

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:	
3910 Georgia Avenue Associates,	Case No.
LP I and II	08-08
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Thursday,
June 12, 2008

Hearing Room 220 South
441 4th Street, N.W.
Washington, D.C.

The Public Hearing of Case No. 08-08 by the District of Columbia Zoning Commission convened at 6:00 p.m. in the Office of Zoning Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

- ANTHONY J. HOOD, Chairman
- GREGORY N. JEFFRIES, Vice Chairman
- MICHAEL G. TURNBULL, Commissioner (OAC)
- PETER MAY, Commissioner (NPS)

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER
MAXINE BROWN-ROBERTS

The transcript constitutes the minutes from the Public Hearing held on June 12, 2008.

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

2 6:41 p.m.

3 CHAIRMAN HOOD: This is a public
4 hearing of the Zoning Commission of the
5 District of Columbia for Thursday, June 12th,
6 2008.

7 My name is Anthony J. Hood.
8 Joining me this evening are Vice Chairman
9 Jeffries, Commissioner May and Commissioner
10 Turnbull.

11 We're also joined by the Office of
12 Zoning Staff Ms. Sharon Schellin. Also, the
13 Office of Planning Staff Ms. Steingasser and
14 Ms. Brown-Roberts.

15 This proceeding is being recorded
16 by a court reporter and it is also webcast
17 live. Accordingly, we must ask you to refrain
18 from any disruptive noises or actions in the
19 hearing room.

20 The subject of this evening's
21 hearing is Zoning Commission Case Number 08-
22 08. This is a request by John Lynch for

1 approval of a consolidated PUD and related map
2 amendment for property located at 3910 Georgia
3 Avenue, N.W.

4 Notice of today's hearing was
5 published in the D.C. Register on April 25th,
6 2008 and copies of the announcement are
7 available to my left on the wall near the
8 door.

9 This hearing will be conducted in
10 accordance with the provisions of 11 DCMR 3022
11 as follows: Preliminary matters, applicant's
12 case, report of the Office of Planning, report
13 of other government agencies, report of the
14 ANC, in this case 4C, organizations and
15 persons in support, organizations and persons
16 in opposition, rebuttal and closing by the
17 applicant.

18 The following time constraints
19 will be maintained in this meeting: The
20 applicant 35 minutes, organizations five
21 minutes and individuals three minutes.

22 The Commission intends to adhere

1 to the time limits as strictly as possible in
2 order to hear the case in a reasonable period
3 of time. The Commission reserves the right to
4 change the time limits for presentations if
5 necessary and notes that no time shall be
6 ceded.

7 All persons appearing before the
8 Commission are to fill out two witness cards.
9 These cards are located to my left on the
10 table near the door. Upon coming forward to
11 speak to the Commission, please give both
12 cards to the reporter sitting to my right
13 before taking a seat at the table.

14 When presenting information to the
15 Commission, please turn on and speak into the
16 microphone first stating your name and home
17 address. When you are finished speaking,
18 please turn your microphone off so that your
19 microphone is no longer picking up sound or
20 background noise.

21 The decision of the Commission in
22 this case must be based exclusively on the

1 public record. To avoid any appearance to the
2 contrary, the Commission requests that persons
3 present not engage the members of the
4 Commission in conversation during any recess
5 or at anytime.

6 The Staff will be available
7 throughout the hearing to discuss procedural
8 questions.

9 Please turn off all beepers and
10 cell phones at this time so not to disrupt
11 these proceedings.

12 Would all individuals wishing to
13 testify please rise to take the oath?

14 Ms. Schellin, would you please
15 administer the oath?

16 MS. SCHELLIN: Yes. Please raise
17 your right hand.

18 Do you solemnly or affirm the
19 testimony you will give this evening will be
20 the truth, the whole truth and nothing but the
21 truth?

22 Thank you.

1 CHAIRPERSON HOOD: Okay. At this
2 time, the Commission will consider any
3 preliminary matters. Does the staff have any
4 preliminary matters?

5 MS. SCHELLIN: I believe we still
6 need the affidavit of maintenance. Do you
7 have that?

8 And the only one other thing.
9 Just their proffered experts. They've
10 proffered three I believe.

11 CHAIRMAN HOOD: I'm sorry, Ms.
12 Schellin. I --

13 MS. SCHELLIN: We can accept this.

14 CHAIRMAN HOOD: Okay.

15 MS. SCHELLIN: Yes, go ahead.

16 CHAIRMAN HOOD: Ms. Schellin, do
17 we have another matter? Do we have another
18 matter?

19 MS. SCHELLIN: Experts.

20 CHAIRMAN HOOD: Oh, yes. Okay.
21 I'm going to ask the Applicant to come forward
22 with his team. Okay. Mr. Blanchard, good

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1 evening.

2 MR. BLANCHARD: Good evening, Mr.
3 Hood and Members of the Commission. My name
4 is Lyle Blanchard and I'm representing the
5 Applicant this evening and the Applicant's
6 team consists of --

7 CHAIRMAN HOOD: Let me just say
8 this. We don't need the Applicant's team at
9 the table at the time. So, everybody here is
10 with the Applicant just at the table? Okay.
11 Okay.

12 I thought that -- I knew the
13 gentleman was a Commissioner. I just thought
14 maybe eventually he became part of the -- with
15 the developer. So, I didn't know. Okay. All
16 right.

17 MR. BLANCHARD: This is a quasi-
18 governmental application, but we haven't
19 expanded to include the ANC.

20 CHAIRMAN HOOD: Mr. Blanchard,
21 let's go over your proffered expert witnesses.

22 Colleagues, we know about Mr.

1 Banks. We've proffered -- I mean we've
2 accepted Mr. Banks on a number of occasions.
3 So, we don't need to deal with Mr. Banks.

4 MR. BLANCHARD: All right. The
5 other witness is Mr. Maisto and he is with EDG
6 Architects. His --

7 CHAIRMAN HOOD: So, Mr. Tucker and
8 Mr. Brennanman are not here?

9 MR. BLANCHARD: Mr. Brennanman is
10 not appearing this evening.

11 CHAIRMAN HOOD: Okay. What about
12 Mr. Tucker?

13 MR. BLANCHARD: Mr. Tucker is
14 right here beside me, but he is not appearing
15 in expert capacity. He's merely representing
16 the developer.

17 So, as far as the expert testimony
18 is concerned I believe, you will be hearing
19 only from Mr. Maisto as the --

20 CHAIRMAN HOOD: Okay.

21 MR. BLANCHARD: -- project
22 architect and if necessary from Mr. Banks. In

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1 order to keep this short, Mr. Banks will be
2 available for questioning but -- and I know
3 you're familiar with him.

4 CHAIRMAN HOOD: Okay. Okay. Mr.
5 Maisto, does anyone have any problems? We
6 have his résumé or questions.

7 COMMISSIONER MAY: Yes, I have a
8 question. Normally, when we admit someone as
9 an expert witness, we see a more extensive
10 résumé. One that includes a list of projects
11 that are relative to the subject matter and
12 there isn't a lot of indication of that here.
13 I mean there's some general talk about his
14 experience and so, it's somewhat problematic
15 on that account.

16 There are ways to go around that.
17 If we could -- you know, if you can -- if you
18 could ask Mr. Maisto some questions about
19 prior experience that would help us fill out
20 the picture, that might be helpful.

21 MR. BLANCHARD: Certainly, I'd be
22 glad to do that, Mr. May.

1 Mr. Maisto --

2 CHAIRMAN HOOD: Mr. Blanchard, you
3 may want to speak into the mic.

4 MR. BLANCHARD: I'm sorry.

5 CHAIRMAN HOOD: Okay.

6 MR. BLANCHARD: All right. Mr.
7 Maisto, could you briefly describe other
8 projects that you've worked on in the District
9 of Columbia preferably in the past five years
10 or so that are -- that might be similar or
11 relevant to this particular project?

12 MR. MAISTO: My name is John
13 Maisto, EDG Architects principal. I've been
14 a principal with EDG for the past five years.
15 Worked with EDG architects 13 years.

16 We are primarily specializing in
17 multi-family housing, senior housing,
18 rehabilitative housing, rehabilitation of
19 existing buildings, affordable housing, co-
20 housing and special user housing.

21 We have completed in Southeast
22 D.C. in the past ten years approximately 11

1 projects of varying scopes from rehab to new
2 construction. Our résumé also includes
3 projects in suburban Maryland, Virginia, West
4 Virginia, Pennsylvania and North Carolina.

5 MR. BLANCHARD: Mr. Maisto, have
6 you ever appeared before this body or before
7 the BZA?

8 MR. MAISTO: I've appeared three
9 times before the BZA for new construction
10 projects in Washington, D.C.

11 MR. BLANCHARD: Thank you.

12 COMMISSIONER MAY: I'm still
13 looking for some specifics on the projects and
14 I'm not really interested in the firm's
15 experience. I'm interested in your specific
16 experience since you're the one being
17 proffered as the expert.

18 MR. MAISTO: Sure. With regard to
19 the BZA applications that I've been involved
20 with, the last one we did was this particular
21 project back in July of 2007 where we
22 presented the case to the Board of Zoning

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1 Appeals to design this 130 unit multi-family
2 mixed-use development in Northwest D.C.

3 Prior to that, there's a 37-unit
4 project in Southeast D.C., senior housing with
5 a community care component.

6 COMMISSIONER MAY: What's the name
7 of that? Where is it?

8 MR. MAISTO: Bowen Senior Housing.
9 It's on Bowen Road and prior to that in I
10 think it was 2004 was the BZA hearing Woodson
11 Heights Condominiums, 106 units of
12 condominiums and rehab housing.

13 VICE CHAIRMAN JEFFRIES: Are these
14 rehab projects or new -- the last one is a
15 rehab projects. The one before the senior --

16 MR. MAISTO: Bowen Senior Housing
17 is --

18 VICE CHAIRMAN JEFFRIES: --
19 component, that was new construction?

20 MR. MAISTO: New construction.

21 Correct.

22 VICE CHAIRMAN JEFFRIES: Okay.

1 So, how many -- if you go over all your past
2 experience in terms of comparable new
3 construction projects you've done in inner-
4 city setting, how many would you say you've
5 done?

6 MR. MAISTO: New construction I
7 would say we've done --

8 VICE CHAIRMAN JEFFRIES: You. No.
9 No. You.

10 MR. MAISTO: Personally. Right.

11 VICE CHAIRMAN JEFFRIES: Yes.
12 Yes.

13 MR. MAISTO: At least six.

14 VICE CHAIRMAN JEFFRIES: Okay.

15 MR. MAISTO: In D.C. that I have
16 done personally and I've been involved with
17 several others.

18 VICE CHAIRMAN JEFFRIES: Of this
19 size, 100 and --

20 MR. MAISTO: Yes.

21 VICE CHAIRMAN JEFFRIES: Yes.

22 Okay. Per project. I know one you stated was

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1 smaller. So.

2 MR. MAISTO: Yes, approximately.

3 VICE CHAIRMAN JEFFRIES: Yes, I
4 just -- you know, I think that, you know,
5 we're starting to see a lot of this and we
6 just need to, you know, make certain at least
7 that our zoning counsels, you know, clearly
8 understand, you know, the kind of information
9 we need to see from the architects going
10 forward.

11 We really do need to see
12 comparable projects, you know, if you're going
13 to be -- you're going to be proffering
14 someone.

15 You know, we've been in several
16 situations where it's been really tough for
17 someone to come here. I mean we've had lots
18 of comments on the architecture and then the
19 person who's before us isn't -- doesn't quite
20 have the level of experience that we like to
21 see.

22 Again, we see -- we have heads of

1 firms come in and make presentations to us and
2 so, I guess we've become somewhat spoiled, but
3 I do think that we really need to -- it's no
4 -- you know, I'm not commenting on your
5 experience, but I think what Commissioner May
6 is saying is that we just need to see more
7 definitive information about comparable
8 projects and so forth and not just sort of the
9 generic kind of thing. So.

10 COMMISSIONER TURNBULL: It makes
11 it a lot easier for us when we're looking at
12 credentials to see a list of things that have
13 been done that are similar and we don't waste
14 time doing this. It would be so much easier
15 to have those in front of us.

16 CHAIRMAN HOOD: Okay. Unless
17 someone agrees, unfortunately, Mr. Maisto, you
18 won't be able to testify this evening. Unless
19 one of my colleagues disagrees with me, we
20 will not be proffering you as an expert.
21 Okay.

22 MR. BLANCHARD: Mr. Hood, Mr.

1 Tucker is actually the other principal at EDG
2 and has over 30 years experience.

3 CHAIRMAN HOOD: But, I think you
4 told me that you were not going to proffer him
5 as an expert.

6 MR. BLANCHARD: Right, but given
7 the Commission's concerns, I could proffer him
8 as an expert if that would give you a greater
9 comfort level.

10 CHAIRMAN HOOD: Who's going to be
11 making the presentation?

12 MR. BLANCHARD: Well, Mr. Maisto.

13 CHAIRMAN HOOD: Right. He can
14 still make the presentation.

15 MR. BLANCHARD: I understand.

16 CHAIRMAN HOOD: But, we just won't
17 be proffering it as a -- we won't accept it as
18 an expert witness.

19 COMMISSIONER MAY: I have to say
20 one of the things that makes me a little bit
21 uncomfortable about the whole situation in
22 terms of the proffered expert witnesses is

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1 that we have drawings that indicate that there
2 was another design architect and they're not
3 in the room and so, I'm not sure -- I mean if
4 we're -- our concern really isn't how well you
5 can build a building. Because obviously, if
6 you've built buildings like this before, you
7 have that technical capability, but we're --
8 what we're really looking for is design
9 expertise and I -- you know, if that was truly
10 in the hands of this other firm, then I'm not
11 sure that it's really of that great importance
12 in this particular case.

13 This is -- you know, I'm saying
14 nothing about your abilities or the importance
15 of what you have to say. It just has to do
16 with what we would consider expert testimony.

17 VICE CHAIRMAN JEFFRIES: Well,
18 Commissioner May, you say that they're
19 architect of record, but they're not the
20 design architect.

21 COMMISSIONER MAY: Well, I'm not
22 sure what the legal --

1 VICE CHAIRMAN JEFFRIES: Is that
2 what you're --

3 COMMISSIONER MAY: -- relationship
4 is. I just happen to see in the drawings that
5 there's another firm that is shown as the
6 design architect in one of these sets.

7 VICE CHAIRMAN JEFFRIES: Okay. I
8 normally thought we -- yes, normally took the
9 -- I mean the architect of record is the main,
10 you know, architect. I mean I --

11 COMMISSIONER MAY: Well, we don't
12 usually see them separated. That's one thing.
13 You know, but in this case, it's Frank
14 Schlesinger Architects --

15 VICE CHAIRMAN JEFFRIES: Um-hum.

16 COMMISSIONER MAY: -- is listed as
17 or shown in the drawings as the design
18 architect and so --

19 VICE CHAIRMAN JEFFRIES: Could you
20 comment on the extent of their involvement in
21 the design of the project?

22 MR. BLANCHARD: I'd like to

1 recognize Mr. Tucker to speak to that.

2 MR. TUCKER: Yes, EDG Architects
3 is the architect of record. Frank Schlesinger
4 FAIA is the design architect. He's a
5 consultant through the schematic and design
6 development phases, but, of course, we've been
7 involved throughout the project and are now
8 the lead architect and the architect of
9 record.

10 VICE CHAIRMAN JEFFRIES: Yes, so,
11 Schlesinger was a consultant of sorts and, you
12 know, not, you know, in terms of how much time
13 he spent and whatever. But, I mean you're the
14 architect for this project.

15 MR. TUCKER: We are the architect.
16 Yes.

17 CHAIRMAN HOOD: Okay. With that,
18 the only proffered expert witness we'll accept
19 tonight is Mr. Banks and we will listen to
20 your testimony.

21 Okay. Mr. Blanchard, you can
22 start.

1 MR. BLANCHARD: Very good. Thank
2 you, Mr. Hood.

3 In light of the 35 minute or
4 whatever's left at this point, I'm going to
5 keep my comments very brief.

6 You have several submissions. The
7 prehearing statement was filed May 22nd. The
8 property was posted on May 12th. You have our
9 -- I'm sorry. The supplemental filing was May
10 22nd and we're asking for PUD relief on height
11 an additional 8 feet, floor area ratio .2
12 percent, lot occupancy 5 percent above the 75
13 percent allowed as matter of right and then
14 some parking and loading relief. Special
15 exceptions under the Georgia Avenue Commercial
16 Overlay District and those are with regard to
17 a building that has over 12,000 square feet of
18 land area and also uniform floor and ceiling
19 height, clear height requirements.

20 There is no relief necessary for
21 roof structures.

22 And with that, I'm just going to

1 go right to Mr. Tucker. If you talk about the
2 project itself.

3 MR. TUCKER: My name's Donald
4 Tucker. I reside at 6800 Laverock Court in
5 Bethesda, Maryland. I'm Senior Vice --
6 Executive Vice President of HD, Inc. which is
7 a co-developer of the project along with the
8 John Lynch Companies. I'm also a principal of
9 EDG Architects.

10 The project, Georgia Commons, is a
11 mixed use, mixed income development to be
12 located just north of Randolph on the west
13 side of Georgia Avenue.

14 What we're proposing is 130
15 residential apartments on top of a retail
16 level on top of parking. The retail level
17 being at grade level at Georgia Avenue.

18 The composition of the residential
19 units is that 62 of the 130 units would be
20 affordable at or below 60 percent of the area
21 median income and would be eligible for low
22 income housing tax credits. Sixty-eight of

1 the units would then be what we're describing
2 as market rate for the Petworth market area.
3 In fact, their rents are -- fall between 60
4 percent and roughly 100 percent of the area
5 median income in terms of affordability.

6 The retail component of the
7 project will consist of approximately 28,000
8 square feet including the ground floor and a
9 mezzanine level below that and we're currently
10 in negotiations with a community-based health
11 clinic called Mary Center.

12 The intent is to -- we've entered
13 a Letter of Intent agreement with Mary Center
14 to purchase the entire retail space. Mary
15 Center is -- has -- currently has an operation
16 in the Adams Morgan area. They'll be
17 relocating here and expanding their operations
18 to include a number of community-based health
19 services including women's health care,
20 children's health care, family practices, et
21 cetera. A wide variety of uses that'll be
22 beneficial to the Petworth neighborhood as

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1 well as to the residents of Georgia Commons.

2 If for some reason the Mary Center
3 project doesn't proceed, we're intending to
4 lease the retail space -- the ground level
5 retail space to neighborhood oriented retail
6 users and we've had expressions of interest
7 from a number of such community based users.

8 We would also consider the
9 possibility of a CVS or Walgreens type
10 facility there that may also have a clinic
11 within.

12 Funding for the project is coming
13 from a variety of sources including tax-exempt
14 bonds to be issued by the D.C. Housing Finance
15 Agency, secondary funding from the D.C.
16 Department of Housing and Community
17 Development. Approximately 4.5 million tax-
18 exempt bonds. We expect about 21 million.
19 Proceeds from the sale of low income housing
20 tax credits of roughly 3.5 million.

21 There's also a tax abatement that
22 has been -- bill that has been passed by the

1 city for the project to the extent of 183,000
2 annually for the duration of the FHA financing
3 on the project.

4 Throughout the process of being
5 selected as the developer for this site, the
6 JLCHD team has worked closely with the
7 Petworth community. The Petworth Action
8 Committee and the ANC-4C have actively
9 supported this project, both, at the stage
10 where the development team was selected on a
11 competitive basis to receive development
12 rights for the site.

13 This was originally an RFP put out
14 by NCRC which we won competitively and since
15 selection, we've continued to be in close
16 communication with the community and garnered
17 their input and support for the project that
18 we're doing here.

19 The Commission knows there's been
20 a lot units lost in D.C. and Northwest D.C.
21 and other areas to condominium conversions in
22 recent years and this is a -- an attempt to

1 counter that trend by developing rental
2 housing in a neighborhood that will have
3 various levels of affordability to allow
4 people in the neighborhood to continue to
5 afford to live in a -- in a neighborhood
6 that's experienced a lot of development
7 growth.

8 So, the -- the project is also
9 going to benefit the community in that it is
10 a -- not only is it affordable and mixed use
11 which encourages walkable community
12 development in the Petworth area near the
13 Metro, but it also is a -- a green project.
14 We're in the LEED Neighborhood Development
15 Pilot Program and -- which focuses on
16 encouraging projects that are both mixed
17 income and mixed use that encourage walkable
18 communities and as part of our submission
19 package, we attached a -- a scorecard for the
20 LEED ND Program and indeed, it almost looks
21 like the program was written around or
22 designed around this project. We would -- we

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1 expect to score in the -- in the Gold category
2 under this new pilot program.

3 The project does have a vegetated
4 green roof both at the top of the residential
5 part of the project as well as in the interior
6 courtyard which is on top of the retail level.

7 We also area incorporating many
8 other LEED criteria such as high-efficiency
9 energy design. We've done an energy model for
10 the building. We've done day-lighting
11 studies. We're, of course, using efficient --
12 water efficient fixtures and energy efficient
13 lighting.

14 We're incorporating low-VOC
15 materials that don't off-gas for clean indoor
16 air quality.

17 We're -- also, I might point out
18 that the green roof has the benefit of helping
19 with storm-water management on the site by
20 retaining and filtering water that comes onto
21 the site before it goes into the storm system
22 as well as reducing heat island effect.

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1 We've incorporated into the design
2 as well which John Maisto will go into more
3 detail into the facade of vegetated green
4 screen as part of the design again to help
5 with heat island effect and to -- as well as
6 to create some visual interest.

7 In summary, we -- we feel that
8 this is a -- from a public policy standpoint
9 an important project in that it's both mixed
10 use, mixed income, Metro-oriented and green
11 and we hope you'll support it.

12 Thank you.

13 MR. BLANCHARD: Thank you, Mr.
14 Tucker. Mr. Maisto.

15 MR. MAISTO: Good evening. Again,
16 John Maisto, EDG Architects. I reside at
17 10122 Greenock Road in Silver Spring,
18 Maryland.

19 Mr. Tucker has described in some
20 detail some of the aspects of the building
21 that lend themselves to good neighborhood
22 design and good environmental design.

1 Just as a little bit of
2 background, EDG Architects stand for
3 Environment Design Group. We have been in
4 business for over 30 years or approximately 38
5 years I should say. We -- we had the fortune
6 of collaborating with Frank Schlesinger
7 Associates on this particular project as the
8 design architect.

9 After the schematic design phase
10 and design development phase, we took it from
11 there, the design, and continued the vision
12 that -- that architecturally he created with
13 much input from EDG as well as the owner.

14 The building itself as has been
15 described is 130 units over retail level and
16 two levels of structured parking. The 130
17 units are distributed in a courtyard shape
18 with a double-loaded corridor on one side.
19 The units range from one, sorry, studio units
20 to three bedroom apartment.

21 On the top level, the 6th floor,
22 there is a range of loft units which are

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1 slightly larger in that they have a mezzanine
2 loft and a private roof garden, a private
3 patio access above on the roof.

4 On the roof level itself, it is a
5 vegetated green roof. There is a community
6 room that is shared by all residents. On the
7 green roof, we have provided ballards and
8 walkways for outdoor gatherings.

9 In previous projects that EDG has
10 created -- has designed, we utilized this
11 strategy as well to much success.
12 Specifically, Eastern Village co-housing in
13 Montgomery County.

14 As you can see, we have looked at
15 this from plans and elevations standpoint.
16 Studied it in three dimensions using the
17 three-dimensional models to create sun studies
18 to show that proper day lighting can be
19 afforded into the courtyard at various times
20 of the year.

21 We've also been able to utilize
22 these models to examine the materials were

1 using. Specifically, starting from the top,
2 a green -- a vegetated green roof. We have
3 some examples of the materials here.

4 On the facades, we're utilizing
5 small areas of green screen to provide some
6 greenery actually on -- on the facades. The
7 green screen itself is a structural lattice
8 that supports clematis vines.

9 The -- we're utilizing
10 cementitious siding and corrugated metal
11 siding primarily to clad the exterior of the
12 building. Cementitious siding is much -- is
13 a much better choice than vinyl or wood or
14 anything of that nature especially for a
15 building of this height.

16 The front elevation also features
17 a rain screen system which allows for some
18 visual interest at these bays that protrude at
19 the front elevation of the building.

20 The ground floor level or the
21 retail level is clad in cast stone and split-
22 face concrete block to provide a strong base

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1 for the building. Architecturally coming out
2 of the street, it's advantageous especially in
3 an urban environment to -- to have surfaces
4 that are durable at that level.

5 The retail level is sky lit
6 through the courtyard to provide day-lighting
7 and ask Mr. Tucker indicated earlier, we have
8 had day-lighting studies that show that the
9 day-lighting that comes into that space is
10 more than adequate and quite appropriate for
11 -- for the -- whoever will end up using that
12 space.

13 MR. BLANCHARD: Mr. Maisto, there
14 is a -- is there a difference in the courtyard
15 that's being shown now on these boards and
16 what was filed earlier and if so, could you
17 explain that?

18 MR. MAISTO: The supplemental
19 filing showed a courtyard which is the same in
20 shape. However, the southern elevation had a
21 slightly higher roof profile which prevented
22 a certain amount of sunlight from getting into

1 the courtyard.

2 By looking at these courtyard
3 models, we determined that by changing the
4 loft design slightly and inclining the roof,
5 we were able to get more sunlight into that
6 courtyard and it's desirable to make sure that
7 proper sunlight goes into those -- into a
8 courtyard space.

9 As far as any other changes to the
10 courtyard, there are none other than -- than
11 affecting the profile of the building.

12 The roof plan shows that the
13 private patios on the south face of the
14 building are truly provide. They're not
15 accessed from any other point in the roof
16 which is another advantage to those loft
17 units.

18 MR. BLANCHARD: Mr. Maisto, was
19 there previously a walkway along the south
20 side?

21 MR. MAISTO: On the original or --
22 sorry, the supplemental drawings that we

1 filed, there was a walkway on the south side
2 and by moving the loft mass back, we were able
3 to eliminate that walkway, reduce the number
4 of public if you will on that side of the
5 roof.

6 MR. BLANCHARD: And does not --
7 does that enable you to then make more light
8 come into the courtyard?

9 MR. MAISTO: That's the -- the
10 primary reason why we're able to incline the
11 roof. It's because we were able to move the
12 mass of that -- of that loft unit back.

13 MR. BLANCHARD: So, the -- the
14 other drawings that are changed from the
15 supplemental filing are the three-dimensional
16 aerial perspective drawings which show that
17 incline in the roof at the courtyard.

18 MR. MAISTO: One of the tasks that
19 we were faced with when we received the
20 comments from the set down was to describe the
21 courtyard in more detail and show examples of
22 courtyards throughout the world and in -- in

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1 this country that work and I think we've
2 provided that. It's in the -- the package and
3 we're happy to entertain any questions about
4 those.

5 Ultimately, the idea with this
6 building was maximize the density on the site.
7 It is an urban in-fill site and by -- by -- by
8 doing so, I think we are able to provide the
9 client with the building that -- that they
10 desire to be a strong neighborhood presence
11 and a benefit to the neighborhood.

12 MR. BLANCHARD: Thank you, Mr.
13 Maisto. Mr. Tucker, would you like to just
14 add anything at this point?

15 MR. TUCKER: I would just like to
16 add that part of the intent of this design is
17 to allow for the potential of a second phase
18 on -- to the south and as you'll see from the
19 design, the -- the units that are located on
20 the south are on a single-loaded corridor and
21 it's designed essentially so that if there was
22 a second phase, it could be then double

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1 loaded. Essentially, the plan would be
2 repeated with a second courtyard on the site
3 that's now occupied by Wendy's which the
4 neighborhood has expressed strong interest in
5 seeing that happen.

6 MR. BLANCHARD: Thank you. Mr.
7 Hood, I'm not going to call Mr. Banks just to
8 keep the time frame short on our presentation
9 in chief, but we entertain any questions now
10 or after the agency or other comments.

11 CHAIRMAN HOOD: Okay. All right.
12 Thank you all for your presentation.

13 I will ask Mr. Banks to come
14 forward at this time --

15 MR. BLANCHARD: All right.

16 CHAIRMAN HOOD: -- because I do
17 have some questions for him. I'm sure there
18 are a number of architectural questions, but
19 before I yield to my colleagues, I'm going to
20 get my questions out of the way because they
21 won't be architectural except for one.

22 I'm looking here from the ANC, Mr.

1 Blanchard. Help me understand. I was looking
2 at the amenities package. I'm sure that Vice
3 Chairman Bland will be coming up to speak, but
4 I'm looking at some of the things that he
5 outlined in his very well done ANC letter to
6 us. Working with Roosevelt Senior High School
7 to develop job readiness skills and access to
8 the work place, working with existing small
9 business in the Georgia Avenue corridor to
10 help them access the District's improvement
11 programs and grants and working with the
12 neighborhood-based Petworth Action Committee
13 to hire from the neighborhood as the
14 construction of the site moves forward.

15 And, you know, I've missed things
16 in the packet before and read right over top
17 of it. I even miss résumés, but I didn't see
18 anywhere in your submittals where that --
19 where those kind of married up, were the same
20 things that were expected. Oh, I guess the
21 decisions with the ANC were some of the same
22 things that the Applicant's proposing.

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1 Can you help me with that?
2 Because when I look at -- we talk about the 62
3 units and affordable housing. I was glad to
4 see there were some units. They were 30
5 percent. I specifically asked that and we
6 seem to have accomplished that, but I'm just
7 trying to figure out what was worked out with
8 the ANC and the community.

9 MR. BLANCHARD: Certainly, I'd
10 like to recognize Mr. Tucker to speak to that.

11 MR. TUCKER: Mr. Chairman, Members
12 of the Commission, the -- the ANC's letter
13 speaks in -- in detail to things that -- I
14 indicated in my testimony that we had worked
15 closely with the Petworth Action Committee and
16 the ANC throughout the process and in the --
17 in the process of being selected as developer,
18 a number of things were discussed with the
19 community including those things mentioned by
20 the ANC.

21 You know, we are committed to
22 continuing to meet our -- fulfill our

1 commitments to the ANC and the community and
2 the reason we have the ANC support is I think
3 outlined in their letter correctly.

4 CHAIRMAN HOOD: Okay. And one of
5 the things I would suggest, Mr. Blanchard, is
6 that the typical way we normally do it it
7 needs to be here and how it's going to be
8 administered and how it's going to be done if
9 it's going to be an amenity. Because I don't
10 see that.

11 I mean this is for the sake of the
12 ANC and I think we need to straighten that up
13 a little bit at least before final action.

14 MR. TUCKER: Okay. Let me just --
15 if I could, I'd just add that the John Lynch
16 Companies have an extensive track record of
17 working with community organizations and in
18 issues like jobs and job placement and
19 community outreach and -- and they will be
20 taking the lead on this -- on this part of the
21 project.

22 CHAIRMAN HOOD: I have no doubt.

1 Been in this city a long time. I have no
2 doubt but that's the case, but it needs to be
3 so -- so, we can have something in our order.

4 MR. BLANCHARD: I understand, Mr.
5 Hood, and we will reflect that in the order.

6 CHAIRMAN HOOD: The other thing is
7 I want to talk with Mr. Banks about the
8 circulation pattern. I know that the -- I
9 think we've dealt with the 30-foot loading
10 berth that the -- I think it was the Office of
11 Planning had an issue with earlier. I believe
12 that has been dealt with.

13 Am I correct, Mr. Banks?

14 MR. BANKS: For the record, Iain
15 Banks, CR George and Associates.

16 As far as I'm aware, the -- the
17 issue of the additional 30-foot berth as
18 required by DDOT in the original BJ order has
19 been -- has been finalized with -- with the
20 Office of Planning and the Applicant in that
21 only two 30-foot berths would be required.

22 CHAIRMAN HOOD: So, we got two 30-

1 foot and one 20?

2 MR. BANKS: Yes.

3 CHAIRMAN HOOD: Okay. Do we have
4 a board that can show? Because again, it
5 looks like we're pulling out -- way out into
6 an area that's -- and I'm glad to see that the
7 20th is closer to the -- I guess that's --
8 what is that an opening? Whatever the opening
9 is. Do we have the circulation? Let's get
10 the one that -- hopefully, you have the one
11 showing the loading dock access.

12 You may want to get on the
13 microphone. Oh, I do have it up here. It's
14 up under -- up under all these. There you go.

15 MR. BANKS: Yes, we essentially
16 have here what was -- some missing in the
17 supplemental package which shows the -- the
18 tracking diagrams for all -- all the berths.

19 CHAIRMAN HOOD: And we might want
20 to do this quickly because the light is red on
21 the microphone. Could you just show me how
22 that's going to work and how those loading --

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1 those trucks are going to pull out in-bound,
2 both out-bound as you have them labeled?

3 MR. BANKS: Yes, the -- the top
4 one we have here is the -- the first 30-foot
5 berth.

6 COURT REPORTER: Sorry. We've not
7 getting --

8 CHAIRMAN HOOD: Okay. That's
9 probably because that's going dead.

10 Mr. Banks, if you could just sit
11 back at the table. I think I can -- and you
12 just kind of tell me what's happening.

13 Actually, what are we pulling out
14 into on the in-bound up there? What am I
15 pulling out into? Is that a --

16 MR. BANKS: Currently, it's just
17 an area of open space alleyway. At that
18 point, there's -- it's actually the conference
19 of two alleyways. There's an alleyway going
20 east/west from Georgia Avenue.

21 CHAIRMAN HOOD: Mr. Banks, one of
22 my colleagues, you know, these guys are

1 architects and they're professional. I'm not.
2 So, thank you, Commissioner May. If you could
3 use the pointer, that would help us out.
4 Thank you.

5 MR. BANKS: So, if we can see
6 where the pointer is here, we have -- this is
7 an existing alleyway which is only
8 approximately 12 feet wide.

9 VICE CHAIRMAN JEFFRIES: Okay.
10 Just give us -- Georgia Avenue. Just give us
11 some boundaries and just --

12 MR. BANKS: Yes, so -- so, this --
13 this is Georgia Avenue to the east here. This
14 is Randolph Street to the south and then
15 Shepherd Street to the north.

16 The access route for the in-bound
17 truck would be in -- off of Randolph Street,
18 you saw as an existing 15-foot alleyway. Due
19 to the location the only location of the
20 berths, you would move forward into this as I
21 said conference of two alleyways which is this
22 east/west alleyway and the north/south

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1 alleyway which continues through to Shepherd
2 Street.

3 VICE CHAIRMAN JEFFRIES: What's
4 the area of that, you know, where the two
5 alleys intersect?

6 MR. BANKS: Obviously, I'm -- I'm
7 not sure of the size of that, but it is just
8 a -- just a purely open area. There's --
9 there's no walls or fences within the area.

10 And so, based upon the tracking
11 diagrams which we have, you saw as in the
12 software, it shows although -- although
13 obviously is a relatively tight maneuver, it
14 can be done.

15 VICE CHAIRMAN JEFFRIES: So, if
16 you're heading south --

17 MR. BANKS: Yes.

18 VICE CHAIRMAN JEFFRIES: -- south,
19 okay, the truck can leave the loading area and
20 then go south. Take me out -- it goes out the
21 alley, the 15 --

22 MR. BANKS: The -- the -- the

1 truck route for the southernmost berth would
2 have to be down on this level one. It's --
3 within the southernmost berth, they would have
4 to exit north onto Shepherd Street.

5 VICE CHAIRMAN JEFFRIES: Right.
6 Okay.

7 MR. BANKS: Yes.

8 VICE CHAIRMAN JEFFRIES: Okay.

9 MR. BANKS: So -- so, the alleyway
10 between Randolph and Shepherd Street is -- is
11 a continuous 15 feet.

12 VICE CHAIRMAN JEFFRIES: Okay.

13 CHAIRMAN HOOD: Now, when we are
14 going outbound, we're going to go past the
15 alley to go out as you say on Shepherd Street.

16 Now, how much vehicle traffic do
17 we have in that alley just as we get ready to
18 make that turn? How much vehicle traffic do
19 you have?

20 MR. BANKS: In here?

21 CHAIRMAN HOOD: Yes.

22 MR. BANKS: This alleyway is

1 current unused. It's -- as I say, it's only
2 approximately 12 feet wide.

3 CHAIRMAN HOOD: Okay.

4 MR. BANKS: And although there is
5 an existing curb cut on Georgia Avenue, it
6 doesn't serve any uses.

7 CHAIRMAN HOOD: So, no -- traffic
8 doesn't come -- vehicle traffic doesn't come
9 down through?

10 MR. BANKS: No. No.

11 CHAIRMAN HOOD: None?

12 MR. BANKS: Well, obviously, it
13 can, but I wouldn't say none, but it's a very
14 rare occurrence, but maybe due to the width.

15 CHAIRMAN HOOD: So, what safety
16 measures do we have in place or will be in
17 place to prevent me from turning out and
18 running into someone or hitting a person that
19 maybe walking through the alley or whatever?
20 Is there a mirror? Sometimes you see mirrors.
21 What's going on there?

22 MR. BANKS: I mean that's

1 something that -- that can be discussed with
2 -- with DDOT. Potential options could be
3 mirrors as you said there. You could have a
4 loading dock manager to direct and guide
5 trucks as they enter and exit the facility.
6 You could have -- you could have actual
7 signage as well just to make it an all-way
8 stop almost.

9 CHAIRMAN HOOD: Here's what I
10 would like to see before because I know we
11 have a submission from Ms. Ricks and I don't
12 know if they consider or didn't consider
13 because she does have a letter in the file and
14 I appreciate DDOT doing that of supporting the
15 project and it doesn't talk about that.

16 I guess I need to know, Mr. Banks,
17 was that considered and if there's a concern
18 and if there are going to be some mitigation
19 methods in place, then it needs to be done for
20 our record before or normally before our
21 record before we move forward or at least
22 before I move forward with final action and I

1 don't think that's a great request to ask for.
2 So, if you could -- mention at this time.

3 MR. BANKS: Certainly. I mean
4 obviously we can -- we can discuss this with
5 DDOT and -- and get on board with them.

6 CHAIRMAN HOOD: Okay. Okay.
7 Thank you. That's all I have and I appreciate
8 your commenting.

9 I did have -- Mr. Blanchard, the
10 Certified Business Enterprise and the
11 Certified Business Enterprise Utilization
12 Agreement is one of the things that the Office
13 of Planning mentioned and they also mentioned
14 the First Source Agreement.

15 MR. BLANCHARD: Right.

16 CHAIRMAN HOOD: Are those a
17 problem?

18 MR. BLANCHARD: No, my -- no, they
19 are not, Mr. Hood. My understanding is that
20 the John Lynch Company is presently
21 negotiating a First Source Agreement with DOES
22 and also a memorandum of understanding with

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1 the Department of Small and Local Business --
2 they keep changing their name. That's why --

3 CHAIRMAN HOOD: The Department of
4 Small and Local Business Development. Yes.

5 MR. BLANCHARD: Right.

6 CHAIRMAN HOOD: Okay. And we have
7 requested that we get that before our final
8 order.

9 MR. BLANCHARD: Very good.

10 CHAIRMAN HOOD: Okay.

11 MR. BLANCHARD: Their staff
12 actually asked me if they needed to have that
13 tonight and I -- my understanding was based on
14 past Commission actions is that that's
15 something usually required later in the
16 process. So, we will have that.

17 CHAIRMAN HOOD: Right. And that
18 is later. The final order -- I mean the -- a
19 final vote is going to be later in the
20 process.

21 Okay. Let me ask you. Was there
22 any objection? I read the BZA -- what we had

1 -- what was done previously. I might have
2 asked this already at the sit down, but why
3 are we here? I know it has to do with
4 inclusionary zoning regulations. Why are you
5 here? Because you got an approval, but just
6 give me a tour through the line and tell me
7 again why we're here even though it's in your
8 explanation. But, for the record if you
9 could.

10 MR. BLANCHARD: I certainly could.
11 Inclusionary zoning has not been fully
12 implemented. I'll start with that and so, if
13 inclusionary zoning -- although the Commission
14 has done everything it needs to do --

15 CHAIRMAN HOOD: Thank you for
16 saying that, Mr. Blanchard.

17 MR. BLANCHARD: You're welcome.
18 Other parts of the District Government still
19 need to fulfill their mandate as far as the
20 rules and regulations to administer the
21 program and also to adopt a schedule of rents
22 and prices if you're going to see units,

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1 affordable units. That hasn't happened yet.

2 We had anticipated that it was
3 going to happen before the BZA hearing.
4 Unfortunately, it did not and when the
5 Applicant originally filed before the BZA, it
6 filed for a 130-unit building which is a
7 little bit deeper on the lot than the 115
8 building that ended up being approved by the
9 BZA and the reason for that is that under
10 inclusionary zoning, they would have been
11 allowed to have as a matter of right 80
12 percent lot occupancy instead of 75 and also,
13 some additional density.

14 CHAIRMAN HOOD: Okay.

15 MR. BLANCHARD: So, that's why
16 we're here. We -- the BZA approved variances
17 very similar to what we're asking for tonight
18 for parking and loading. The retail aspect of
19 it changed somewhat from the BZA. At that
20 time, there was going to be a gym, you know,
21 a fitness place that was going to take up most
22 of the ground floor and anyway.

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1 CHAIRMAN HOOD: Okay. My last
2 comment -- well, I have two. There was a
3 color rendering of the building that had this
4 real loud or light colored brick. I guess
5 it's brick or stone and when I looked at the
6 material samples, I didn't see it or is that
7 it?

8 It just didn't match up. Maybe it
9 was something wrong with the copier. You
10 know, those things happened. It was full
11 color or RGB. I'm not sure. But, if you take
12 the circulation plan down, I think it's right
13 behind there.

14 Oh, no, maybe it was something I
15 saw up here. It's real yellowish. Yes, there
16 it is. Yes.

17 MR. BLANCHARD: The gold.

18 CHAIRMAN HOOD: Oh, gold.

19 MR. BLANCHARD: The rendering --

20 CHAIRMAN HOOD: Maybe I'm
21 colorblind.

22 MR. BLANCHARD: And I'll call that

1 the rendering. That was on the -- that was
2 the color sheet to the architectural plans and
3 I'm going to let Mr. Maisto explain how the
4 printing of that is somewhat off-color
5 register as far as the materials that are
6 shown on the table tonight and the drawing
7 here.

8 CHAIRMAN HOOD: So, I guess the
9 printing of it I can understand that, but man,
10 that's the only thing I can understand.

11 I just want you to show me here in
12 the material samples where it is. Is that it?

13 MR. BLANCHARD: Mr. Maisto, if you
14 would point those out.

15 CHAIRMAN HOOD: The loud gold is
16 what I'm being told it is.

17 MR. MAISTO: The loud gold is
18 actually the rain screen system which is the
19 -- in the case below, this case right --

20 CHAIRMAN HOOD: It just doesn't do
21 it justice. That's all.

22 MR. MAISTO: This case below is

1 the rain screen system which is the four bays
2 that protrude on the exterior of the building.

3 CHAIRMAN HOOD: It's going to be
4 more reflective. The color's going to be what
5 we see here in front of us to my left and I'm
6 pointing to the exhibit that you have.

7 MR. MAISTO: The color of the rain
8 screen system will be more along the lines of
9 this color. Correct.

10 VICE CHAIRMAN JEFFRIES: Point out
11 the rain screen system again.

12 MR. MAISTO: Thank you. Right.
13 This bay here, this bay here, this bay here
14 and this bay here. Four bays that protrude.
15 On the rendering, the three-dimensional
16 rendering, it's a little easier to see the
17 four bays as they protrude.

18 VICE CHAIRMAN JEFFRIES: And the
19 corrugated metal piece is what in those bays?

20 MR. MAISTO: The corrugated metal
21 is actually behind the bays. It's the plane
22 beyond or beyond the -- the four protruding

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1 bays and as you wrap around the building,
2 there's a mixture of corrugated metal and
3 cementitious siding to clad the -- the
4 building.

5 CHAIRMAN HOOD: Okay. I'm sure
6 that -- I'm getting ready -- I had one last
7 question. I'm sure that you'll be talking
8 about those boards for awhile.

9 Let me just ask you about this --
10 I guess this street scape plan schedule. This
11 sheet L2.10 and trying to figure out where the
12 trees and -- but, you know, this would be nice
13 if it's -- a picture's worth a thousand words.
14 It would be nice if it was in color and I'll
15 tell you why. Because to me, it's all running
16 together and maybe, Mr. Maisto, you have one
17 that's in color or do we have one in our --
18 unless we got it tonight, I didn't see it.

19 MR. MAISTO: The closest site plan
20 rendering to what you have there would be this
21 one right here that shows the trees on Georgia
22 Avenue. That rendering there though shows

1 some ground cover, different types of -- of
2 paving on that. Sheet L2.10. Is that
3 correct?

4 CHAIRMAN HOOD: Sheet L2.10.
5 Right.

6 MR. MAISTO: Which is not shown on
7 this.

8 CHAIRMAN HOOD: Okay. That's all
9 the questions I have. Anyone have any
10 additional questions? Commissioner May.

11 COMMISSIONER MAY: Yes, I'll
12 start.

13 While we're talking about the rain
14 screen, I'm looking at drawings, this set of
15 drawings here which I think we got with our
16 most recent packet and I'm looking at the
17 second page. By the way, it's always a good
18 idea to number the pages and to put dates on
19 them because we get multiple versions of these
20 things sometimes and it's helpful to know what
21 iteration we have and then, of course, calling
22 them out to you, it's good to know the page

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1 number.

2 The area that you pointed out
3 before indicating that it was -- the rain
4 screen system is called out as cementitious
5 siding here. Is that incorrect?

6 MR. MAISTO: That is incorrect.
7 There's actually one leader line that should
8 not be there.

9 COMMISSIONER MAY: Okay. So, the
10 leader line that points to the --

11 MR. MAISTO: Stair elevator loft
12 units.

13 COMMISSIONER MAY: Stair elevator
14 loft is correct?

15 MR. MAISTO: That's cementitious
16 siding. Correct.

17 COMMISSIONER MAY: Yes. Okay.
18 So, then the other one is the rain screen and
19 the rain screen is not called out.

20 MR. MAISTO: Correct.

21 COMMISSIONER MAY: And the rain
22 screen only appears on the front of the

1 building and on that bay?

2 MR. MAISTO: On those four bays at
3 the front Georgia Avenue elevation.

4 COMMISSIONER MAY: Okay. I think
5 for the record we'll need to see -- we'll need
6 to have a revised drawing that's correct on
7 this.

8 The -- and then the green area is
9 -- is that the -- that's the corrugated metal?

10 MR. MAISTO: Corrugated metal
11 siding. Correct.

12 COMMISSIONER MAY: Okay. So, what
13 we're seeing there as beige is going to be
14 painted a green.

15 MR. MAISTO: It will be a green
16 color. I have a color selector in front of
17 me, but --

18 COMMISSIONER MAY: Okay.

19 MR. MAISTO: -- I don't have the
20 actual color selected.

21 COMMISSIONER MAY: I like to touch
22 the materials. I don't need to touch the

1 corrugated metal, but the brick and stone and
2 the siding and all that sort of stuff. So, do
3 you mind bringing them up here and we'll pass
4 them around.

5 MS. SCHELLIN: Commissioner May,
6 can you tell me which page you want to see a
7 new drawing of?

8 COMMISSIONER MAY: I wish I could.
9 They're not numbered.

10 MS. SCHELLIN: Oh.

11 COMMISSIONER MAY: It's the second
12 page in this package.

13 MS. SCHELLIN: That you got in
14 your package?

15 COMMISSIONER MAY: That we got in
16 our package.

17 MS. SCHELLIN: Second page. Okay.

18 COMMISSIONER MAY: Yes, it's the
19 second page. I'll show you my markup here
20 because I've corrected it. Here.

21 The rain screen, too. Could we
22 see that? Okay.

1 So, it's like a powder coated
2 metal with insulation --

3 MR. MAISTO: That's correct.

4 COMMISSIONER MAY: -- built in and
5 it interlocks.

6 MR. MAISTO: Correct.

7 COMMISSIONER MAY: Okay. And it's
8 going to be a more yellow color.

9 MR. MAISTO: Correct.

10 COMMISSIONER MAY: More like that
11 cream that's the metal.

12 MR. MAISTO: That is correct.

13 COMMISSIONER MAY: Okay. And
14 where we see the green material sort of
15 tothing into the bay, what's actually
16 happening there in terms of the planes? What
17 plane is that -- are those different colors
18 in?

19 MR. MAISTO: The green materials
20 behind the bay, that bay actually has sort of
21 detents if you will or -- or spaces cut out at
22 those levels to differentiate -- help

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1 differentiate the floor-to-floor elevations or
2 the massing of the bays itself.

3 COMMISSIONER MAY: Okay. How far
4 out do the bays project?

5 MR. MAISTO: Three feet.

6 COMMISSIONER MAY: Three feet.
7 So, for three feet, there's going to be this
8 slot in there that allows you to see the green
9 at the back?

10 MR. MAISTO: Correct.

11 COMMISSIONER MAY: Okay. That's
12 an interesting detail. How are you going to
13 clean that space there?

14 MR. MAISTO: Well, let me make
15 sure that we're talking about the same thing.
16 That bay comes out three feet.

17 COMMISSIONER MAY: The yellow.

18 MR. MAISTO: The rain screen comes
19 out three feet.

20 COMMISSIONER MAY: Right.

21 MR. MAISTO: And as you go up and
22 down the building at those levels that you see

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1 the -- the corrugated metal siding behind, all
2 it is is the bay just has a -- a slot cut out
3 of it and it's a self-cleaning rain system or
4 rain screen in other words.

5 COMMISSIONER MAY: Okay. Just
6 looking at this little -- the green teeth that
7 are coming into the yellow.

8 MR. MAISTO: Right.

9 COMMISSIONER MAY: That green is
10 still at the plane with the rest of the green.
11 Correct?

12 MR. MAISTO: That is correct. In
13 the view of the northeast corner on the three-
14 dimensional rendering, it might be a little
15 more easy to see even though we don't have the
16 colors shown.

17 COMMISSIONER MAY: Okay.

18 MR. MAISTO: You'll be able to see
19 that that's -- if the plane --

20 COMMISSIONER MAY: So, it's cut
21 out. It's cut out.

22 MR. MAISTO: -- if this plane were

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1 cut out.

2 COMMISSIONER MAY: But, oh, is it
3 -- is that screen -- the whole screen is --
4 basically what's happening is the screen
5 itself is just extending beyond, but there's
6 no actual space behind it at that end. Right?
7 I think I understand now from that picture.

8 MR. MAISTO: Right. There's no
9 actual hidden space.

10 COMMISSIONER MAY: Right.

11 MR. MAISTO: It's just a
12 cantilevered --

13 COMMISSIONER MAY: Yes.

14 MR. MAISTO: -- vertical wall.

15 COMMISSIONER MAY: Right. Okay.

16 MR. MAISTO: Correct.

17 COMMISSIONER MAY: I didn't
18 understand that. I was trying to picture this
19 as being sort of a slot cut into the bay or
20 something like that.

21 MR. MAISTO: Understood.

22 COMMISSIONER MAY: Okay.

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1 MR. MAISTO: And the reason that
2 we did that just to give you a little more
3 explanation is that there are through wall
4 mechanical units on that front elevation that
5 we're shielding with those flared, if you
6 will, ends of the bay.

7 COMMISSIONER MAY: Okay. That's a
8 new and different way to handle those through
9 wall units and that's kind of interesting. I
10 think I like that except if I'm traveling
11 south on Georgia Avenue. I may not be
12 thrilled with that view, but I guess can't
13 have it from every direction.

14 So, that means that we have
15 through wall units in the other elevations?

16 MR. MAISTO: In all elevations.
17 Correct. And the way we handle those since
18 we're on that subject is there is a -- a
19 screen, kind of like a guard rail screen that
20 goes across the through wall elevation to
21 shield that so that you're not just seeing the
22 architectural grill of that through wall unit.

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1 COMMISSIONER MAY: So, in this
2 elevation --

3 MR. MAISTO: On that elevation
4 there, well, you can't see it because we've
5 done such a good job of screening it with our
6 -- with our railings.

7 But, if you see those -- those
8 horizontal lines that go across the -- the
9 windows, they are in the green area behind.

10 COMMISSIONER MAY: They're in that
11 green area behind.

12 MR. MAISTO: Correct.

13 COMMISSIONER MAY: Okay. And so,
14 are they -- but, what's in front of that?

15 MR. MAISTO: It is a railing with
16 a square grid. So, it doesn't completely hide
17 the -- the architectural --

18 COMMISSIONER MAY: Oh, okay. So,
19 the grid is more like a -- like a mesh.

20 MR. MAISTO: Two-by-two mesh.

21 COMMISSIONER MAY: Two-by-two
22 mesh. So, it's just -- okay. All right. So,

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1 there's something else behind it. Is that
2 grid, that mesh all painted black I'm
3 guessing?

4 MR. MAISTO: It's either a dark
5 color. It's not -- yes, that is correct. It
6 is either a dark color, a dark green or a
7 black.

8 COMMISSIONER MAY: Okay. And that
9 mesh, how far off of the surface of the
10 through wall unit is it actually or is it --

11 MR. MAISTO: About 3½ inches.

12 COMMISSIONER MAY: About 3½
13 inches. Okay. All right. That's also an
14 interesting solution there.

15 Uh-oh. Now, I've lost my notes.
16 I don't know what to talk about next. Okay.

17 Let's go into the -- no, I'm
18 sorry. I'm going to stay on materials for a
19 second since I have this stuff in front of me.

20 So, this is the split-faced block
21 that we're seeing?

22 MR. MAISTO: Correct.

1 COMMISSIONER MAY: And we see this
2 on the side of the building and on the rear of
3 the building.

4 MR. MAISTO: Correct.

5 COMMISSIONER MAY: And do we --
6 and it's cast -- it turns to cast stone on the
7 front of the building?

8 MR. MAISTO: That's correct.
9 Well, it doesn't turn to it. It just
10 transitions to it with a hard edge.

11 COMMISSIONER MAY: Oh, I see. I
12 see where the transition is over there. Okay.
13 I got a little nervous because I didn't quite
14 see that called out. Okay.

15 And this is the cast stone?

16 MR. MAISTO: That's the cast
17 stone. Correct.

18 COMMISSIONER MAY: Yes, and this
19 is only in the back in that --

20 MR. MAISTO: That's the keystone
21 retaining wall that is right there. There's
22 a differential of 13-feet from here down to

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1 about 2 feet --

2 COMMISSIONER MAY: Right.

3 MR. MAISTO: -- along that --

4 COMMISSIONER MAY: One of my least
5 favorite materials in the whole world.

6 MR. MAISTO: Keystone?

7 COMMISSIONER MAY: Yes, and
8 particularly, you know, with a finish and all
9 that sort of stuff, but it -- you know, back
10 there I guess I don't have an issue with it.

11 Is there some other advantages to
12 it beyond simply having a concrete wall? I
13 mean is it more porous or something like -- is
14 there anything special to her or it is just
15 this is the least expensive solution?

16 MR. MAISTO: It's actually a built
17 in -- it -- it weeps itself rather than having
18 to build in weeps. So, it's very advantageous
19 in that regard.

20 COMMISSIONER MAY: Okay. I like
21 to hear that and is this the color of the
22 cementitious siding?

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1 MR. MAISTO: No, that's -- that's
2 just a sample of the flat panel as opposed to
3 a simulated wood grain texture which we don't
4 want to have on this building.

5 COMMISSIONER MAY: I agree with
6 you there. But, and is this going to be laid
7 up as shingles?

8 MR. MAISTO: Correct.

9 COMMISSIONER MAY: Okay. But, it
10 would be a different color?

11 MR. MAISTO: It will be a
12 different color. Yes.

13 COMMISSIONER MAY: And it's the
14 more yellowish color? It's the --

15 MR. MAISTO: The more yellowish
16 color. Yes.

17 COMMISSIONER MAY: Will it match
18 the rain screen?

19 MR. MAISTO: As best as we can.
20 Because the rain screen is a baked-on finish
21 and this would be a factory-painted finish.

22 COMMISSIONER MAY: Like two

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1 different materials. Yes. Okay. Got to make
2 sure that those -- well, this is the rain
3 screen material here. I mean do -- I guess
4 I'm accustomed to seeing the actual colors of
5 the materials. I can understand with the rain
6 screen they probably don't produce samples in
7 a lot of different colors.

8 Is this just going to be painted?

9 MR. MAISTO: Yes.

10 COMMISSIONER MAY: Okay. And this
11 is the actual color of the cast stone?

12 MR. MAISTO: Very close to that.
13 There's another two samples in my box that I
14 didn't bring with me that are -- that are
15 close. It -- I think once we put them up to
16 the actual colors that we're utilizing, I
17 would say that's the closest one.

18 COMMISSIONER MAY: Um-hum.

19 MR. MAISTO: Kind of buff color.

20 COMMISSIONER MAY: Um-hum.

21 COMMISSIONER TURNBULL: What about
22 the green?

1 MR. MAISTO: The dark green?

2 COMMISSIONER MAY: Yes, what green
3 -- what does it actually look like?

4 MR. MAISTO: The cementitious
5 siding -- sorry. Not the cementitious siding.
6 The --

7 COMMISSIONER TURNBULL:
8 Corrugated.

9 MR. MAISTO: Corrugated metal.
10 From -- from a material's standpoint, it's
11 here. We have this color selector from a
12 brand called Centria which makes the same --
13 same manufacturer as the rain screen system.

14 Looking at a Cyprus olive or a
15 hunter green. A darker -- a darker green to
16 provide contrast.

17 COMMISSIONER TURNBULL: I was a
18 little bit worried because in looking at the
19 drawings that we have and I know you got your
20 undergraduate degree from William and Mary.

21 MR. MAISTO: Undergraduate.

22 COMMISSIONER TURNBULL: And I

1 didn't know if you were trying to get the
2 school colors. You know, D.C.'s a little --

3 MR. MAISTO: Yes, that wasn't on
4 purpose.

5 COMMISSIONER TURNBULL: Okay.

6 COMMISSIONER MAY: Okay. All very
7 interesting. All right. Let's talk about
8 courtyards for a minute.

9 I appreciate getting the samples
10 of -- or the examples if you will, but there
11 isn't quite enough information there for me to
12 be convinced that this -- that these things
13 really are similar.

14 Yes, I mean do we have examples
15 that are the same height? Because it seems
16 like most of these are -- three or four. The
17 one -- now, I see. There's one that's -- one
18 or two that's pretty big.

19 Hampton Plaza looks like it's
20 taller. What height is that?

21 MR. MAISTO: That's an eight-story
22 building.

1 COMMISSIONER MAY: Um-hum. And
2 are those apartments?

3 MR. MAISTO: One side are
4 apartments. The other side's offices.

5 COMMISSIONER MAY: Okay. And
6 what's the orientation of this? Is it --

7 MR. MAISTO: That's east/west.

8 COMMISSIONER MAY: It's east/west
9 just like yours?

10 MR. MAISTO: Correct.

11 COMMISSIONER MAY: So, this must
12 have been -- this photograph must have been
13 taken in July or --

14 MR. MAISTO: It was actually taken
15 in May.

16 COMMISSIONER MAY: Oh. Okay. So,
17 close enough. And the 25-foot dimension is
18 the dimension of the part all the way at the
19 back?

20 MR. MAISTO: That's correct.

21 COMMISSIONER MAY: Okay. And is
22 that the majority of that courtyard or is that

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1 just a portion of it?

2 MR. MAISTO: A portion.

3 COMMISSIONER MAY: And how long is
4 that portion? Because it's not 130 feet. Is
5 it?

6 MR. MAISTO: That's not a 130
7 feet. That's correct. The whole courtyard's
8 130 feet. That particular portion is
9 approximately 60 feet.

10 COMMISSIONER MAY: Sixty feet.
11 And it's 28-feet wide? Okay.

12 MR. MAISTO: Correct.

13 COMMISSIONER MAY: Now, and some
14 of these other ones, they look like they're --
15 they are actually atriums. Is that right? Do
16 I understand these drawings correctly?

17 MR. MAISTO: The Digiteo Labs in
18 Paris is atrium. Eastern Village Co-Housing
19 in Silver Spring is actually a courtyard.
20 That's an EDG Architects project.

21 COMMISSIONER MAY: I'm sorry. Say
22 that again.

1 MR. MAISTO: That's an EDG
2 Architects project.

3 COMMISSIONER MAY: Okay.

4 MR. MAISTO: Eastern Village Co-
5 Housing. TCI Headquarters in India is an
6 atrium and Hampten Plaza is a courtyard as is
7 Vandrezan Apartments in Paris.

8 COMMISSIONER MAY: Okay. Is the
9 -- for the Eastern Village Co-Housing, is that
10 -- where do you measure the 36 feet to? Is
11 that face-to-face of the building or face-to-
12 face of the balconies?

13 MR. MAISTO: Face-to-face of the
14 balconies.

15 COMMISSIONER MAY: Okay. And how
16 long has that -- how long ago was that project
17 done?

18 MR. MAISTO: That was completed in
19 2004. Is that correct? Two-thousand four.

20 COMMISSIONER MAY: Okay. Well,
21 it's helpful to know that you've done this
22 before.

1 MR. MAISTO: Yes.

2 COMMISSIONER MAY: Yes.

3 MR. MAISTO: Mr. Tucker just
4 prompted me. It is -- it was the Green
5 Building of the Year.

6 COMMISSIONER MAY: Okay.

7 MR. MAISTO: And it won several
8 awards for a green roof.

9 COMMISSIONER MAY: Green building
10 of the year by whom?

11 MR. MAISTO: The National
12 Association of Homebuilders.

13 COMMISSIONER MAY: Okay. It's a
14 little hard to understand what's going on in
15 Gunther and Banishes Building. So, I won't
16 talk about that one.

17 All right. And I think that's it
18 for my -- for my courtyard questions.

19 I'm a little confused. The alley
20 on the north side of the project, is it 15
21 feet or 12 feet?

22 MR. MAISTO: Fifteen feet.

1 COMMISSIONER MAY: Fifteen? Okay.
2 And it's hard to tell what's happening in
3 those -- what is that building just to the
4 north?

5 MR. MAISTO: The building just to
6 the north is a storefront with I think housing
7 above, 1930's era.

8 COMMISSIONER MAY: Okay.

9 CHAIRMAN HOOD: Let me just ask.
10 I thought we were told it was 12 feet. The
11 alley.

12 MR. MAISTO: The alley.

13 CHAIRMAN HOOD: I mean I know
14 things grow over time, but --

15 MR. BANKS: Yes, I mean I think
16 the actual -- the physical limits of the alley
17 is 15 feet, but there are existing electric
18 poles and utility poles and things. We shall
19 see. We shall see. Limit the clearance to
20 roughly 12 feet.

21 CHAIRMAN HOOD: Okay. Thanks.

22 COMMISSIONER MAY: What I'm

1 wondering is what's -- you know, what the
2 future holds for that site if we get another
3 building built there in the near future that's
4 the same height as yours. You're going to
5 wind up with a 15-foot courtyard in effect
6 over that alley. Not that it really makes --
7 I mean not that it really changes what we do
8 here. I'm just curious about what the future
9 holds.

10 How many -- this is still 130-unit
11 building. Right?

12 MR. MAISTO: Correct.

13 COMMISSIONER MAY: Okay. But, we
14 have the -- the ANC approval seems to indicate
15 that they think that it's 115 units or is it
16 -- maybe it was DDOT that sent us a letter
17 saying that it's been reduced to 115.

18 Anybody more familiar with those
19 than I am?

20 MR. BLANCHARD: Mr. May, I believe
21 the DDOT report is not --

22 COMMISSIONER MAY: Oh, it's the

1 DDOT one that's --

2 MR. BLANCHARD: -- as clear as one
3 would hope, but --

4 COMMISSIONER MAY: Right.

5 MR. BLANCHARD: -- DDOT reviewed
6 the 130-unit proposal that was reduced to 115
7 units and approved by the BZA and was working
8 off of that and all of these filings for the
9 130-unit building for the PUD. So, I'm not
10 quite sure why they phrased their report the
11 way they did, but --

12 COMMISSIONER MAY: Okay. So,
13 they're -- I guess I -- I read them at the
14 same time I read the ANC report and I thought
15 they were both confused, but it seems the ANC
16 actually understood the difference and did
17 vote clearly on the 130-unit plan.

18 There is a -- okay. Now, there
19 was a reference to the passage on the roof
20 that was on the south side of the building.
21 That was eliminated. Is that right?

22 MR. MAISTO: That's correct.

1 There was at -- with the original submission
2 a passage that went along here to kind of link
3 the whole roof in one big circuit.

4 In the interest of getting more
5 light into the courtyard, we had to slide the
6 massing of -- of that loft bar back which
7 enabled the private patios to truly be private
8 patios.

9 Prior to that if you looked at the
10 older drawings, they were semiprivate. They
11 had fences and gates and people could probably
12 just walk --

13 COMMISSIONER MAY: Um-hum.

14 MR. MAISTO: -- you know, through
15 it and --

16 COMMISSIONER MAY: You didn't need
17 that passage for egress or something?

18 MR. MAISTO: No, we're -- we're
19 covered on egress because there are stairs on
20 opposite diagonal corners of the building.
21 So, we have no dead-end corridors.

22 COMMISSIONER MAY: Okay.

1 MR. MAISTO: Or dead-end corridor
2 effect.

3 COMMISSIONER MAY: Now, I think in
4 the most recent roof plan that we received
5 with the -- yes, the most recent one still has
6 that that way. It's only tonight that we're
7 seeing things that removes it. Right?

8 MR. MAISTO: That's correct.

9 COMMISSIONER MAY: Okay. So, it's
10 another thing that it would be -- for the
11 record, we would need to have a corrected roof
12 plan.

13 MR. MAISTO: We've -- we've
14 provided that actually. The drawings that I
15 gave Mr. Blanchard.

16 COMMISSIONER MAY: Okay. You may
17 have provided it, but I don't think I have it.
18 Oh, I'm sorry. I do got it. I got this one
19 now. Thank you.

20 MR. BLANCHARD: It's not dated,
21 Mr. May, but it's -- it's the color green roof
22 plan.

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1 COMMISSIONER MAY: Yes, that's the
2 one I got.

3 MR. BLANCHARD: Yes.

4 COMMISSIONER MAY: Thank you.

5 And the last question I have is
6 what is the fabric sign that's called out, the
7 elevation that's on the south side of the
8 building?

9 MR. MAISTO: That's undecided at
10 this point. We wanted to enliven the southern
11 facade of that building as you come up Georgia
12 Avenue. Right now, it's a fair blank facade
13 in anticipation of, as Mr. Tucker mentioned,
14 a potential future addition, but at this point
15 a fabric sign on a scrim of some sort.

16 One thing we've seen is there's an
17 ability to market the name of the project with
18 whatever logo the project takes to -- to show
19 it to the neighborhood. It could also be a
20 potential place for some public art utilizing
21 a fabric medium. Because we don't want it to
22 be very heavy or something that could blow

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1 away very easily and certainly don't want it
2 to be advertizing.

3 COMMISSIONER MAY: Right. But,
4 the name of the building or the new project is
5 advertising, too. So, the -- I think we'd
6 need to have some clarity on what exactly it
7 is or what you're aspirations for it are and
8 if it were just a sign, you know, that names
9 the building or something like that, then
10 that's definitely something we'd want to see
11 to be able to approve.

12 MR. BLANCHARD: Maybe it could be
13 smaller.

14 COMMISSIONER MAY: Maybe it could
15 be. But, I mean it might also be a good
16 opportunity for some sort of art work, you
17 know, and if it were approved in that manner,
18 I mean there might be more -- maybe we don't
19 have to approve the actual piece of art, but
20 we'd have to know what the intention is for
21 that I think.

22 But, that's it for me for now.

1 CHAIRMAN HOOD: Okay. Okay. Who
2 would like to go next? Commissioner Turnbull.

3 COMMISSIONER TURNBULL: Thank you,
4 Mr. Chair.

5 I hate to go back to the Georgia
6 Avenue elevation, but I am confused and I am
7 -- we've got -- and maybe I missed it when you
8 were telling Mr. -- Commissioner May, but we
9 have cementitious siding and we have this rain
10 screen.

11 Can you with your pointer just go
12 to the wall and I'm confused. What are
13 windows? I see horizontal gray that looks
14 like ribbon windows, but is that the rain
15 screen?

16 VICE CHAIRMAN JEFFRIES: Also,
17 just -- and adding to that, is it possible
18 that you could -- do you have a board that has
19 the actual plan? Because I want you to walk
20 me through the plan.

21 COMMISSIONER TURNBULL: As it
22 relates to --

1 VICE CHAIRMAN JEFFRIES: As it
2 relates to the facade.

3 COMMISSIONER TURNBULL: Okay.

4 VICE CHAIRMAN JEFFRIES: Yes, just
5 -- because I just -- you know, I think we need
6 some clarity here.

7 COMMISSIONER TURNBULL: I mean
8 what I thought were windows and then when we
9 talked about the rain screen --

10 VICE CHAIRMAN JEFFRIES: It does
11 two different --

12 COMMISSIONER TURNBULL: -- I
13 didn't know what I'm missing here.

14 VICE CHAIRMAN JEFFRIES: Oh, so,
15 you don't have the elevation? I mean -- I'm
16 sorry.

17 COMMISSIONER TURNBULL: Oh,
18 there's the plan.

19 VICE CHAIRMAN JEFFRIES: Could you
20 pick it up because --

21 COMMISSIONER TURNBULL: Okay.

22 MR. MAISTO: Let me address

1 Commissioner Turnbull's comment first just to
2 clarify the front elevation. What's shown in
3 gray are custom -- it's called custom window
4 system. It's a -- it's -- it's sort of like
5 a storefront window system with much thinner
6 emollients.

7 COMMISSIONER TURNBULL: Okay.

8 MR. MAISTO: This is one of the
9 design elements that Frank Schlesinger
10 Associates insisted on on that front elevation
11 to give it some --

12 COMMISSIONER TURNBULL: Okay.

13 MR. MAISTO: -- some fine grain.
14 Very similar to his project on Water Street or
15 the Water Street project in Georgetown.

16 Those windows are both on the bays
17 and on the recessed or the -- the plane that's
18 back from the base.

19 VICE CHAIRMAN JEFFRIES: Use the
20 pointer. Get your pointer going.

21 MR. MAISTO: On the return. Okay.
22 Right here, this -- this plane is the

1 cementitious siding plane. That plane right
2 there is the rain screen plane.

3 VICE CHAIRMAN JEFFRIES: Okay. Go
4 -- go and I'm sorry. I'm not trying to coop
5 here.

6 MR. MAISTO: Sure.

7 VICE CHAIRMAN JEFFRIES: But,
8 okay, the corrugated metal, got to -- okay.
9 Show that. Okay. Then take me right to the
10 elevation where that is.

11 So, that is not -- those aren't
12 windows.

13 MR. MAISTO: Those -- those
14 windows in the corrugated siding plane.

15 VICE CHAIRMAN JEFFRIES: Okay.
16 Okay. Okay.

17 So, the dark green is --

18 MR. MAISTO: Is the corrugated.

19 VICE CHAIRMAN JEFFRIES: -- is the
20 corrugated.

21 MR. MAISTO: Is the corrugated
22 siding. Correct?

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1 VICE CHAIRMAN JEFFRIES: Okay.

2 Siding. Okay.

3 MR. MAISTO: And the sort of more
4 golden color is the rain screen which sits
5 proud of the --

6 VICE CHAIRMAN JEFFRIES: Which is?

7 MR. MAISTO: Sorry. That right
8 there.

9 VICE CHAIRMAN JEFFRIES: It's the
10 rain screen.

11 MR. MAISTO: It's correct.

12 VICE CHAIRMAN JEFFRIES: Okay.

13 COMMISSIONER TURNBULL: Which is
14 color-wise similar to the corrugated panel you
15 have then? Color-wise or no?

16 MR. MAISTO: This panel here?

17 COMMISSIONER TURNBULL: Yes.

18 MR. MAISTO: That's correct.

19 COMMISSIONER TURNBULL: Okay. All
20 right. So, all of the -- sort of the yellowy
21 cream color we see other than for the
22 penthouse part. The penthouse is the

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1 cementitious siding.

2 MR. MAISTO: Correct.

3 COMMISSIONER TURNBULL: The rest
4 of it is that rain screen material?

5 MR. MAISTO: Correct.

6 COMMISSIONER TURNBULL: Okay.

7 Okay. I think I understand that now.

8 I wonder. Can you walk me through
9 the roof and I want to look at setbacks, how
10 far elevator and everything are from the sides
11 and --

12 MR. MAISTO: The roof is accessed
13 through a stair in this corner and a stair in
14 this corner. There's also an elevator that
15 accesses the roof at this location only.

16 The override for the elevator is
17 therefore a little bit lower on this side. As
18 you can see, it's within 5 feet of the edge.
19 It does not exceed the height. So, we don't
20 have an issue with --

21 COMMISSIONER TURNBULL: Okay.

22 MR. MAISTO: Assuming we get the

1 height relief we're asking for.

2 COMMISSIONER TURNBULL: Okay.

3 MR. MAISTO: On this side, it's a
4 little bit higher, but there is a set back
5 marked I think it's 17 feet. Excuse me. I'm
6 sorry. Eighteen feet to the elevator
7 override.

8 COMMISSIONER TURNBULL: Okay.

9 MR. MAISTO: Based on this plan
10 and the relief we're looking for, we don't
11 anticipate any roof height relief or
12 protrusion relief I should say.

13 COMMISSIONER TURNBULL: Now, this
14 is -- also on this, you've got the lighter
15 green roof which is the roof of the -- part of
16 it is the common room.

17 MR. MAISTO: The -- the common
18 room.

19 COMMISSIONER TURNBULL: And --

20 MR. MAISTO: And the -- the double
21 height units.

22 COMMISSIONER TURNBULL: The lofts.

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1 Correct? And what is that roof?

2 MR. MAISTO: That is a -- just a
3 -- a metal roof deck that's -- that's either
4 flat or just slightly slopped to convey water
5 to the green roof.

6 COMMISSIONER TURNBULL: Okay. And
7 the green roof is a sedum roof then primarily?

8 MR. MAISTO: That's correct with
9 some paving as you can see that's rendered in
10 gray.

11 COMMISSIONER TURNBULL: At the
12 very bottom of the roof over the loft units
13 there, how far back are you from the edge of
14 the roof there?

15 MR. MAISTO: These -- these are
16 approximately 10 feet back from the parapet.
17 So, those patios are 10 feet deep. Those
18 private patios.

19 COMMISSIONER TURNBULL: And how
20 high does the loft unit go?

21 MR. MAISTO: The loft unit is a
22 full-height loft unit. So, another 8½ feet

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1 above the sixth floor ceiling.

2 COMMISSIONER TURNBULL: Okay. All
3 right. Okay. Now, I think my only comment at
4 least I think I had interjected when Mr. --
5 when Commissioner May was talking about the
6 fabric sign, we usually seen signs of fabric
7 a lot smaller. A lot -- not quite as large as
8 that.

9 MR. MAISTO: Sure. The intention
10 of that drawing was just to show location.

11 COMMISSIONER TURNBULL: Location.
12 Okay. Good. I think Commissioner May and the
13 Chair have hit a lot of the other points that
14 I've had. So, I'll turn it over to Mr.
15 Jeffries.

16 VICE CHAIRMAN JEFFRIES: Okay.
17 So, I think that I have a clearer sense of
18 what I consider to be a very critical
19 elevation that's on Georgia Avenue and
20 initially, I was getting very concerned about
21 how all these different materials were
22 crashing into one another and how that's going

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1 to look and I'm still sort of concerned about
2 that, you know, and it's difficult to look at
3 this drawing and just have a sense about what
4 this is going to look like and so, I'm just --
5 I do have concerns.

6 I mean I'm really very happy.
7 It's such an important critical building and
8 I'm very happy with the sustainable features,
9 but I'm just concerned about again how these
10 materials are crashing into one another and
11 how it's going to look.

12 Yes, I clearly understand that the
13 development program is an affordable project
14 and so forth and I know how -- I used to work
15 at NCRC. So, I mean know how important this
16 project has been, but I am sort of concerned
17 about what this looks like and I don't know
18 whether -- if we can do some -- get some
19 details or if there are other buildings that
20 you've done that I could see just sort of how
21 this looks. Because I'm just somewhat
22 concerned about how these materials run into

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1 each other.

2 So, that's the first comment I
3 have.

4 The ground floor retail, it looks
5 rather -- I mean it looks somewhat like -- as
6 an afterthought and obviously, that's the
7 experience that most people have and I would
8 imagine that, you know, on Georgia Avenue,
9 they'd like to have a very active -- a very
10 active ground floor experience.

11 Could you talk a little bit about
12 as I'm walking along the ground floor what am
13 I experiencing? That's 14 feet floor to
14 ceiling?

15 MR. MAISTO: That's correct.

16 VICE CHAIRMAN JEFFRIES: Okay.
17 And all window and then some -- and some of it
18 is the dark part -- I'm --

19 MR. MAISTO: Is the split-fact
20 concrete block.

21 VICE CHAIRMAN JEFFRIES: Okay.
22 Okay. Which is --

1 MR. MAISTO: That particular
2 material, but not that color.

3 VICE CHAIRMAN JEFFRIES: Oh.

4 MR. MAISTO: It's a darker color
5 to -- to -- at that location only to kind of
6 create some -- almost a floating affect for
7 the bays above. You know, for the -- the five
8 -- six floors above. But, that's the material
9 that we're envisioning for the -- for the
10 ground floor along there as well as the cast
11 stone that is right here and the cast stone is
12 that piece of material right up there.

13 VICE CHAIRMAN JEFFRIES: Okay.
14 I'm sorry.

15 MR. MAISTO: The cast stone is
16 that one right there. So, there's a sort of
17 a contrast between smooth and slightly --

18 VICE CHAIRMAN JEFFRIES: Okay.
19 Okay.

20 MR. MAISTO: -- rough at that
21 location.

22 If I could address your earlier

1 concerns on -- if that's okay.

2 VICE CHAIRMAN JEFFRIES: Sure.

3 MR. MAISTO: I do understand your
4 concern about the front elevation. It's very
5 difficult to render in two dimensions --

6 VICE CHAIRMAN JEFFRIES: Right.

7 MR. MAISTO: -- what we're trying
8 to achieve here, but it's very simply two
9 planes really. It's the plane that -- the
10 wall of the building essentially is with these
11 four bays protruding.

12 VICE CHAIRMAN JEFFRIES: Right.

13 MR. MAISTO: And within those four
14 bays, we have some -- some cutouts in order to
15 give some visual interest to those bays.

16 Then what happens when you cross
17 the threshold from the residential level down
18 to the retail floor. We changed to cast stone
19 and this split-faced block which again are co-
20 planar, but slightly different materials for
21 some visual interest.

22 VICE CHAIRMAN JEFFRIES: Um-hum.

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1 MR. MAISTO: The original tenant
2 of the ground floor was to be Results Gym and
3 they had a very vibrant yellow oval logo as
4 you might be aware.

5 VICE CHAIRMAN JEFFRIES: Mr.
6 Jeffries, huh. Okay.

7 MR. MAISTO: The current tenant
8 Mary's Center has requested that it be a more
9 muted facade based on the fact that they're
10 more of a community care facility. It's not
11 a -- not a retail establishment.

12 At one point when we considered
13 other retail establishments at the front, we
14 -- we clearly were thinking of different types
15 of signage at the north corner as well as the
16 middle of the building.

17 VICE CHAIRMAN JEFFRIES: Okay.
18 Well, you know, again, I -- and that's why I
19 asked to put up the floor plan so I could just
20 look at a section effectively of the wall.
21 You know, to see the different planes for the
22 elevation on Georgia Avenue.

1 You know, because I -- so, I mean
2 there's enough turns and things that, you
3 know, perhaps this will look fine, but just,
4 you know, in terms of a one-dimensional sort
5 of view and, you know, elevations are strange
6 things anyway in some way. I mean you'd never
7 experience things like that, but I just -- you
8 know, watching all the various materials come
9 up here, I just got somewhat concerned. So,
10 I mean for me I just think if I could get, you
11 know, just -- at least for the ground floor if
12 I could just get an enlargement of just, you
13 know, what the experience is walking along
14 there what I'm going to see.

15 And, you know, I guess some of
16 this -- you know, I'm a little disappointed to
17 hear about Mary's Center. I mean I'm happy
18 obviously. I mean I'm -- I know Mary's Center
19 and they do great work and a great service to
20 any community that they're in.

21 You know, I was, you know, hoping
22 that there could be retail here and

1 unfortunately, the development team is not
2 here to really, you know, talk a little bit
3 more about the actual development program and
4 what's the plans are for -- you know, in the
5 event that Mary's Center's lease isn't signed.
6 But, you know, I think the hope was always
7 that there was going to be, you know, retail.
8 Just catalytic retail and some national
9 tenants and so forth that were to come through
10 here and it just seems like Mary's Center
11 would not quite capture that. But, then I
12 understand that, you know, there are market
13 realities. So, that's just an observation
14 around Mary's Center.

15 So, you know, that's really the
16 extent of my comments. Again, I mean I wish
17 that we could have somehow captured some of
18 the elevation in such a way that -- I mean I
19 appreciate the metrics and in fact, I might
20 have even asked for them during set down. It
21 still doesn't seem to capture exactly what
22 this building's going to look like, but, you

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1 know, again, it's an important building and,
2 you know, an important project and so -- and
3 again, I really applaud the sustainable
4 features of it and the efforts.

5 But, again, this will be a
6 catalytic building and it's going to set the
7 stage for other things that come up in and
8 around the neighborhood. So, I just wanted to
9 make certain that there's enough attention
10 paid to design quality.

11 So, thank you.

12 CHAIRMAN HOOD: All right.
13 Commissioner May.

14 COMMISSIONER MAY: Yes, just one
15 other small question. Judging from the
16 section that looks like it's a concrete
17 structure to the top of the retail and then
18 like age metal or stick framed above that or
19 what is it?

20 MR. MAISTO: That's correct. Like
21 age metal framing with a hambro floor joist
22 system. It's non-combustible construction.

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1 COMMISSIONER MAY: Um-hum. Okay.
2 And on the courtyard elevations where we have
3 those -- the mesh panel railing, I assume
4 that's also covering the through wall units?

5 MR. MAISTO: That's correct.

6 COMMISSIONER MAY: Okay. You
7 know, I -- the only thing I have to say and
8 one of the reasons why I feel like we've had
9 a lot of questions about just what is this,
10 what is that, is that we're normally
11 accustomed I think to having elevations with
12 a little finer detail on it or enlarged
13 elevations of portions of the building so that
14 we can really see what's going on and
15 understand the different materials and how
16 they connect and --

17 COMMISSIONER TURNBULL: You're
18 right. I think we've often had a blow-up of
19 a -- what would have been interesting just
20 following on your ideas, a blow-up of how this
21 meets the corrugated metal. I believe the
22 corrugated metal is running horizontal into

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1 this not vertical. The ribs.

2 MR. MAISTO: Correct.

3 COMMISSIONER TURNBULL: And
4 because it looks like you're trying to show
5 lines, but I think as Mr. Jeffries and Mr. May
6 were talking about that it might have good
7 just to see a detail in a -- a blow-up in a
8 corner to see how that really meshes together.

9 COMMISSIONER MAY: We can request
10 that.

11 VICE CHAIRMAN JEFFRIES: But, we
12 -- I sort of requested some of that.

13 COMMISSIONER MAY: Yes. Yes.
14 Okay.

15 VICE CHAIRMAN JEFFRIES: Okay.

16 CHAIRMAN HOOD: Any other
17 questions? I'm going to ask Vice Chairman
18 Bland did he have any cross examination of the
19 Applicant? Okay. Okay.

20 With that, we will go to the --
21 let me just see. Is there anyone here in
22 support that's going to testify in support?

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1 Anyone here that's going to testify in
2 opposition? Okay. All right.

3 Okay. Ms. Brown-Roberts. Not
4 yet. I just was trying to get a feel. Ms.
5 Brown-Roberts.

6 MS. BROWN-ROBERTS: Good evening,
7 Mr. Chairman and Members of the Commission.

8 I'm Maxine Brown-Roberts from the
9 Office of Planning.

10 We standby our analysis and our
11 report and strongly recommend approval of the
12 proposed consolidated PUD and I'm available
13 for any questions that you may have.

14 Thank you, Mr. Chairman.

15 CHAIRMAN HOOD: Thank you very
16 much, Ms. Brown-Roberts. Do we have any
17 questions of Ms. Brown-Roberts? Any
18 questions?

19 Need a moment, Mr. Turnbull? You
20 got a question? All right.

21 MS. BROWN-ROBERTS: Thank you.

22 CHAIRMAN HOOD: Let me ask Vice

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1 Chairman Bland, do you have any -- I'm sorry.

2 Let me go to the Applicant.

3 Does the Applicant have any cross
4 examination of the Office of Planning?

5 MR. BLANCHARD: No, Mr. Hood.

6 CHAIRMAN HOOD: Vice Chairman

7 Bland, do you have any cross examination of
8 the Office of Planning? Okay. All right.

9 Let's move to the report of other
10 government agencies. We did have a DDOT
11 report and which Mr. Banks has said that they
12 will go back and look at the -- and we'll get
13 a -- capture all this at the end. Because the
14 DDOT report -- again, I want to thanks, Ms.
15 Ricks.

16 Basically, saying accordingly,
17 DDOT has not objections to the proposed
18 project and one of the things we've asked them
19 to go back and look at is coming in and out of
20 that loading berth.

21 Okay. Any other? Did I miss,
22 colleagues, any other reports? Any other

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1 government agency? I think that's all we
2 have.

3 Now, next, we'll move to the
4 report of ANC-4C. We're going to ask the Vice
5 Chair to come up. Mr. Bland.

6 VICE CHAIRMAN BLAND: Good
7 evening.

8 CHAIRMAN HOOD: Good evening. You
9 may begin.

10 VICE CHAIRMAN BLAND: I -- my name
11 is Ronald Bland. I've Vice Chair of ANC-4C.
12 My single member district is 4C03.

13 The ANC has been associated or
14 connected with this projects since its
15 inception going back to the NCRC, the request
16 for proposal including the selection of the
17 developer and we've gone forward with them
18 since.

19 The developer has appeared before
20 the ANC at least four times and explaining to
21 us what they plan to do with that corner,
22 3910, and we, in turn, questioned the

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1 developer as to what they were bringing to the
2 community and I will say simply that our
3 discussions were pretty heavy at times and we
4 did get from the developer certain concessions
5 regarding what they were going to do to assist
6 the Petworth community and in particular, with
7 the Petworth Action Committee job
8 opportunities.

9 We have a lot of young men and
10 women who need some support and JR Lynch was
11 willing to deal with that.

12 From a standpoint of the
13 inclusionary zoning, they did come back to us
14 and we did as a commission approve the 115-
15 unit proposal. Never giving up on the 130
16 unit. We understood that this interim
17 proposal was to keep the project moving and we
18 appeared before the BZA in that capacity.

19 We do approve this. On May 13th
20 at our last -- at our meeting in May, the
21 commission approved six yes votes, one no vote
22 to support the -- the application that is

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1 before you tonight.

2 So, from that standpoint, we are
3 anxious to see this development move forward.
4 It's been lingering a long time and we -- as
5 commissioners, people ask us where are we with
6 this project and it's pretty difficult to tell
7 them we don't know. We've got some hang-ups
8 here and there, but if this goes forward and
9 which we hope it will, the sooner the better.

10 And I'm open for questions.

11 CHAIRMAN HOOD: Okay. Thank you
12 very much, Vice Chairman Bland.

13 Let me just ask. The one vote
14 that was no, was that the single member
15 district commissioner?

16 VICE CHAIRMAN BLAND: No. That
17 was the Commissioner 4C08 and he seemed to be
18 a little exercised about the fact that there
19 wasn't enough concessions from the developer
20 to the community.

21 CHAIRMAN HOOD: And one of the
22 things, Vice Chairman Bland, is I wanted to

1 make sure and Mr. Blanchard's going to make
2 sure this happens, what you have in your
3 letter obviously is some amenities and they're
4 going to make sure that it's covered
5 sufficient so we can make sure that we put it
6 as amenities in our order.

7 VICE CHAIRMAN BLAND: Yes.

8 CHAIRMAN HOOD: And let me just
9 say this. Let me first of all thank you for
10 your service and I will tell you this is a
11 very neat submission and I really like the way
12 this is done. Okay.

13 VICE CHAIRMAN BLAND: Thank you.

14 CHAIRMAN HOOD: All right. Any
15 other comments or questions? Okay. Does the
16 Applicant have any cross examination?

17 MR. BLANCHARD: No, Mr. Hood, we
18 don't.

19 CHAIRMAN HOOD: Okay. With that,
20 we thank you very much for coming down to
21 testify. Okay.

22 Moving right along, we're going to

1 take -- do we have organizations or persons in
2 support? And I do have -- this will be
3 interesting. Carol Buckley, Current
4 Newspaper. Did you want to -- I was hoping.
5 I wanted to hear that. Okay. I got you.

6 Let me see. Tawanna -- I think
7 it's Tawanna Jackson. I think it -- yes,
8 Jackson. Okay. Tania. I'm sorry. Tania
9 Jackson. Okay. I think she may have left.

10 Okay. Anymore organizations or
11 persons in support?

12 Okay. Organizations or persons in
13 opposition? I have -- I know this is -- I
14 think Maria Rittig. Maria Rittig. I know
15 that's -- I mean it could be. Okay.

16 Well, sir, if you could -- anyone
17 else who would like to testify in opposition,
18 if you would come forward.

19 Let the record reflect that Mr.
20 Rittig was not -- BB Realty is not present.
21 Okay.

22 MR. SOLOMON: My name is Andulum

1 Solomon. But, I'm living --

2 CHAIRMAN HOOD: Excuse me. Could
3 you repeat your name again?

4 MR. SOLOMON: I'm living 926
5 Shepherd Street, N.W., Washington, D.C.

6 CHAIRMAN HOOD: Your name? What's
7 your name again?

8 MR. SOLOMON: Andulum Solomon.

9 CHAIRMAN HOOD: Okay.

10 MR. SOLOMON: I came here today
11 because I'm living both sides of the alley.
12 So, if -- I'm not opposing, but I'm -- I'm
13 supporting what they do. But, I mean if there
14 is some problem for the future.

15 I received this letter like -- I
16 didn't receive the first letter and that is
17 this letter and my address. That's why I came
18 here. Maybe, you know, if -- whatever the
19 builders are built, if there is dirt or
20 something come in or there is -- the house
21 cracked, what are they going to do for us? I
22 mean I came for this concern. I mean the

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1 developers, are the going to help us or else
2 I mean if this thing is happened?

3 CHAIRMAN HOOD: Okay. One of the
4 things that I would strongly suggest is -- do
5 you attend your ANC meetings?

6 MR. SOLOMON: Say that again.

7 CHAIRMAN HOOD: Do you attend your
8 ANC meetings? Advisory Neighborhood
9 Commission meetings?

10 MR. SOLOMON: No.

11 CHAIRMAN HOOD: Well, let me just
12 do this. There's your Vice Chairman right
13 there behind you. I see him reach in his
14 pocket. He's going to give you his card.
15 They're a volunteer group. They work real
16 hard in this city.

17 MR. SOLOMON: Okay.

18 CHAIRMAN HOOD: And I would
19 encourage you to get with them on this
20 project.

21 Obviously, as you heard from his
22 comments, they have been working on this

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1 project for awhile and I'm sure some of those
2 things have been considered. Because what we
3 have in front of us, we have in front of us
4 when you first started talking about cracks
5 and messing up your home, it was mentioned by
6 one of my colleagues. It was someone to my
7 left about a construction management plan, but
8 that has not been proffered. So, we can only
9 work within the realms that we have. You may
10 want to work with your ANC and let them
11 already work with the Applicant because they
12 already have a rapport and I'm glad to hear
13 you're not exactly opposed to it.

14 MR. SOLOMON: No, I'm not.

15 CHAIRMAN HOOD: You're not saying
16 you're opposed to it, but you have some
17 concerns and I think the best way at this
18 point in the conjuncture in this case is to
19 work with your ANC.

20 MR. SOLOMON: Okay.

21 CHAIRMAN HOOD: Okay.

22 MR. SOLOMON: Thank you.

1 CHAIRMAN HOOD: And thank you for
2 coming down to testify. Hold your seat. Does
3 anyone have --

4 MR. SOLOMON: Thank you.

5 CHAIRMAN HOOD: Hold your seat for
6 a second. Okay. And I think you might want
7 to check with the court reporter because I
8 want to make sure she got your name.

9 MR. SOLOMON: Okay.

10 CHAIRMAN HOOD: Okay. Does anyone
11 have any questions?

12 COMMISSIONER TURNBULL: Mr. Chair,
13 I just wanted to clarify. Are you asking the
14 Applicant for a construction management plan?

15 CHAIRMAN HOOD: No, I didn't. I
16 was just saying that when he said it I thought
17 about it. Is that what you all want?

18 COMMISSIONER TURNBULL: Well, I'm
19 just curious.

20 CHAIRMAN HOOD: No, I didn't ask
21 for it.

22 COMMISSIONER TURNBULL: I mean it

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1 really hasn't come up about the homes in the
2 vicinity and concern about that, but it is a
3 good point.

4 CHAIRMAN HOOD: Right. It's a
5 very good point and my only issue, Mr.
6 Turnbull, is I wanted to basically put them to
7 the -- and I'm sure that may have come up at
8 the ANC. Yes. So, I'm sure that has been
9 fleshed out.

10 At this point, I did -- because
11 I'm sure the ANC seems to be on top of their
12 game. That they would have asked for it and
13 it's up to the -- and I think it has to be
14 proffered. Am I correct? Or could we ask for
15 one? We can ask for one?

16 COMMISSIONER TURNBULL: I mean
17 it's --

18 CHAIRMAN HOOD: Does somebody want
19 to ask for one? I don't know if I want to ask
20 for one, but does somebody want to ask?

21 COMMISSIONER MAY: Well, I guess
22 my first question would be whether, in fact,

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1 there already has been some sort of meeting of
2 the minds between the ANC and the developer in
3 terms of how this would be addressed. So, I'd
4 ask that --

5 CHAIRMAN HOOD: Vice Chairman
6 Bland, could you come back to the table and
7 kind of bring us up to speed on that? Sir,
8 could you -- I think -- oh, it's not. Well,
9 both of you all can share the mic. Because we
10 take your concerns very seriously.

11 VICE CHAIRMAN BLAND: The issue of
12 the construction during the construction
13 period, the question of dirt and how was the
14 developer going to handle ingress, egress with
15 the vehicles. It wasn't so much damage to
16 other properties from the standpoint of their
17 excavation or whatever, but we were concerned
18 about the -- the traffic out of Georgia
19 Avenue. The -- particularly the pedestrian
20 traffic that would be on the street while this
21 construction is going on.

22 And we were, you know, assured

1 that the proper measures would be taken to
2 insure the safety of -- and the -- and, of
3 course, the dirt and dust control. Because
4 that was our major issue. How much dust and
5 dirt are you going to be generating during the
6 construction period?

7 VICE CHAIRMAN JEFFRIES: So, do
8 you have all this in writing?

9 VICE CHAIRMAN BLAND: No, these
10 were just -- these were discussions. We don't
11 have anything -- when we spoke to them, it may
12 be in our minutes of the ANC meeting. Because
13 that's just where we were discussing these
14 things.

15 VICE CHAIRMAN JEFFRIES: Well, let
16 me just say, I mean, you know, a construction
17 management plan does not have to be a
18 voluminous document. It can be very short and
19 to the point and really just covers a few of
20 the things that, you know, you're concerned
21 about and so, I mean I think that the Chair is
22 right. I mean it's your call, but, you know,

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1 some of the things you just talked about are
2 somewhat critical and I think a lot of us have
3 experienced in the city, you know, lots of
4 disruptions to, you know, everyday life when
5 construction is going on and, you know, you
6 might want to get some of these things that
7 you're looking at delineated and clearly
8 spelled out.

9 Much of which, by the way, I'm
10 certain the developer will do anyway, but you
11 just might want to do it. Just to, you know.

12 VICE CHAIRMAN BLAND: Well, I've
13 already made the note.

14 VICE CHAIRMAN JEFFRIES: Yes, so.

15 VICE CHAIRMAN BLAND: But, we will
16 ask JR Lynch to -- to provide.

17 VICE CHAIRMAN JEFFRIES: Sure.

18 CHAIRMAN HOOD: Okay. That sounds
19 good.

20 COMMISSIONER TURNBULL: Yes, I
21 would just agree with the Vice Chair that it
22 is not uncommon for us to get that on a lot of

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1 these PUDs.

2 COMMISSIONER MAY: I would add
3 also a lot of times when we're dealing with a
4 project like this, we're really thinking about
5 it in terms of, you know, the major street
6 that it's on and we don't really focus on the
7 fact that in this case right across the alley
8 to the north side there is a whole row of
9 residential units that are really potentially
10 seriously affected by this and then, of
11 course, across the alley at the back and well,
12 it's not all just a commercial jurisdiction.

13 So, and I think there was a case
14 very recently where, in fact, this came up and
15 in response to a question like this from a
16 member of the community eventually a
17 construction management plan was proffered.

18 You know, in this circumstance of
19 -- you know, I would -- I don't mind stopping
20 short of actually requiring it at this moment,
21 but, you know, certainly if the Applicant was
22 willing to just write down what steps they're

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1 going to take right now and put that into the
2 record, I think that that would be welcome.

3 CHAIRMAN HOOD: Okay.

4 VICE CHAIRMAN JEFFRIES: Well,
5 wait a minute. Put it in the record. I mean
6 I -- hum. Given the proximity to homes and so
7 forth, I mean I -- you know, I'm thinking
8 that, you know, we might want to have
9 something in the order that just clearly
10 delineates what's going on here.

11 Given the proximity to homes, I
12 think the point you raise is a good one. I
13 guess what I'm saying is, you know, obviously,
14 the Applicant is here. You know, I would just
15 strongly suggest that you sit down with the
16 ANC and work out some plan. It does not have
17 to be voluminous. Again, that it just covers
18 some of the basic protections. So.

19 CHAIRMAN HOOD: And I think that
20 the Applicant -- and I think we notice -- we
21 know of the work of this developer and I think
22 the Applicant, Mr. Tucker and I see him

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1 shaking his head, Mr. Blanchard, I don't think
2 that's going to be an issue.

3 So, I think what we can do and,
4 sir, it was good that you did come down and
5 bring up that point. Hopefully, we can work
6 along with the Vice Chair and the ANC.

7 Sir, you need to work with your
8 ANC and, Mr. Blanchard, before final, if we
9 can have a -- work on a construction
10 management plan for us to review and make sure
11 and I'm hoping -- and in other words, what I'm
12 saying is, you guys come together and come up
13 with a construction management plan that you
14 all agree with.

15 You heard from my colleagues. We
16 are going to be looking for that before final
17 action.

18 And, sir, it is very important
19 that you work with your ANC.

20 Okay. All right. So, we'll an on
21 the same page. All right. Thank you and
22 thank you for coming down and providing

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1 testimony and thanks again, Vice Chair Bland.

2 Any further questions? Okay.

3 With that, we will have rebuttal
4 and closing by the Applicant. Mr. Blanchard.

5 MR. BLANCHARD: Thank you, Mr.
6 Hood.

7 As the Commission has heard, we
8 have the support of the ANC and the Office of
9 Planning and DDOT. There are some things that
10 the Commission has asked for which we are
11 certainly willing to provide and I'll get to
12 that in just a minute. I mean I'll do that
13 now.

14 We are going to -- just to recap,
15 my understanding is that we will provide a
16 first-source agreement, an MOU with the small
17 business office. We're going to work with
18 DDOT to spell out some traffic controls for
19 how vehicles come out of the loading berths
20 and go into the confluence of alleys there
21 behind the project. We're going to provide a
22 revised east elevation with the correct leader

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1 lines and other materials specified and dated.

2 And also, I'm going to jump down.
3 Mr. Turnbull had asked for a blowup of details
4 and I think Mr. Jeffries had as well. We have
5 that and we will submit that for how the --
6 especially on the eastern elevation, how the
7 different materials come together.

8 And then Mr. Jeffries also asked
9 for an enlargement of the ground floor along
10 Georgia Avenue so that we can see the details
11 of that.

12 And then finally, Mr. Solomon and
13 the ANC, we will work with them to come up
14 with a construction management plan. Maybe
15 not exhaustive, but certainly that will cover
16 issues of mitigating dust from the demolition
17 of the existing building, excavation, trucks
18 going in and out and, you know, the typical
19 things that communities like to see like a
20 construction manager hotline. That kind of
21 thing and, you know --

22 VICE CHAIRMAN JEFFRIES: Well, has

1 the Applicant -- the Applicant has done a
2 construction management plan before? I mean
3 do they have one on 14th Street?

4 MR. TUCKER: I mean --

5 VICE CHAIRMAN JEFFRIES: I mean
6 there --

7 MR. TUCKER: -- this one needs to
8 be site specific and we'll work with the
9 contractor as well.

10 VICE CHAIRMAN JEFFRIES: Okay. I
11 mean because, you know, I mean it's a
12 document. I mean you may not have to reinvent
13 the wheel.

14 MR. TUCKER: Right.

15 VICE CHAIRMAN JEFFRIES: I mean
16 there's a number of them out there. So --

17 MR. TUCKER: Right.

18 VICE CHAIRMAN JEFFRIES: Okay.

19 MR. BLANCHARD: We're very
20 familiar with them. We don't have one all
21 spelled out right tonight.

22 CHAIRMAN HOOD: Right. Well, I

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1 understand you're very familiar, but let me
2 just caution you.

3 MR. BLANCHARD: Yes.

4 CHAIRMAN HOOD: And as the Vice
5 Chair, we have dealt with some that were very
6 vague and this is just a word of caution.
7 They were very vague and --

8 MR. BLANCHARD: Okay.

9 CHAIRMAN HOOD: -- we held it up.

10 So --

11 MR. BLANCHARD: Right.

12 CHAIRMAN HOOD: -- yes. If you
13 take the hint --

14 MR. BLANCHARD: Right.

15 CHAIRMAN HOOD: -- that'll save
16 all of us some time.

17 MR. BLANCHARD: Exactly.

18 CHAIRMAN HOOD: Okay.

19 COMMISSIONER MAY: I think staff
20 might be able to provide examples of ones that
21 have been good in the past perhaps.

22 COMMISSIONER TURNBULL: Pick a

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1 case.

2 VICE CHAIRMAN JEFFRIES: I think
3 you -- I think wasn't Dreyfus. It was the
4 Dreyfus case. Didn't they have a --

5 MS. SCHELLIN: I think that Mr.
6 Blanchard's provided some in some past cases
7 or one of his colleagues.

8 CHAIRMAN HOOD: Okay.

9 MR. BLANCHARD: It'll be more than
10 one or two pages don't worry.

11 CHAIRMAN HOOD: Right. Don't pick
12 the wrong case though.

13 MR. BLANCHARD: Right.

14 CHAIRMAN HOOD: The one that held
15 us up.

16 MR. BLANCHARD: And on that note,
17 just to sum up, we believe that through the
18 filings specially the supplemental
19 application, the drawings provided tonight,
20 the materials that we have met the standards
21 in Chapter 24 for the PUD relief, met the
22 intent of the standards in IZ in Chapter 26

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1 for the additional FAR and the additional lot
2 occupancy and met the standards required for
3 the variance relief on the parking and loading
4 exceptions that we've requested.

5 And based on that, we would ask
6 the Commission -- and the reason we're asking
7 the Commission to make some sort of proposed
8 or preliminary action to approve this evening
9 is that the financing of this project that Mr.
10 Tucker alluded to in his remarks is very time
11 constrained. The bond financing and other
12 financing that needs to be in place, we would
13 like to get in place in August and in order to
14 do that, we would ask for the Commission's
15 preliminary approval in the form of a bench
16 decision this evening if that's possible in
17 order that the project could be referred to
18 NCRC in July for its July meeting and then
19 come back to the Zoning Commission for its
20 July meeting for final approval.

21 VICE CHAIRMAN JEFFRIES: NCR?

22 MR. BLANCHARD: I'm sorry.

1 VICE CHAIRMAN JEFFRIES: Oh. Oh.
2 Oh.

3 MR. BLANCHARD: Alphabet soup. I
4 meant NCPC.

5 In order to do that, I realize
6 that we're also placing a significant burden
7 on ourselves to provide all of these documents
8 that I just listed at the beginning of my
9 summation to the Commission in time -- well,
10 in time before your July meeting to review all
11 that and decide it's sufficient or not.

12 VICE CHAIRMAN JEFFRIES: I mean
13 you know that historically, you know, we
14 normally don't do bench decisions when we ask
15 for --

16 MR. BLANCHARD: Additional.

17 VICE CHAIRMAN JEFFRIES: -- this
18 level of additional information. You know,
19 so, you know, I mean is it a show stopper? I
20 mean I don't know if it's a show stopper, but
21 I have to say that, you know, I don't want to
22 get into this business of being precedent

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1 setting. But, we -- I mean how many items did
2 you list? I mean seven?

3 MR. BLANCHARD: I've got six.

4 CHAIRMAN HOOD: Well, I may be
5 missing one.

6 VICE CHAIRMAN JEFFRIES: Yes.

7 CHAIRMAN HOOD: But, let me say
8 this. I'm not sure which way we're going to
9 move, but have you finished your statement?

10 MR. BLANCHARD: Thank you.

11 CHAIRMAN HOOD: I mean I'm just
12 asking have you finished?

13 MR. BLANCHARD: Yes, I will
14 conclude there. Thank you, Mr. Hood.

15 CHAIRMAN HOOD: Okay. All right.
16 Thank you, Mr. Blanchard.

17 Colleagues, we have a request for
18 us to -- actually, we have a number of ways
19 that we can deal with this. We could not --
20 there's three ways we actually deal with this.
21 We could either respond to the request that
22 was asked tonight and then we could deal with

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1 it -- the remaining things before we take
2 final and I will tell you before we do final,
3 Mr. Blanchard, it's a hard fast rule. We have
4 come here to do final and have not gotten
5 everything that we need and Commissioners have
6 reservations.

7 MR. BLANCHARD: Um-hum.

8 CHAIRMAN HOOD: We'll go back out.
9 You know, we won't move forward or we could
10 not move forward and try to see if we can do
11 a special public meeting. We're starting to
12 do quite a bit of those here lately and deal
13 with this upon the time frame in which you can
14 have everything submitted or we can just put
15 it on in the regular normal course.

16 I can go either way of those three
17 unless anyone of my colleagues have another
18 suggestion.

19 VICE CHAIRMAN JEFFRIES: Yes, you
20 know, let me -- you know, this is really a
21 critical project and it has been on the
22 Board's for a very, very long time and I know

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1 it personally. You know, I didn't have
2 anything to do with this when I was at NCRC,
3 but I do know that this project has been, you
4 know, discussed and I know that the community
5 has long awaited this project to move forward
6 and given the nature of the fact that we are
7 looking at an affordable project, a 100
8 percent affordable project -- is it 100?

9 Well, it's 60 -- what is it?

10 Yes, okay, well, we're looking at
11 a substantially affordable project and we're
12 looking at ground floor retail and it's
13 sustainable.

14 I mean I do think it's a worthy
15 project, you know, from a PUD point of view
16 and I do think that some of the questions that
17 we have are more clarification questions that
18 probably won't end up changing, you know, how
19 we would eventually vote on this and so,
20 fellow Commissioners, I would be willing to
21 move on this tonight.

22 CHAIRMAN HOOD: Okay. Well, with

1 that, I would move approval of Zoning Case
2 Number 08-08 and what I would also insist is
3 that the things that we have outstanding would
4 be submitted to us before we take any final
5 action on this case, until our satisfaction
6 and ask for a second.

7 VICE CHAIRMAN JEFFRIES: Second.

8 CHAIRMAN HOOD: Move and properly
9 seconded. Any further discussion? Any
10 further discussion? All those in favor?

11 (Ayes.)

12 CHAIRMAN HOOD: Any opposition?
13 Hearing none -- well, naturally wouldn't be
14 any. It's four of us. Ms. Schellin, would
15 you record the vote?

16 MS. SCHELLIN: Yes, staff records
17 the vote 4 to 0 to 1 to approve proposed
18 action in Zoning Commission Case Number 08-08.
19 Commissioner Hood moving. Commissioner
20 Jeffries seconding. Commissioners May and
21 Turnbull in support. Commissioner Etherly not
22 present, not voting.

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1 CHAIRMAN HOOD: Okay. Ms.
2 Schellin, do we have anything else before us?

3 MS. SCHELLIN: Yes, we absolutely
4 need to set some deadlines for them to provide
5 this if they want to be fast tracked. Two
6 weeks?

7 MR. BLANCHARD: Yes.

8 MS. SCHELLIN: Okay. So, we need
9 those additional documents by 3:00 p.m. June
10 26th rather and that will give the ANC until
11 July 3rd and the Office of Planning to file
12 any responses and I believe your draft order
13 is going to need revising.

14 MR. BLANCHARD: Revision. Yes.

15 CHAIRMAN HOOD: Let me just ask.
16 Does the ANC meet in July?

17 VICE CHAIRMAN BLAND: Yes, it
18 does.

19 CHAIRMAN HOOD: Okay. Thank you.
20 Before July 3rd?

21 VICE CHAIRMAN BLAND: Yes.

22 CHAIRMAN HOOD: So, you might --

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1 Vice Chair, can you come to the table? I'm
2 just -- because I don't want us to get to July
3 and have a problem. The ANC. No. No, you're
4 fine. What is your -- Vice Chairman Bland,
5 when is your next meeting?

6 VICE CHAIRMAN BLAND: We meet the
7 second Tuesday of every month. Should be
8 somewhere around the 15th.

9 CHAIRMAN HOOD: So, you met this
10 week?

11 VICE CHAIRMAN BLAND: Yes, we met
12 Tuesday.

13 CHAIRMAN HOOD: Think you can do a
14 special meeting so you can -- because I'm just
15 -- because here's what I don't want to do. I
16 don't want to come in July and then we hear
17 the ANC couldn't meet and the issue is -- what
18 is the issue for the ANC?

19 COMMISSIONER MAY: Well --

20 CHAIRMAN HOOD: You don't need to
21 take another vote.

22 COMMISSIONER MAY: -- the matter

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1 still needs to be referred to NCPC. Right?
2 So, we got time for that. I mean I don't see
3 how we're going to get to -- are we trying to
4 get to final action in July?

5 CHAIRMAN HOOD: Yes, that's the
6 goal. Yes. But, we need to push that back
7 because we want to make sure the ANC has
8 adequate time for submissions. Yes, we can
9 because we -- we meet every day -- every
10 Monday and Thursday in the month of July.

11 COMMISSIONER MAY: Oh, so, we have
12 to have a special meeting for the final
13 action?

14 MS. STEINGASSER: Could I
15 contribute some dates? The second Tuesday of
16 July is July 8th. So, that would give the ANC
17 on July 8th. NCPC is meeting on July 10th and
18 then the Zoning Commission's regular scheduled
19 meeting is July 14th. So, the sequence of
20 meetings would be --

21 MS. SCHELLIN: Yes, the sequence
22 of the meetings work out, but it doesn't get

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1 the information to the Commissioners because
2 the packages go out the 8th/9th. That's the
3 problem.

4 CHAIRMAN HOOD: Do we have a
5 special -- well, we have a meeting. Can we do
6 a special public meeting? I know everybody's
7 tired of them. We're doing a lot of them.

8 COMMISSIONER MAY: Do the packages
9 go out on the 8th or 9th? That's a -- the 8th
10 is a Tuesday.

11 MS. SCHELLIN: Right. They start
12 working on the 8th and then Wednesday, they
13 usually go out on Wednesday. Yes.

14 COMMISSIONER MAY: Wednesday, the
15 9th.

16 MS. SCHELLIN: Yes.

17 CHAIRMAN HOOD: Mr. Bland, I mean
18 -- Vice Chair, Bland, do you see an issue if
19 we stick with the time frame that we had
20 previously? I just don't want the ANC to say
21 that they did not have -- I want to make sure
22 you have adequate time to deal with your full

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1 ANC. That's what we're trying to get to here.

2 Do you think anything special
3 could be done?

4 VICE CHAIRMAN BLAND: Well, I'd
5 have to talk to the chair, but --

6 CHAIRMAN HOOD: Right.

7 VICE CHAIRMAN BLAND: -- a special
8 meeting.

9 CHAIRMAN HOOD: So, in that case,
10 let's -- why don't we resolve that tonight.
11 Let's try to push that back some so it'll go
12 past this -- the July -- their meeting in
13 July.

14 I'm glad you just meet in July.
15 That helps us out. A lot of the ANCs don't
16 meet. We don't meet in July.

17 MS. SCHELLIN: So, he meets the
18 second Tuesday, July 8th?

19 VICE CHAIRMAN BLAND: Yes, that
20 will be the 8th.

21 MS. SCHELLIN: Okay. So, we could
22 have the Applicant provide everything to -- by

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1 July 1st. Give the ANC until July -- let's
2 see. Meeting on the 8th. You got to have a
3 couple of days. How about the 14th?

4 VICE CHAIRMAN BLAND: Okay.

5 MS. SCHELLIN: And then have a
6 special public meeting on the 21st at 6:00.

7 CHAIRMAN HOOD: Okay. Let me ask
8 this, Ms. Schellin. I understand that you --
9 you've worked out a schedule, but I'm going to
10 mess it up a little more.

11 Let me ask this. If the ANC was
12 to provide us something for our meeting on the
13 14th, can they hand it to us that night? I'm
14 sure it won't be a voluminous -- won't be but
15 a one pager.

16 MS. SCHELLIN: Yes.

17 CHAIRMAN HOOD: And then that way
18 we can get -- we can still get it in at our
19 regular scheduled meeting?

20 MS. SCHELLIN: Well, they -- I
21 think if they provide it the week of the 7th
22 -- I mean after their meeting, if they could

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1 provide it that week, we could get it to you.

2 VICE CHAIRMAN BLAND: We could
3 provide --

4 CHAIRMAN HOOD: Could you work
5 with us on that?

6 VICE CHAIRMAN BLAND: We could
7 provide it --

8 CHAIRMAN HOOD: And that way we
9 can consider it at our regular meeting.

10 VICE CHAIRMAN BLAND: All right.
11 We could have it as -- you know, the day after
12 the meeting.

13 MS. SCHELLIN: All right.

14 VICE CHAIRMAN BLAND: Whatever
15 we're going to do, it's going to be voted that
16 night.

17 CHAIRMAN HOOD: Special public
18 meetings around here is becoming a bad word.

19 MS. SCHELLIN: Okay. We'll change
20 those dates now then. We'll give the
21 Applicant until July 3rd and then the ANC
22 would have until say the 11th and ask that the

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1 Applicant --

2 VICE CHAIRMAN BLAND: That would
3 be --

4 MS. SCHELLIN: -- also provide
5 their draft order by July 3rd.

6 VICE CHAIRMAN BLAND: July 11th
7 would be a Friday?

8 MS. SCHELLIN: Yes.

9 VICE CHAIRMAN BLAND: Okay.

10 CHAIRMAN HOOD: All right. Thank
11 you for working that out. Again, the
12 government and the Zoning Commission moving in
13 the fashion that it should so it will be
14 predictable.

15 Okay. Anything else tonight, Ms.
16 Schellin?

17 MS. SCHELLIN: No.

18 CHAIRMAN HOOD: I thank everyone
19 for their participation. This hearing is
20 adjourned.

21 (Whereupon, the hearing was
22 concluded at 6:48 p.m.)