

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA
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ZONING COMMISSION

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PUBLIC HEARING
IN THE MATTER OF
CASE NO. 99-6M/88-16C
PUD and Map Amendment in Square 372;
NDH 901 New York Avenue, N.W.

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MONDAY
JANUARY 31, 2000

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The Public Hearing held by the District of Columbia
Zoning Commission convened at 7:00 p.m. in the Office of Zoning
Hearing Room at 441 4th Street, Northwest, Washington, D.C.,
Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD	Chairperson
CAROL J. MITTEN	Vice Chairperson
HERBERT M. FRANKLIN	Commissioner
KWASI HOLMAN	Commissioner
JOHN G. PARSONS	Commissioner

OTHER AGENCY STAFF PRESENT:

Andrew Altman	Director, Office of Planning
Steven Cochran	Office of Planning

I-N-D-E-X

1 hotels on the south side of the street that it would be on city-
2 owned land.

3 There is, it may not, what I'm saying is it may not
4 be illogical or inconsistent to accept the arguments of the
5 Applicant on the economics of the hotel. But I'm certainly not
6 prepared to address whether that's the case or not.

7 MS. MCCARTHY: I think our report did note that we
8 thought it was an appropriate hotel site. And we should probably
9 also add that there is, right now, a downtown strategic planning
10 effort that has included a hospitality task force and which is
11 examining the issue of hotel sites. There is also further
12 planning work that's going to be done with regard to the
13 Convention Center and just how large a convention hotel do we need
14 and what sorts of financial incentives does the city need to put
15 in place to accomplish them.

16 They probably, however, are not operating in the
17 same time frame as the Applicant. But we, that's why we felt it
18 was necessary to point that out in the report, however, that
19 strictly from a land use point of view, given the proximity of
20 this site to the Convention Center, that it would make sense for a
21 hotel site.

22 CHAIRPERSON HOOD: Okay, all right. One more
23 question, Mr. Parsons.

24 MR. PARSONS: Mr. Cochran, we have offered tonight
25 some requests, I'll call it a request for flexibility on awnings.

1 Have you seen that before? Have you got an opinion on that?

2 MR. COCHRAN: I have seen that before and I like
3 variety. I think that often times we design too much uniformity
4 into the federal city. But that's my personal opinion.

5 MR. PARSONS: Well, I think the sketch they show or
6 the drawing that they showed us was pleasant. It's when the
7 personality of the restaurant is one of TGI Friday's, for
8 instance, which we have on Pennsylvania Avenue, as opposed to the
9 Palomino, which is across the street. It's, I think it could get
10 bizarre if you had, you know, five different colors of stripes and
11 polka dots. So I don't know how to control this other than to go
12 to the obvious uniformity.

13 MR. COCHRAN: Perhaps the Commission would want to
14 specify that each awning or within each bay an awning shall be
15 only one color, a solid color. And that there shall be no more
16 than x number of varieties of color on each facade, something to
17 that effect.

18 MR. PARSONS: Maybe you could help us with that
19 then, in the meantime. Thanks.

20 CHAIRPERSON HOOD: Okay, if there are no further
21 questions for the Office of Planning, we will move into our report
22 of other government agencies. The only thing I would take note,
23 and we don't consider this one of our government agencies, the
24 National Park Service has a working agreement that's in progress.
25 And I think this was submitted to us prior to the hearing. I

1 possible.

2 There have been, in previous BZA cases, ingenious
3 ways to deal with that in which a person is in charge of rolling
4 up and down the doors and there is a communication by several
5 systems that, with the electronic age, are very easy. So the
6 person is made aware that a truck is forthcoming and they go and
7 open the door, let the truck pull in and then close the door. And
8 then when it leaves, they do the same operation.

9 CHAIRPERSON HOOD: Okay, colleagues, am I leaving
10 anything out, because that's all I have?

11 MR. BASTIDA: I think that you had a further
12 request from the Office of Planning to provide you language
13 regarding the awnings and how should be the architectural
14 vocabulary that those awnings should have in order to have some
15 resemblance of overall design to the design of the building.

16 CHAIRPERSON HOOD: Okay. Office of Planning, you
17 had something briefly?

18 MR. COCHRAN: Yes, there was the discussion of what
19 constitutes retail? Does Kinko's, dry cleaners, etcetera, is that
20 retail that the Commission wants to allow? Or are we looking at
21 more active uses such as restaurants, etcetera? That was just,
22 that was an issue that we had raised hoping that you would discuss
23 it.

24 MR. BASTIDA: And we then ask the Commission if
25 they would request that the Applicant define the type of active

1 heading toward March.

2 MR. BASTIDA: Okay. I think, okay, then we can
3 submit, request that the Applicant submit all the information
4 requested by Friday, February the 18th, and in that way the ANC
5 will have until February the 25th to respond to that. And it will
6 be giving us enough time for they to provide all the information
7 to the Commission. And that also goes to the Office of Planning.
8 We need the Office of Planning to provide the architectural
9 vocabulary regarding the awnings and it should be served on the
10 ANC also in case, and the Applicant in case they want to respond
11 to that.

12 MR. COCHRAN: I understand and my new boss has told
13 me that I have to learn to count up to ten, which is of course the
14 minimum time requirement that you have for a submission.

15 CHAIRPERSON HOOD: Okay, Mr. Bastida, let me just,
16 so February the 18th is the ending period. Now let me ask you
17 when is the response --

18 MR. BASTIDA: The 25th.

19 CHAIRPERSON HOOD: The 25th, okay. Okay, let me
20 finish with --

21 MR. BASTIDA: The Applicant has until the 18th and
22 then the Applicant will serve his findings to us and to the ANC.

23 CHAIRPERSON HOOD: No later than February 25th.

24 MR. BASTIDA: No, February 28th, February 18th, I'm
25 sorry.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



DISPATCHED

00 FEB 18 P5:25

Office of the Director

MEMORANDUM

TO: D.C. Zoning Commission

FROM: *Andrew Altman*
Andrew Altman

DATE: February 18, 2000

SUBJECT: Case No. 99-6M/88-16C (PUD Modification and Map Amendment in Square 372 – NDH 901 New York Avenue, N.W.) BZA Application No. 16519 – to modify an approved Planned Unit Development and amend the zoning map from HR/D-3-C and C-3-C to C-4: Awning Design Comments Requested by the Zoning Commission from the Office of Planning

At the public hearing on January 20, 2000 the Zoning Commission left the record open for the Office of Planning to comment on proposed awning designs for 901 New York Avenue. We have met with the applicant twice since the hearing to improve the awning design, as well as to work cooperatively with the applicant on changes the Commission requested the applicant consider to landscaping, bench placement, interior and exterior appearance of loading docks and the design of the National Park Service reservation.

The Office of Planning recommends that the Commission include the following awning-related language as part of the PUD conditions:

Awnings may be installed at the ground level of the building. Covering materials may be canvas or similar non-rubberized cloth material, glass, or metal. Vinyl, or other plastic-like sheeting is not acceptable. Awnings surfaces may be of any color or pattern. Awning edges shall be straight lines; scallops, curves, fringe, etc. are not acceptable. Signage and logos may be placed horizontally in the sign box at the front edge of the canopy. Lettering and logos may not be placed on sides, tops, or sloping surfaces of the awnings.

AA/sc

BZA

801 North Capitol Street, N.E., Suite 4000, Washington, D.C. 20002 202-442-7600, Fax 202-442-7637 or 38

Case No. 99-6M
Exhibit No. 43

7. The applicant shall develop and maintain U.S. Reservations 70 and 175 pursuant to the written agreement between the applicant and the National Park Service dated April 7, 2000 and the plans submitted therewith.
8. With regard to retail tenant signage and awnings, the applicant shall be permitted to install a variety of retail tenant signage and awnings via one or a combination of the following methods: (i) colored signage and awnings with applied tenant lettering located on the sign panel and backlighting, or (ii) metal signband with tenant lettering inset into signband and backlighting, as shown in Exhibit 44. Awnings may be installed at the ground level of the building. Covering materials may be canvas or similar non-rubberized cloth material, glass, or metal. Vinyl, or other plastic-like sheeting is not acceptable. Awning surfaces may not be of any color or pattern. Awning edges shall be straight lines; scallops, curves, fringes, etc. are not acceptable. Signage and logos may be placed horizontally in the sign box at the front edge of the canopy. Lettering and logos may not be placed on sides, tops, or sloping surfaces of the awnings.
9. The applicant shall make the parking garage in the building available for use by the public after normal building hours, at prevailing market rates and subject to the needs of tenants in the building.
10. The design of the loading dock doors and interiors shall reflect the plans shown in Exhibit 44.
11. The exterior lighting of the building, other than first floor lighting for retail signage, shall be restricted to a low-level "wash" that will be less intense than lighting proposed for the Carnegie Library or the new Convention Center.
12. The applicant shall have the necessary flexibility to make adjustments to the project with respect to the location and design of all interior components, including partitions, slab configuration, doors, hallway columns, stairways, location of elevators, electrical and mechanical rooms, provided that the variations do not change materially the exterior configuration of the building or the ability of the applicant to meet the other provisions of this order.
13. The applicant shall enter into a Memorandum of Understanding with the D.C. Department of Human Rights and Local Business Development in order to achieve, at a minimum, the goal of 35 percent participation by small, local and disadvantaged businesses in connection with the construction and operation of the project to be created as a result of the PUD project.
14. The applicant shall enter into a First Source Employment Agreement with the Department of Employment Services (DOES) in order to achieve the goal of

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ZONING COMMISSION

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REGULAR MEETING
1096th MEETING SESSION (2nd of 2000)

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MONDAY
March 13, 2000

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The Regular Meeting of the District of Columbia
Zoning Commission convened at 1:30 p.m. in the Office of Zoning
Hearing Room at 441 4th Street, Northwest, Washington, D.C.,
Anthony J. Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOODd	Chairperson
CAROL J. MITTEN	Vice Chairperson
KWASI HOLMAN	Commissioner
HERBERT M. FRANKLIN	Commissioner
JOHN G. PARSONS	Commissioner

OFFICE OF ZONING STAFF PRESENT:

Jerrily R. Kress	Director
Alberto Bastida	Secretary, ZC
Stephanie D. Brown	Office of Zoning
Vincent C. Erundu	Office of Zoning
Kenneth Karkeet	Office of Zoning
Nyambi Nyambia	Office of Zoning

OTHER AGENCY STAFF PRESENT:

Ellen McCarthy	Office of Planning
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1 but it is too bad that a key site like that is not -- that we're
2 not getting something presented to us that really we can -- at
3 least I can feel is worthy of the site.

4 MR. COCHRAN: Madam Vice Chair, would it be
5 appropriate for the Office to address that?

6 COMMISSIONER FRANKLIN: I would like to hear from
7 you.

8 MR. COCHRAN: As you can see from our February 18th
9 memo there were a number of issues that were still in need of
10 additional treatment. However, the record was left open only for
11 the Office of Planning to comment on the awnings. That doesn't
12 mean that we didn't work on the rest. So, I am familiar with some
13 of these, but we couldn't actually write about it or it wouldn't
14 have been accepted.

15 The applicant did continue to work with the
16 National Park Service on this and I think in very good faith and
17 the applicant understands completely the urban design issues that
18 the Office of Planning had raised and attempted to meet those
19 issues.

20 I think though that what we're faced with is a
21 situation where different agencies are dealing with different
22 missions. And, the National Park Service is trying to preserve
23 these reservations as distinct elements that would frame a L'Efant
24 Square and frame them with the idea in mind that they would become
25 future memorial sites.

1 effect that that point of the block and the building is a, you
2 know, a focal point and have it sort of dribble off into a lawn
3 surrounded by a three foot wrought iron fence just seems to me to
4 be also laughable if it weren't so sad. And, I don't know quite
5 what to do about it, other than to express my disappointment. So,
6 let's move on. And, I would hope that the Office of Planning can
7 sort of pick up the cudgel on this. If anything, it's worse than
8 it was when we looked at it the first time around, in my judgment.

9

10 I would like to hear from the Office of Planning as
11 to whether the awning examples that were being shown in the
12 renderings would be such as to satisfy the language that you think
13 ought to be put into the PUD order.

14 MR. COCHRAN: It's my understanding that you review
15 orders twice because you'll be looking at more details later, that
16 this is much more of a conceptual approval. The language that we
17 came up with, that the applicant agreed to is very brief. Well,
18 you've see it in the February 18th memo.

19 COMMISSIONER FRANKLIN: Yes. But, is the language
20 being put in, Mr. Cochran, because what we're being shown is not
21 acceptable or is it acceptable?

22 MR. COCHRAN: What you're being shown, the date of
23 which document?

24 COMMISSIONER FRANKLIN: We're being shown this
25 rendering, signage and awnings, et cetera. In your view are we

1 being shown something that would accord the standard --

2 MR. COCHRAN: That would accord and there would
3 even be a bit more variety allow than that, but that's
4 representative of what we would hope would be there. Multiple
5 colors would be allowed. Different patterns would be allowed, but
6 logos would not be acceptable, except on the sign band. And, we
7 were trying to keep the design at a fairly sophisticated level,
8 which is why we thought we would avoid the scallops and perhaps I
9 should have included fringe in that language.

10 VICE CHAIR MITTEN: I think fringe is mentioned.

11 MR. COCHRAN: Did I put it? Well, what do you
12 know? I guess it was a better day then. I was more awake than I
13 thought. Yes, what you see in the application is very much like
14 what we had imagined the applicant would design.

15 Now, in terms of pattern, it does also allow for
16 diagonal pattern. I just want you to be aware of that and whoever
17 uses the retail space is clever enough to come up with a pattern
18 that reflects their, in effect team colors, that would be allowed
19 also, but it would be able to say T.G.I. Friday's or anything like
20 that. Because we certainly hope it's going to be more like D.C.
21 Coast than T.G.I. Friday's.

22 COMMISSIONER FRANKLIN: There was also,
23 Mr. Cochran, I thought I saw something, I can't put my hands on it
24 at the moment, that stated the uses that would go in on the ground
25 floor and made reference to the zoning regulations.