamily
22 construction, as a project manager of many mid and high-rise
23 buildings in D.C. and the surrounding area.

24 As much as I am familiar, as such I am familiar
25 with and have worked with Torti Gallas, the architects of the

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1 project. They are award winning architects that are highly
2 regarded in the development community and have a record of
3 successful neighborhood transformations.

4 As you know, our community has evolved
5 considerably in the last 50 years, since the 1968 riots, when
6 this area was a wasteland. MidCity was one of the few
7 developers who came into the neighborhood to build new
8 apartments at a critical time.

9 Although it was a modest project consisting of
10 only 63 units, it was a much needed project. I sold my first
11 residential town home as a real estate resident in 2008 at
12 408 N Street for \$491,000. At the time I remember thinking,
13 although this is a nice house, I would never live in this
14 neighborhood.

15 That town home is now worth over \$1 million.
16 Although I can't afford that. I bought a condominium in 2017
17 and completely gutted it and invested a substantial amount
18 of money to renovate it. We are vested in the community and
19 only wanted to improve and make it safe for all our
20 neighbors.

21 That is why I ask Commissioner Nigro last year how
22 I could help the community and she suggested I join the
23 develop and zoning committee with my background, which I
24 gladly did.

25 We plan on retiring in the neighborhood and remain

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1 residents for the 20 years or so. We look forward to being
2 an integral part of the neighborhood.

3 Mount Vernon has seen a real transformation in the
4 last 17 years when the Convention Center opened as a
5 cornerstone in Washington D.C. Renaissance. Mount Vernon has
6 become a very desirable neighborhood with new supermarket
7 shopping restaurants, offices and even new Apple flagship
8 store.

9 There are many new businesses scheduled to open
10 in the next year just blocks from this proposed multifamily
11 building. We live in a highly density neighborhood and as
12 such, need to provide housing to meet the needs of all our
13 new residents, such as the new 655 New York Avenue office
14 building, which will be added 2,500 new jobs to our
15 neighborhood.

16 This proposed project will bring 365 new homes to
17 Mount Vernon. Thank you.

18 CHAIRMAN HOOD: Did you finish?

19 MR. WILLIAMS: No, but --

20 CHAIRMAN HOOD: Keep going.

21 MR. WILLIAMS: Oh, okay.

22 CHAIRMAN HOOD: Please.

23 MR. WILLIAMS: The architects took pains to
24 integrate the new building into our neighborhood. Although
25 they could have made it a 60 foot high building and out of

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1 scale with the surrounding buildings, they kept it at 50 feet
2 with a fifth floor setback to give it the appearance of a
3 more modest 40 foot building, which is the approximate height
4 of the existing apartments.

5 In addition, they are providing 103 parking spaces
6 underground to keep the resident's cars off the streets where
7 parking spaces are at a premium. Some residents feel that
8 the 1200 5th Street should have more parking so as not to use
9 the neighborhood spaces.

10 This came up in our committee discussions and
11 there was a consensus that location of the project should
12 require less parking with the Mount Vernon Metro Station just
13 one block away, in addition to the availability of multiple
14 ride sharing services, e-Bike, scooters and just the ease of
15 walking in the neighborhood.

16 I myself got rid of my car last year because it's
17 so easy to walk, take metro, et cetera.

18 In addition, I'm happy to say that MidCity will
19 be providing a designated ride sharing and pick up location
20 as a result of the Development and Zoning Commissions
21 recommendation to prevent double parking, traffic congestion
22 on 6th Street.

23 Some of the residents of Washington Apartments
24 would have been closed, expressed their concern for
25 affordable apartments.

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1 MidCity has stepped up to the plate and will be
2 providing ten percent of the total residential spaces spaced
3 38 units as designated units for households earning up to 60
4 percent of medium family income. The remaining three
5 affordable units will be for households earning up to the 50
6 percent MFI rather than 80 to 120 percent.

7 Also, MidCity has generally agreed to contribute
8 close to 250,000 to non-profits in the community, which I
9 think proves they have a real stake in our community.

10 CHAIRMAN HOOD: Let me ask you, I know I told you
11 to keep going, but how long --

12 MR. WILLIAMS: I'm sorry, yes, sir.

13 CHAIRMAN HOOD: Give us your closing thought
14 because you put the work in --

15 MR. WILLIAMS: In closing, I'd like to thank the
16 Board allowing me this time to speak.

17 CHAIRMAN HOOD: Okay, thank you. All right, next.

18 MS. QUINN: Hi there, my name is Tess Quinn and
19 I live catty-corner to the site. I've lived there, my
20 husband and I bought our condo five years ago.

21 We love the neighborhood. We'll be there for
22 many, many years to come.

23 We've seen a lot of change in the neighborhood.
24 We will continue to see a lot of change in the neighborhood.
25 I think that what's proposed here is definitely to the

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1 positive.

2 It's providing a good amount of housing,
3 particularly on the affordable housing. I think that that's
4 a real positive for the area.

5 But I also very much so appreciate the developer.
6 The massing of the building essentially, the step back, how
7 it relates to the surrounding neighborhood. I think that
8 they were very sensitive to the scaling of it.

9 I think the proposed building is beautiful and I'm
10 very appreciative as well for all the lush landscape that
11 they have proposed around it. I think that it would be
12 great. So, thank you.

13 CHAIRMAN HOOD: Thank you. Next.

14 MR. PARKE: Hello. My name is Jeff Parke.
15 Longtime resident. I've been in Mount Vernon Square since
16 2002, so 18 years.

17 Me and my wife and two kids live half a block
18 south on 5th Street. And we've also got rental properties
19 at 6th and M and 4th at Ridge, so they have views of the
20 property.

21 And I think I'm a fan of the project. It's a
22 really beautiful design. I think they struck the right
23 balance with the height and lot occupancy.

24 I really love the fact that they've got access to
25 the units from the street. I mean, granted it's not all the

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1 units but I think the ones along M Street are a wonderful
2 addition to the design. And I would urge the Commission to
3 support the project.

4 CHAIRMAN HOOD: Okay, thank you all very much.
5 Let me first ask the Planning and Zoning Committee. Have you
6 ever made a recommendation to the full ANC and the full ANC
7 did not accept it?

8 Turn your mic on. I've never asked that question,
9 I'm just curious. Turn your mic on.

10 MR. BROWN: Not to my recollect.

11 CHAIRMAN HOOD: Okay. All right. All right,
12 Commissioners, any, Commissioner Shapiro.

13 COMMISSIONER SHAPIRO: Thank you. Just, as just
14 had a little sidebar about that.

15 If you could take this back to the ANC, and we'll
16 spread the word out. So it would be helpful in the ANC
17 reports when there is a committee that makes a recommendation
18 that that actually gets reflected. That that's specifically
19 noted in the ANC report.

20 It's just a, I think it's just a little bit of
21 helpful information --

22 MR. BROWN: Okay.

23 COMMISSIONER SHAPIRO: -- for us.

24 MR. BROWN: No problem.

25 COMMISSIONER SHAPIRO: Thank you.

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1 MR. BROWN: All right.

2 CHAIRMAN HOOD: And just to say, some do that --

3 MR. BROWN: Yes.

4 CHAIRMAN HOOD: -- but in this case it would be
5 very helpful, so that's why Commissioner Shapiro and I, we
6 weren't being rude while you were speaking because we were
7 having a sidebar, okay?

8 MR. BROWN: Thank you.

9 CHAIRMAN HOOD: All right, any other questions or
10 comments? Okay.

11 Does the Applicant, where is Mr. Tummonds, oh,
12 there you are. You have any, okay, no questions. Thank you
13 all very much, we appreciate it.

14 Okay, I know I had one person, additional person.
15 Do I have anyone else who is here in support?

16 So how many people do I have in opposition? Come
17 on, let's all come up to the table. And support, just sit
18 right there. Everyone who's in opposition come to the table.

19 Who do I have also who is undeclared? If anybody
20 is undeclared raise your hand. Okay, so we have no
21 undeclared.

22 So we will end with this panel, but we will start
23 with the gentleman who is in support first. Do we have
24 enough seats, okay.

25 You may begin. Turn your mic on, identify

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1 yourself.

2 MR. GREENE: Hello. Yes, my name is Romel Greene.
3 I just wanted to add that I love the architectural design of
4 the building for the area that it's in. And I also love that
5 they have affordable housing.

6 CHAIRMAN HOOD: Great, thank you very much. All
7 right, we're going to go now to opposition.

8 I'm going to ask you to still keep your seat, even
9 though you're in support. You may begin, sir.

10 REVEREND YOUNG: Good evening. I'm Reverend
11 Young, the Pastor at First Rising Alexander Baptist Church.

12 And we've been in the neighborhood over 83 years
13 now, going on 84 years. And it appears to be a nice
14 facility. But haven't heard how the parking will be
15 addressed if it had more cars than they do spaces.

16 With their existing unit they have, I believe they
17 have, I heard they had 75 parking spaces, 63 units. And now
18 we're talking 365 with only 100 units.

19 And we're already strained as far as parking is
20 concerned. So if they had more than 100 cars taking up those
21 spaces that they have in the garage, then where are they
22 going to park?

23 Chances are they're going to be on the street and
24 give us even more of a challenge of parking on the street.
25 And we can't ride Uber and Lyft to funerals or catch the

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1 metro to the funerals to the metro. We need to preserve the
2 parking that we have now.

3 Plus if, when the construction starts, where is
4 the staging area going to be?

5 Is that going to take up parking spaces also
6 during the construction phase?

7 Also, we have a passion for the affordable
8 housing, we just don't think that the ten or 15 percent of
9 units being set aside for affordable housing is enough. And
10 haven't heard anything about the infrastructure either.

11 I understand that like we have, when we get a
12 heavy storm now that we have a back-flow issue. And chances
13 are they're going to address that in the new unit, but how
14 is that going to affect us, where we are, with additional 300
15 units.

16 So we just don't think it's conducive to our
17 neighborhood so therefore we oppose it.

18 CHAIRMAN HOOD: Thank you. Next.

19 MR. ANDUJO: Thank you. Juliano Andujo, Pastor
20 of Miles Memorial CME Church on 5th and N Street. The church
21 has been there over 135 years.

22 And many of my constituents live in the
23 neighborhood still. Many have been relocated by this
24 project, and the one that's proposed right across the street
25 on the other side. We have a problem.

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1 The residents are not happy about being relocated.
2 They feel like they're being forced out of places they've
3 lived all their lives.

4 And while I hear, and have nothing against
5 necessarily those who are building, I think that there has
6 to be some give and take. As we hear testimony about having,
7 being a part of an integral neighborhood, how integral is it
8 if it's not integrated.

9 Yes, you would like to live there but it seems
10 without residents of color. And that may be reflected in how
11 we see the pricing being put in play.

12 While we see percentages and hear percentages, I
13 hear no raw numbers. So it's going to be affordable for who?

14 Probably not those who are already living in the
15 neighborhood. So it becomes unfair for those who live there.
16 And I represent them.

17 How do I know? I go in my community with those
18 who are a part of my church to talk to people in our
19 community on Saturdays. I know them personally. From New
20 Jersey back to 7th Street I know them.

21 And they know me. So I'm not talking out of a
22 vacuum, I'm talking about real people who have real issues
23 and problems.

24 One of the ways that maybe we can rectify the
25 situation is to deal with parking. If you have 100 parking

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1 spaces, and I think from what I hear, if I understand, you
2 only need 60 of them, why not give the 40 to the neighborhood
3 and allow people from the neighborhood to use those extra 40
4 spaces.

5 As we have, our church has in the past with this
6 particular lot, we've parked personally in that lot, our
7 residents, our seniors and others. If you care about the
8 community, to me, that might be something feasible for all
9 of us who live in that community and have to come in and out.

10 They are concerned about construction. How will
11 we continue to come in and out during construction. Those
12 are real, real problems.

13 And their list goes on, but I'll leave it there
14 to say that maybe more concessions can be made, especially
15 in way of parking, for those who live and come in and out of
16 the community. So if we can make that compromise at least
17 we'll be something that we can accept.

18 So I oppose it as it is. With that concession,
19 I would approve it.

20 CHAIRMAN HOOD: Next.

21 MS. BUTLER: Hello. My name is Terry Butler, I'm
22 the secretary of Miles Memorial CME Church and I agree with
23 these two pastors that are here this evening. That's what
24 I wanted to say.

25 CHAIRMAN HOOD: Okay, thank you. Next.

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1 MS. YARBERO: Hello, I'm Aretha Yarbero, I am a
2 trustee at Miles Memorial CME Church and I am also, I am a
3 realtor and have been for 13 years.

4 My concern is, we talk about affordable housing,
5 and what I've noticed and what I know to be a fact is, when
6 it comes to vouchers, sometimes housing is priced so that
7 those with vouchers still can't get in.

8 So what the concern is, we have lost members
9 because of the construction or the new plan. And we're
10 losing others because of what else is going on in the
11 neighborhood.

12 And there is no parking. So when you talk about
13 affordable housing, my question is, affordable to whom? How
14 are we sure that those that really need the housing, those
15 that are being displaced already in the neighborhood, will
16 they have a true opportunity to live in this community.

17 How can we keep those that are here, how can we
18 keep them here.

19 Because taking people and moving people out of the
20 community changes our church. We don't want to leave the
21 community, we do a lot for the community, in the community.

22 So, what can be done to keep us there where we
23 don't have to leave because our people are leaving, our
24 members are leaving.

25 And then we have three, four churches in the

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1 neighborhood, so on Sunday you have to ride around the block
2 and hope that you get a parking space. So, if there is not
3 enough parking for the tenants, if you have this many units
4 and so many parking spaces, what happens to us?

5 Where do we park and where do our people go when
6 they're moved out of the community? Thank you.

7 CHAIRMAN HOOD: Thank you. Next.

8 MS. ODRICK: To the Members of the D.C. Zoning
9 Commission, the Staff and everyone attending this public
10 hearing, I greet you like my favorite role model, Martin
11 Luther King, Jr. would. I think he would if he was here
12 today. Love, peace, unity and justice to everyone here.

13 My name is Grace and I am 56 years young. But
14 most of my adult life I had to deal with mental health
15 issues. So that means most of my adult life I was treated
16 very badly. Like I was nobody, nothing. Not worth anything.
17 Hated, misunderstood, controlled, and of course, stigmatized.

18 Then I prayed to God and asked, will I ever be
19 heard, do I have a voice or will I ever be made to think I
20 count in this current world. Who and what do you say I am.

21 And tonight you are my witnesses that prays can
22 be answered. It's so amazing because I am now an advocate
23 for disability rights, focusing on mental health, and a
24 community activist.

25 It's a miracle that I am even alive talking on

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1 this microphone speaking from my heart.

2 God even gave me the courage to look up that word,
3 gentrification on Google, to get a basic understanding of
4 what this proposal, Number 19-16, really means to me. So I
5 looked it up and I studied it.

6 So gentrification means the displacement of the
7 lower income families as the fluent people move into poor
8 neighborhood. Housing prices increase as a result causing
9 poor people to move out.

10 This process of renewal, renovating, rebuilding
11 and approving, allowing both an influx of middle class or
12 fluent people into deteriorating areas or districts.

13 And what this means to me is, poor people, you got
14 to go. Money talks and poor, you got to walk. The rich get
15 richer and the poor get poorer.

16 And this is happening all over D.C. in this
17 nation. So no to case number 19-16.

18 But God also allowed me to see, and some may not
19 like what I have to say, but if we as a poor lower income
20 class of people would unite, come together as a race of human
21 beings, so many churches in this neighborhood, why can't we
22 concentrate on doing work together and stop from competing
23 against one another.

24 Seek education together, study finance and
25 economics together. And I will end it by saying, please

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1 realize, Mr. Developer, that 363 new apartments in one square
2 block is a slap to our dignity and opposite of what humanity
3 is all about. Communities most come before bugs.

4 And one thing I have to say, please, and finally,
5 if we can protest for go-go music in D.C., then I have no
6 doubt we can unite, march and protest for anything else. I
7 am Grace, the queen of harmony, unite, love and blessings to
8 all. Thank you.

9 (Applause.)

10 CHAIRMAN HOOD: Thank you. All right, next.

11 MS. NIGRO: Good evening, Chairman Hood and
12 Commissioners. My name is Commissioner Rachelle Nigro. I
13 represent the constituents of single member district 6E04.
14 Which is the area to the east and south of the development
15 at 1200 5th Street northwest.

16 I am the Commissioner that voted against the PUD
17 application on December 19th at a special meeting for the
18 ANC. I would first like to point out the letter that was
19 sent to you on December 20th, the day after our meeting.

20 In the letter is the misleading statement, the
21 Applicant enjoys support from the ANC and other community
22 stakeholders and is not aware of any opposition. My
23 constituents and I are that opposition.

24 Let me make it clear to the Zoning Commission that
25 there is some constituents in favor of the project but there

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1 are many more constituents that are not supportive of this
2 impactful development.

3 The main concern that was brought up continuously
4 by my constituents is the sheer size of the development that
5 they feel is going to be too large for the area. With over
6 350 units, this development can bring close to 500 new
7 residents to that one block.

8 Concerns range from having such a large
9 development too close to the sidewalk, too many people moving
10 into the neighborhood, loading dock issues, and of course,
11 the quintessential concern about parking and how many cars
12 will be driving through and parking in 6E04.

13 Even though the mantra is that no one will bring
14 their car and the residents will walk and take the metro, the
15 reality in 6E04 is quite different. Many of these future
16 residents will be utilizing the street parking, which
17 currently there is barely any.

18 Even though my constituents and I appreciate the
19 amount of outreach done by the developer, the restraint with
20 regard to the height and the increased affordable housing,
21 I want the Commission to understand that this was not a home
22 run for the developer, as they implied in their submissions.

23 I also want to address the neighborhood contact
24 person and this transportation demand management plan. This
25 is all well and good, I hope this works out.

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1 I am on the ground in my neighborhood and I work
2 with many developers and many of these plans do not work out
3 in terms of what happens during the construction process with
4 staging, with permits. So, I wish them well with this and
5 I hope it works.

6 That said, my constituents and I look forward to
7 working with MidCity as the project progresses. Thank you
8 very much.

9 CHAIRMAN HOOD: All right, I thank you all for
10 bringing your perspectives down here. I do know we have one
11 person at the table in support, but I want to get this out
12 of the way first.

13 Pastor Young, have you ever seen me before?

14 (Off-microphone comments.)

15 CHAIRMAN HOOD: Are you familiar with the Greater
16 First Baptist Church?

17 (Off-microphone comments.)

18 CHAIRMAN HOOD: Okay, you are, okay. So, turn
19 your mic on. Turn your mic on.

20 I'm a Deacon at the Greater First Baptist Church
21 and we both know who goes there, right?

22 REVEREND YOUNG: Yes.

23 CHAIRMAN HOOD: So, I didn't know who you were.
24 I kept looking and I said, I know you from somewhere. So we
25 both know. But I did not know, and I'm doing the disclosure

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1 now, I did not know he was going to be here.

2 I have not even talked to you but maybe one time.
3 So you just don't recognize me. I'm in a different situation
4 here but I just wanted to note that. So when you see me
5 again you said, oh, that was that guy that I don't -- well
6 anyway.

7 REVEREND YOUNG: Amen.

8 CHAIRMAN HOOD: All right, so let's talk about.
9 So, you know I go to church there, right?

10 REVEREND YOUNG: Yes.

11 CHAIRMAN HOOD: So I know about churches and
12 issues, right?

13 REVEREND YOUNG: Yes.

14 CHAIRMAN HOOD: Okay. All right, I just wanted
15 to put that out there. Well, let me ask both pastors. Have
16 you all worked with the community and the ANC and with this
17 developer?

18 I'm including you too, Pastor Young.

19 REVEREND YOUNG: Okay.

20 CHAIRMAN HOOD: I'm asking you first.

21 REVEREND YOUNG: We had a meeting with Mr. Wiggins
22 about three or four months ago. And he was going to try to
23 schedule, we shared our concerns with him, and he was going
24 to try to schedule a meeting with us and the developer, which
25 never came to fruition.

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1 So, the answer to your question is, we have. But
2 we have reached out to the ANC. And actually, I think it was
3 in 2017 we did reach out to them for some other parking
4 issues. To extend the time that we can park on the angle.

5 We are blessed to have those angle parking on
6 Sundays. And they extended the time through the ANC. So,
7 we've worked with them in that regard.

8 CHAIRMAN HOOD: Okay. So I'm very familiar about
9 the parking, because the ANC, years ago, I was one of the
10 people who represented my church at the big meeting down
11 there about the parking.

12 So what I am going to ask, let me hear from the
13 other pastor.

14 MR. ANDUJO: There has not been any interaction.
15 I think it's been a concern though, I was talking to my
16 secretary, have we gotten any information about some of the
17 meetings, we have not.

18 I am very concerned. I was out of town last week
19 but sent people to another meeting last week concerning the
20 other apartment building, which is catty-corner to this one,
21 which is also going through the same thing.

22 So we understand we are behind the eight ball on
23 this one, but we are definitely concerned about every project
24 that comes into our neighborhood.

25 CHAIRMAN HOOD: Well, I'm glad to see that your

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1 church is having an interest. Yes, churches are behind the
2 eight ball, and I go to a church in the neighborhood, so I
3 understand.

4 But I will say that I'm going to ask the Applicant
5 to have a meeting. Not that you're going to get everything,
6 because we have zoning laws that we have to deal with, okay.

7 But I am going to ask them to have a conversation
8 with you both. Because, to me, it's always a good neighbor
9 policy.

10 And Mr. Tummonds, I'm sure as the Applicant will
11 be willing to have the conversation that did not happen,
12 Pastor Brown. Because I believe churches are the stability
13 of the neighborhood.

14 Churches was there when people use to walk to the
15 church and stuff. So I understand. We get it, well, most
16 of us, we get all of that.

17 But I just want to make sure that the meeting is
18 convened, that you have an opportunity. Not saying that
19 everybody is going to be holding hands, but you may be able
20 to come closer then where you are. Okay, that's where I am.

21 And let me ask, do both of you live in the
22 District? Either one of you live in, okay. You do, okay.

23 And you live in the District? Okay. And you live
24 in the District?

25 REVEREND YOUNG: Born and raised.

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1 CHAIRMAN HOOD: Okay. Yes, well, okay. All
2 right, that's fine.

3 (Laughter.)

4 CHAIRMAN HOOD: You know, I know a little
5 something, right?

6 REVEREND YOUNG: Yes.

7 CHAIRMAN HOOD: Okay, so we'll leave it at that.
8 But I will say that I appreciate the work that the churches
9 do, especially in helping out the residents. Whether you
10 live here or not.

11 That wasn't a question to disqualify you, that was
12 a question because I appreciate the work that's been done.
13 That's why I don't take it short, and I don't think its
14 robbery, for me to ask the Applicant to come back and meet
15 with you all and have a conversation because I know you all
16 help people.

17 And I know the work that you do, okay? All right.

18 Queen, Ms. Grace, I was going to call her Queen.
19 I appreciate your comments. I love go-go. I was born and
20 raised off of go-go.

21 But I will tell you that I'm going to ask the
22 Applicant, when they come back up, I think I need to pry a
23 little more with people who may have some challenges. I'm
24 going to see what's going to be done in going forward.

25 So, have you had a conversation with the Applicant

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1 as well or did you go to the ANC meeting?

2 MS. ODRICK: I did not. I wasn't made aware of
3 what was going on, but that's my fault. Over there in that
4 apartment complex, the tenants were, I think, secretly moved
5 out.

6 Next thing I know there was a fence around the
7 whole complex and I said, what is going on. People were
8 driving by saying, what, a fence.

9 CHAIRMAN HOOD: Okay.

10 MS. ODRICK: So I didn't really know what was
11 going on. When I found out two weeks ago was going, this
12 meeting was going to occur, I got it together, I prayed and
13 I'm here.

14 CHAIRMAN HOOD: Okay. Okay.

15 MS. ODRICK: And I'm a resident, a tenant at
16 McCullough Canaanland, and I'm probably in trouble for
17 testifying today.

18 CHAIRMAN HOOD: No, we appreciate it, you're not
19 in trouble with us, we appreciate --

20 MS. ODRICK: Okay.

21 CHAIRMAN HOOD: -- you coming down and providing
22 your testimony. I will ask that you join in, and I'm going
23 to ask the Applicant to do something.

24 I'm not sure how it can be done, but I don't want
25 anybody to be left out. We're going to do our due diligence

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1 as we move forward, or don't move forward, depending upon how
2 my colleagues and I move, how we position and move forward
3 with the material facts.

4 And, Madam Chair, I know where you are. I don't
5 think I have any questions for. All right, let's see, any
6 questions or comments up here? Anybody, no. Just me, okay.

7 All right. So, does the Applicant have any cross?

8 MR. TUMMONDS: No.

9 CHAIRMAN HOOD: All right, thank you all very much
10 gentlemen in support and those in opposition, we appreciate
11 your testimony. Pastor Young, tell everybody I said hello.

12 You've been there now, what, three years?

13 (Off-microphone comments.)

14 CHAIRMAN HOOD: Yes, yes. So I got that right,
15 didn't I?

16 (Off-microphone comments.)

17 CHAIRMAN HOOD: So you know I know you, okay.

18 (Off-microphone comments.)

19 CHAIRMAN HOOD: All right. Mr. Tummonds, if you
20 want to come back and bring your team here. If you have
21 rebuttal or if not.

22 So, Mr. Tummonds, let me just ask you, you heard
23 my conversation with the, especially the members of our, you
24 heard my conversations, especially with the members of the
25 church and the two pastors was up. How can we, hold on for

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1 a second.

2 Is this the gentleman in the four-year class?

3 PARTICIPANT: Yes.

4 CHAIRMAN HOOD: Okay. If he can come forward now
5 before we get to the rebuttal. He's not going to change his
6 vote. Yes, if you can come forward please.

7 First of all, if you can introduce yourself, I'm
8 going to give you a chance. And then tell us how the class
9 was.

10 MR. WIGGINS: Informative.

11 CHAIRMAN HOOD: Oh, okay, good. Good.

12 MR. WIGGINS: Frank Wiggins, ANC 6E03.

13 CHAIRMAN HOOD: And if you want to provide any
14 testimony you can. I did kind of peruse the letter. The
15 floor is yours.

16 MR. WIGGINS: Yes, I did, I was not elected to
17 vote for the entire Commission, but I did come with a copy
18 of the letter that the resolution that was submitted by the
19 former chair of the ANC, Alex Marriot, we do realize the
20 stakeholders in the area do have a right to voice their
21 opinion.

22 The stakeholders, of which I represent, have
23 chosen not to protest the resolution itself.

24 So, there were community members at one of the
25 public meetings who had some reservations about the size of

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1 the development. But the stakeholders that I represent did
2 not protest against a particular property.

3 MidCity has worked along with the stakeholders
4 that I represent for several years and have been do-gooders
5 in the neighborhood. So, the stakeholders I represent choose
6 not to fight against the project itself. Even though there
7 are reservations about the size of the project.

8 CHAIRMAN HOOD: Thank you. Commissioner, you read
9 from a letter, and I'm sorry, I should have asked you this
10 because I did have it on my notes, you read from a letter
11 that was dated December the 20th. The letter we have is
12 December the 31st.

13 MR. WIGGINS: 31st.

14 CHAIRMAN HOOD: Right. But I mean --

15 MR. WIGGINS: That's the date of my letter.

16 CHAIRMAN HOOD: Yes, that's your letter, but I'm
17 going to ask the chairperson, the current chairperson to come
18 forward.

19 MR. WIGGINS: Oh, okay.

20 CHAIRMAN HOOD: Yes, everybody. You referenced
21 a letter from December the 20th or something, right?

22 MS. NIGRO: So, the letter was addressed to you,
23 Chairman Hood.

24 CHAIRMAN HOOD: Okay.

25 MS. NIGRO: We had our meeting on December 19th,

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1 you were sent the letter December 20th.

2 CHAIRMAN HOOD: Does anybody have the December --

3 MS. NIGRO: There's a cover sheet.

4 CHAIRMAN HOOD: Can somebody direct me to the
5 December the 20th --

6 MS. NIGRO: I have a copy of it.

7 CHAIRMAN HOOD: We have a December 31st letter.

8 MS. NIGRO: I have a December 20th letter
9 addressed to you. Would you like to see it?

10 CHAIRMAN HOOD: Are you providing for the record?

11 MS. NIGRO: Sure.

12 CHAIRMAN HOOD: Because we have the letter.

13 MS. NIGRO: Do you have the December 20th?

14 CHAIRMAN HOOD: No, I don't have the December
15 20th.

16 MS. NIGRO: Here's the December 20th letter.

17 CHAIRMAN HOOD: So, obviously December 31st
18 supersedes the December 20th letter, correct? I mean, I'm
19 asking.

20 MS. SCHELLIN: Our letter in the record is
21 December 31st.

22 CHAIRMAN HOOD: Could you provide that letter to
23 Ms. Schellin. Is there a vote and everything on it?

24 COMMISSIONER TURNBULL: I think Commissioner Nigro
25 is talking about --

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1 MS. NIGRO: Nigro.

2 COMMISSIONER TURNBULL: -- Nigro, I'm sorry, is
3 the Applicant's December 20th submission where we had said
4 we were not aware of any opposition.

5 CHAIRMAN HOOD: Oh.

6 COMMISSIONER TURNBULL: It's not --

7 CHAIRMAN HOOD: If it will make you comfortable,
8 even though it might have been in their submission, we looked
9 at the December 31st --

10 MS. NIGRO: Oh, okay. But you did get --

11 CHAIRMAN HOOD: Yes. Because when I read that,
12 when you read that, I looked, I said, well I don't know,
13 okay, so not that we discounted the Applicant in that case
14 because we look for ANC's comments as well. And that was the
15 31st.

16 MS. NIGRO: Correct. I was looking at you, this
17 was addressed to you.

18 CHAIRMAN HOOD: Oh, okay. All right. Well, I
19 took more emphasis on the 31st letter.

20 MS. NIGRO: Okay. I read everything they gave to
21 me.

22 CHAIRMAN HOOD: Well, I do too but I look at the,
23 whose saying it and I also look at the ANC. The ANC are the
24 ones who I'm really concerned about in this case, okay? All
25 right.

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1 All right, so, again, anything else? Do you have
2 anything else?

3 MR. WIGGINS: And you have the official vote of
4 the ANC, correct?

5 CHAIRMAN HOOD: Yes, we do. We have all that.
6 We went through all that. So, we appreciate you coming down
7 too after class.

8 Any questions or comments of the gentleman who
9 just came up? Okay.

10 Does the Applicant have of the Commissioner?

11 MR. TUMMONDS: No questions.

12 CHAIRMAN HOOD: All right, thank you both, we
13 appreciate it.

14 All right, Mr. Tummonds, I was going to, you heard
15 the conversation I was having with the church's congregation
16 and the two pastors. I'm going to leave that up to you all
17 to remedy, Mr. Weinbaum.

18 MR. TUMMONDS: Sure. Absolutely.

19 CHAIRMAN HOOD: I want it remedied.

20 MR. TUMMONDS: Yes, absolutely. I did want to
21 point out for the record that our director of community
22 relations, Dr. Robert Johns, who I think is here, somewhere,
23 did meet with members from all the area churches.

24 CHAIRMAN HOOD: So, since I know who that is, I
25 know that's going to happen, right?

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1 MR. JOHNS: Yes.

2 CHAIRMAN HOOD: Okay.

3 MR. TUMMONDS: Yes, absolutely.

4 CHAIRMAN HOOD: All right. I know that's going
5 to take place. That definitely is going to take place now,
6 all right. It was anyway but it's going to take place now.

7 All right. You all have any, Commissioner
8 Shapiro?

9 COMMISSIONER SHAPIRO: Just have a question about
10 the parking. So, the requirement is for 60 parking spaces,
11 you're going to build 103 --

12 MR. WEINBAUM: 103.

13 COMMISSIONER SHAPIRO: -- or so. What is your
14 experience for a project like this with the parking spaces?

15 Is it your experience that it is possible that
16 some of those parking spaces, I'm assume you're unbundling
17 the parking, so is it your experience that some of the
18 parking spaces just aren't taken up by residents or is it
19 typically the other way where there's maybe a little bit of
20 a waiting list, dada-dada, dada-dada.

21 MR. WEINBAUM: It's our experience that our goal
22 was to try to thread the needle here between there's sort of
23 a minimum amount, there's what we hear from the community,
24 there's what we hear from DDOT. And really we work with our
25 experts.

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1 And based on experience we try to build the
2 appropriate amount of parking for our residents to meet the
3 demand. Not to exceed, it's you have a level of parking
4 that's empty, and certainly not to have a scenario where you
5 don't build adequate parking and you have an incredible
6 amount of pressure on the neighborhood.

7 So, based on our analysis, market studies we do
8 working with our transportation consultant, the goal is that
9 the 103 spaces is appropriate to accommodate the need we'll
10 have, and to get it right, is to build the right amount. Not
11 to have access parking that's available but to have the
12 residents in fact using that parking.

13 COMMISSIONER SHAPIRO: Okay, thank you. Thank
14 you, Mr. Chair.

15 COMMISSIONER TURNBULL: Yes, Mr. Chair, I just had
16 one. Get me on that same parking issue.

17 I think the question came up earlier in the
18 hearing about RPP. And I don't know if we really got a final
19 answer, I don't know if the Department of Transportation,
20 does this area, this block have RPP? Do you know?

21 MS. LIN: I am not sure. I haven't double
22 checked. I think there might be on one side of the street.

23 COMMISSIONER TURNBULL: I know Mr. Schiesel didn't
24 know for sure.

25 CHAIRMAN HOOD: So, the chairperson has the answer

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1 for us, she lives in the neighborhood, maybe she can help.

2 COMMISSIONER SHAPIRO: I think Mr. Schiesel has
3 it in his report.

4 CHAIRMAN HOOD: Okay, just verify it. Tell us.

5 MR. SCHIESEL: Yes. In our CTR, which is on the
6 record, Figure 9 does show the restrictions around the block,
7 just on the adjacent block faces. And I would say the
8 majority of it is RPP.

9 CHAIRMAN HOOD: Okay.

10 COMMISSIONER TURNBULL: So, I mean, we've done it
11 before, you would put in whatever lease agreement that people
12 would not be applying for RPP? We don't know whether that's
13 really enforcement or whether, but we've done it before.

14 CHAIRMAN HOOD: Yes. I don't want to get us soap
15 boxed, but it's possible.

16 COMMISSIONER TURNBULL: Is that something you
17 would be willing to put in the order that residents would not
18 apply for RPP?

19 MR. WEINBAUM: We wouldn't be comfortable in a
20 scenario where we're treating these residents differently
21 than we're treating other residents. Our view is that, and
22 based on the experienced I've seen, that having a
23 neighborhood where some people have a right to using the
24 public streets, which are an amenity that we all share, but
25 others can't use it isn't a good solution for integrating the

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1 neighborhood.

2 COMMISSIONER TURNBULL: Okay.

3 MR. WEINBAUM: And we wouldn't be supportive of
4 that.

5 COMMISSIONER TURNBULL: Well then I think you
6 really need to talk to the churches and figure out something
7 about parking. I think that's going to be an issue for the
8 community and I think you need to solve it.

9 CHAIRMAN HOOD: So, while I understand your view,
10 it goes on in the City. It's something that's been proposed
11 to this Commission by others.

12 And, Mr. Tummonds, you probably have represented
13 some of those applicants. So, as Mr. Turnbull, I'm going to
14 echo that and that's what we're going to look for. Okay?

15 Anything else? Anything else up here? All right,
16 anything else on that?

17 MR. TUMMONDS: No. I believe that the record is
18 full. I think all of the issues have been adequately
19 addressed. We'll work with Commissioner Schellin about the
20 additional information that, we'll make sure we're all on the
21 same page about what you would like to see from us.

22 We will obviously have this meeting and report
23 back to the Commission. And otherwise, we think that this
24 application is on the path and will be ready for approval by
25 the Zoning Commission.

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1 And now we'll kind of work back with Commissioner
2 Schellin about what we need to provide and the date --

3 CHAIRMAN HOOD: Commissioner Schellin, they say
4 I treat her like a commissioner already.

5 MR. TUMMONDS: Yes, Freudian slip.

6 CHAIRMAN HOOD: So let me do this. Mr. Turnbull,
7 let's have a conversation about the RPP --

8 COMMISSIONER TURNBULL: Okay.

9 CHAIRMAN HOOD: -- I want us to, let's have that
10 right now. What are we actually looking for because, think
11 about it?

12 COMMISSIONER TURNBULL: Well, I think we're
13 looking to try to minimize the impact of this project, this
14 development. And I think for the most part, we all like the
15 outside, the appearance of the building.

16 I think there's a unanimity in the fact that we
17 think, for the most part, appreciate the style and the
18 outward appearance of the building.

19 I still have a concern about the courtyard. I
20 think it's all white. We talk about staining.

21 A third of the units, 120 residents, are going to
22 live on the inside of this building. I think they need to
23 do a little bit more concern about what the hell that looks
24 like. That's just me.

25 But getting back to the RPP, yes, I think it

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1 sounds like we have an impact. And how do you address that?
2 We've done it with the RPP language. We don't really know
3 whether it's working or not but we put that in.

4 I understand where they're coming from also too,
5 but as a new group on the block, how are you going to blend
6 in with your neighbors --

7 CHAIRMAN HOOD: Okay.

8 COMMISSIONER TURNBULL: -- how are you going to
9 help, how are you going to alleviate.

10 Man, I think we all want the affordable housing,
11 we all want the more housing, but I think, how are you going
12 to alleviate the impact or the impact that you may be giving
13 to the residents that live there now.

14 CHAIRMAN HOOD: So, for me, the reason I wanted
15 to stop because as I thought about what I said, some of those
16 other projects were not allowing it at all.

17 And in this case, and I don't know, one of them
18 I don't even think had a parking lot. But anyway, didn't
19 even have parking.

20 So I'm just trying to figure out how to, I'm
21 thinking in my mind how is that going to work. Which you
22 know that's not for me, I'm just going to review it, so I
23 leave that up to you all to figure it out and make it work.
24 Okay? All right.

25 Commissioner Shapiro.

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1 COMMISSIONER SHAPIRO: Thank you. Just further
2 on this a little bit. And I just sort of take your words and
3 put them back on you a bit. Which is, you described the
4 number that you picked for parking is kind of threading the
5 needle and finding just that right spot.

6 I assume that means that you weren't working under
7 the assumption that some people are actually going to have
8 cars but be parking on the street. I don't know, maybe you
9 were, but that doesn't sound like the direction you're going.
10 And that's where we get into the neighborhood impact issues.

11 And the neighbors are not just residents, the
12 neighbors can also be churches in the community who are
13 struggling with this. And that's another reason why I think
14 it's worth considering that.

15 I'm not even sure, as we know, I'm not even sure
16 what the impact of it is but at least it sends the right
17 message around recognizing that a project like this actually
18 can have negative impacts on the community too that need to
19 be addressed. Thank you, Mr. Chair.

20 CHAIRMAN HOOD: Anything else up here? Mr.
21 Tummonds, do you have anything else?

22 Mr. Weinbaum, do you have any closing? You all
23 good? Okay.

24 All right, let's go to, nothing else up here? Ms.
25 Schellin, dates.

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1 MS. SCHELLIN: Mr. Tummonds, how much time do you
2 think you guys need?

3 MR. TUMMONDS: Perhaps we'll go through --

4 CHAIRMAN HOOD: Hold on, let me --

5 MR. TUMMONDS: -- can I --

6 CHAIRMAN HOOD: Let me come back.

7 MR. TUMMONDS: Yes.

8 CHAIRMAN HOOD: I want a response also from, just
9 the two churches, from the two pastors. Not a book, just
10 maybe a page, of how the meetings went. Okay?

11 (Off-microphone comments.)

12 CHAIRMAN HOOD: To us, yes. Yes, to us. All
13 right.

14 MR. TUMMONDS: Chairperson, I will go through the
15 information that I think I heard, that we will provide. And
16 we can check that off and then we'll go back --

17 MS. SCHELLIN: Yes, I did not keep a list --

18 MR. TUMMONDS: Yes.

19 MS. SCHELLIN: -- because usually you guys have
20 somebody taking notes.

21 MR. TUMMONDS: Right. And so, I want to make --

22 MS. SCHELLIN: Make sure that they're happy.

23 MR. TUMMONDS: Right. Exactly. First, we will
24 look at the concerns that Commissioner May had about the
25 appearance of the vents on the bay projects. We'll take a

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1 look at that.

2 IZ unit locations in response to Commissioner
3 Turnbull. We will "tighten up" the construction management
4 language on when the timing of any construction or any
5 repairs would need to occur.

6 In response to the Office of Planning's report we
7 will provide information regarding the flexibility language
8 for the number of units.

9 We will have the, provide the report on the
10 conversation with the churches through Dr. Johns. And we
11 will also provide additional information on the parking
12 impacts and potential RPP implications of project.

13 I believe that is all the information.

14 CHAIRMAN HOOD: What about the construction?

15 MR. TUMMONDS: I'm sorry, street views winter.

16 CHAIRMAN HOOD: Street views, and what about the,
17 did you mention the construction --

18 MS. SCHELLIN: And the courtyards.

19 CHAIRMAN HOOD: -- management language?

20 MR. TUMMONDS: I did mention that, yes.

21 CHAIRMAN HOOD: Okay. You did, I'm sorry.

22 MR. TUMMONDS: And then also --

23 MS. SCHELLIN: The courtyards.

24 MR. TUMMONDS: -- courtyards.

25 CHAIRMAN HOOD: And the street views, okay.

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1 MR. TUMMONDS: Yes.

2 MS. SCHELLIN: And the RPP restrictions, you got
3 that.

4 MR. TUMMONDS: Yes.

5 CHAIRMAN HOOD: And in that RPP, also let us know,
6 because I know we have three or four different styles of RPP
7 -- what's going on down there? Is it two hours between 7:00
8 and 8:30 or is it to 10 o'clock? I think it's to 10 o'clock.

9 And also is there more side parking. Let us know
10 about all that. Let us know everything that's going on.

11 MR. TUMMONDS: And with that, we need two weeks
12 to be able to submit all that information.

13 MS. SCHELLIN: And when do you think you're going
14 to meet with the churches?

15 You're going to be able to meet with the churches,
16 or is it the gentlemen that's meeting with the churches?
17 He's over on the other side.

18 You'll be able to meet with them within two weeks
19 also?

20 MR. JOHNS: Yes.

21 MS. SCHELLIN: Okay.

22 MR. JOHNS: I've been in contact with --

23 MR. TUMMONDS: Mr. Johns, would you come up --

24 CHAIRMAN HOOD: That's all we needed was yes.

25 MR. TUMMONDS: Okay.

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1 MS. SCHELLIN: Yes.

2 CHAIRMAN HOOD: That's all we needed was yes.

3 MS. SCHELLIN: Yes. Okay. So, today is the 16th.
4 One, two, two weeks, okay, the 30th is our next meeting after
5 that.

6 Okay, so then we'll shoot for the meeting, the
7 first meeting in February, which is the 3rd. So I'm going
8 to work backwards from that. I'm sorry, the 10th.

9 So, if we could get the Applicant's submissions
10 by, hm, we might have to go for the second meeting in
11 February. Let's just get the Applicant to make their
12 submissions by, I'll give you a little extra time, by
13 February 3rd, 3 o'clock p.m.

14 And also, the two churches, are their
15 representatives still here?

16 (Off-microphone comments.)

17 MS. SCHELLIN: Still here, okay. The two churches
18 also would make their submission about how the meeting went.
19 As you heard from Chairman Hood, something short and sweet,
20 only about the meeting, nothing else, by 3 o'clock p.m., also
21 February 3rd.

22 And then the ANC, since they are the only party,
23 and OP and DDOT, if they choose to response to any of the
24 submissions, although I don't know of anything, well, OP did
25 ask for some things.

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1 COMMISSIONER MAY: Yes, actually, I am interested
2 in OP's follow-up on the flexibility question since you had
3 reserved judgment. Not fully understanding what they're
4 proposing.

5 MS. SCHELLIN: Okay. That would be due by 3
6 o'clock p.m. on the 10th of February. Draft findings, facts
7 and conclusions of the law also due by 3 o'clock p.m. on the
8 10th. And then we'll put this on for the February 24th
9 meeting, 6:30 p.m.

10 CHAIRMAN HOOD: All right.

11 MS. SCHELLIN: Everybody got those dates?

12 CHAIRMAN HOOD: Everybody is onboard, we got
13 everything altogether, we all on the same page? All right,
14 with that, do you have something else? We're good, okay.

15 We have anything else?

16 MS. SCHELLIN: No, sir, that's it.

17 CHAIRMAN HOOD: All right. So with that, I want
18 to thank everybody for their participation tonight and this
19 hearing is adjourned.

20 (Whereupon, the above-entitled matter went off the
21 record at 8:30 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: Public Hearing, Case No. 19-16

Before: DC Zoning Commission

Date: 01-16-20

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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