

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:

Broadcast Center Partners, LLC
Consolidated Planned Unit
Development and Related
Zoning Map Amendment

Case No.
07-07

Thursday,
September 20, 2007

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

The Public Hearing of Case No. 07-07 by the District of Columbia Zoning Commission convened at 6:45 p.m. in the Office of Zoning Hearing Room at 141 4th Street, N.W., Washington, D.C., 20001, Anthony Hood, Vice-Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD	Vice-Chairperson
GREGORY N. JEFFRIES	Commissioner
JOHN PARSONS	Commissioner (NPS)

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN	Secretary
DONNA HANOUSEK	Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

TRAVIS PARKER
KAREN THOMAS

The transcript constitutes the minutes from the Public Hearing held on September 20, 2007.

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6:45 p.m.

VICE-CHAIRPERSON HOOD: The subject of this evening's hearing in Zoning Commission Case No. 07-07 is the request by Broadcast Center One for approval of a consolidated planned unit development and related map amendment for property located at 7th Street N.S. between S and T and known as lots 21, 66, 97, 814, 854 and Square 441.

Notice of today's hearing was published in the D.C. Register on July 27, 2007. Copies of today's hearing announcement are available to you and are located to my left in the wall bin near the door.

This hearing will be conducted in accordance with the provisions of 11 DCMR 3022. The order of procedures will be as follows. Preliminary matters, applicant's case which will be about 15 to 20 minutes, report of the Office of Planning, report of the Government agencies, report of ANC-1B, organizations and persons in support, organizations and persons in opposition.

1 The following time constraints
2 will be maintained in this meeting. The
3 applicant 15 to 20 minutes, organizations five
4 minutes, individuals three minutes. All
5 persons appearing before the Commission are to
6 fill out two witness cards. Those witness
7 cards are located to my left on the table by
8 the door.

9 Please be advised that these
10 proceedings are being webcast live. When
11 presenting information to the Commission
12 please turn on and speak into the microphone
13 first stating your name and home address. The
14 decision of the Commission in this case must
15 be based exclusively on the public record.

16 Again, I want to request please
17 turn off all beepers and cell phones at this
18 time so as not to disrupt these proceedings.
19 Ms. Schellin, I will submit the rest of the
20 opening statement back into -- save it for the
21 record.

22 Would all individuals wishing to
23 testify please rise to take the oath. Ms.

1 Schellin, would you please administer the
2 oath.

3 MS. SCHELLIN: Do you solemnly
4 swear or affirm the testimony you will give in
5 this evening's proceeding will be the truth,
6 the whole truth, and nothing but the truth?

7 WITNESSES: I do.

8 MS. SCHELLIN: Thank you.

9 VICE-CHAIRPERSON HOOD: Okay. Do
10 we have any preliminary matters?

11 MS. SCHELLIN: We do have. The
12 first one would be a request from the
13 applicant to waive the posting requirements.
14 They submitted a letter which is before you.

15 VICE-CHAIRPERSON HOOD: Let me say
16 this while I can. I think, Commissioner
17 Jeffries, you have recused yourself from this
18 case. While we will ask him to participate in
19 our procedural matter, Mr. Parsons and I --
20 I'm not sure who is going to read the record.

21 Mr. Turnbull will be reading the
22 record so tonight Mr. Parsons and I will be
23 participating and Mr. Jeffries will be sitting

1 here to help us keep a quorum. We have a
2 little inside joke and I'm not going to tell
3 you all what it is because I don't want Mr.
4 Jeffries to get mad with me and leave me and
5 then we won't have a quorum.

6 Okay. The request for the
7 applicant to waive the posting requirements of
8 3015.6(e). It appears that the property was
9 posted but the hearing date listed is
10 September 18th. Am I correct? This date was
11 earlier than the actual hearing.

12 I don't think anyone has been
13 prejudiced by this. If the date had been
14 after the actual hearing, then I think we
15 would have a problem. I don't have any
16 problem with waiving the posting requirements
17 in this case.

18 Mr. Parsons, can I get a comment
19 on how you feel?

20 COMMISSIONER PARSONS: I agree.

21 VICE-CHAIRPERSON HOOD: Mr.
22 Jeffries?

23 COMMISSIONER PARSONS: Yes.

1 VICE-CHAIRPERSON HOOD: Okay.

2 Then I would approve the request to waive the
3 posting requirement in Zoning Commission Case
4 No. 07-07 and ask for a second.

5 COMMISSIONER PARSONS: Second.

6 VICE-CHAIRPERSON HOOD: It has
7 been moved and properly seconded. All those
8 in favor?

9 ALL: Aye.

10 VICE-CHAIRPERSON HOOD: Any
11 opposition? Staff, would you record the vote.

12 MS. SCHELLIN: Staff records the
13 vote three to zero to two to approve the
14 applicant's request to waive the posting.
15 Commissioner Hood moving, Commissioner Parsons
16 seconding, Commissioner Jeffries in favor,
17 Commissioners Mitten and Turnbull not present
18 and not voting.

19 VICE-CHAIRPERSON HOOD: Mr. Feola,
20 I think you have two expert witnesses you
21 wanted to proffer for tonight?

22 MR. FEOLA: I did, Mr. Chairman.
23 Yes.

1 VICE-CHAIRPERSON HOOD: Okay. We
2 have that in front of us. We have the
3 resumes. My colleagues have any objections?
4 No objections so it will be proffered.

5 I think, Mr. Feola, you heard my
6 opening statements. Not that we don't want to
7 hear your full presentation. I think the
8 record was complete. We may want to just hit
9 the highlights and if you could give us maybe
10 about 15 minutes.

11 MR. FEOLA: I think we can do
12 that. There is one additional preliminary
13 matter, Mr. Chair. We have modified the low-
14 grade parking plans of the project we have
15 just submitted to staff that adds a third
16 level below grade, about a third of the site.

17 There were some engineering
18 reasons for that and it added a few more
19 parking spaces which we can touch on as we go
20 through it. I would ask the Commission's
21 leave to enter those into the record.

22 VICE-CHAIRPERSON HOOD: Okay.
23 That's fine. Is that what we just received

1 here?T

2 MR. FEOLA: That's it. Yes, sir.

3 VICE-CHAIRPERSON HOOD: Okay.

4 MR. FEOLA: We will present a very
5 truncated presentation, the full PowerPoint
6 presentation before you which is passed out.
7 On the 8.5 by 11 is the entire presentation
8 which we will not cover in detail and be
9 available for questions.

10 VICE-CHAIRPERSON HOOD: Okay.

11 Thank you. You may begin.

12 MR. FEOLA: Thank you again, Mr.
13 Chairman. For the record, my name is Phil
14 Feola with Pillsbury Winthrop Shaw Pittman.
15 We are here on behalf of Broadcast Center
16 Partners, LLC, the owner and contract
17 purchaser of the 51,000 square foot site
18 before you tonight which is located on 7th
19 Street, N.W. between T and S Streets, N.W. in
20 the Arts C2B zone district.

21 We are requesting the Commission's
22 approval of a consolidated PUD and zoning map
23 amendment to the Arts C2C category so that we

1 can deliver a project that will be a catalyst
2 to redeveloping this historic part of
3 Washington.

4 What we are showing you tonight,
5 and a lot of people make this claim, is truly
6 a transoriented development. It combines 180
7 apartment units, 25 percent of which are
8 affordable units with 103,000 square foot
9 office building which will be the headquarters
10 for Radio One and 24,000 square feet of retail
11 while preserving contributing buildings to the
12 LeDroit Park historical district. It
13 literally abuts a Metrorail station.

14 We will show tonight that the
15 project furthers a whole host of D.C. policies
16 and plans consistent with the comprehensive
17 plan and specifically consistent with the
18 small area of plans that were done for the
19 Duke and Convention Center areas.

20 With that I would like to ask
21 Marshall Purnell -- I'm sorry, Roy Ellis, the
22 representative of Broadcast Partners, to
23 briefly tell the Commission how this project

1 came into being. Mr. Ellis.

2 MR. ELLIS: Good evening, Mr.
3 Chairman. My name is Roy Chip Ellis,
4 President and CEO of Ellis Development Group,
5 a LSDB based here in the District for the last
6 seven years. Ellis Development Group is a
7 commercial real estate company which focuses
8 on development and brokerage of commercial
9 properties. Ellis Development Group currently
10 is working on projects in excess of \$150
11 million in value that are in the
12 predevelopment or development stages.

13 Broadcast Center Partners is a
14 joint venture between Ellis and Four Points
15 formerly known as West Group Development.
16 Four Points is a real estate development and
17 investment firm based in Washington, D.C. with
18 over \$500 million in value of projects under
19 development or predevelopment.

20 Approximately five years ago I
21 discovered parcel 33 and began working on the
22 vision of bringing a homegrown company, Radio
23 One, Inc., back to the District of Columbia.

1 This neighborhood, which I decided on, is
2 immensely rich in history, education, and
3 culture.

4 Radio One is one of the largest
5 African American owned broadcasting companies
6 in the United States with over 60 stations and
7 19 urban markets across the U.S. It was in my
8 mind that it was only fitting that such a
9 company locate in a neighborhood such as
10 LeDroit Shaw that shares this great history of
11 African American success.

12 It gives me a great sense of pride
13 to be part of this development project as a
14 fourth generation Washingtonian whose family
15 first came to Washington in the late 1800s and
16 then went on to live and operate a restaurant
17 in the 1800 block of 9th Street in the late
18 1920s just two blocks over from this proposed
19 site.

20 I'm sure that my ancestors would
21 be very proud to know that I have worked hard
22 to bring about a welcome change that will
23 revitalize an area of this great neighborhood

1 which has been dormant and in despair for over
2 35 years.

3 Over the last several years I
4 along with my partners have tried to ensure
5 that the mixed-use development that we propose
6 today was in lock step with the Office of
7 Planning's Duke plan and in keeping with the
8 community's needs.

9 I believe we have done this by
10 working with the Office of Planning to develop
11 a project which is in keeping with the Duke
12 plan and by negotiating a memorandum of
13 understanding with the community which outlines
14 a number of issues that are important to the
15 community as well as the developer.

16 It is my belief that attracting a
17 corporate presence to a neighborhood such as
18 this rather than a downtown business district
19 can truly open up the possibilities of retail
20 growth, job opportunity and tax revenue which
21 equals success for the neighborhood and
22 community at large. Thank you very much.

23 MR. FEOLA: Mr. Chairman, our

1 next, and hopefully last, witness is Mr.
2 Marshall Purnell of Devrouax & Purnell, the
3 project architect.

4 MR. PURNELL: Good evening. For
5 the record, my name is Marshall Purnell. I'm
6 design principle with Devrouax & Purnell
7 Architects. I'm a resident of the District of
8 Columbia.

9 Let me start by saying that I will
10 try and be brief and give a truncated sort of
11 presentation. However, all of the slides will
12 appear on the screen for however briefly and
13 if there is any question about anything that
14 comes up that I may skip over, please ask me.
15 I can go back to it and give you some
16 explanation about it.

17 This is our site located with 7th
18 Street to our west, S Street to the south, T
19 Street to the north, and the alley bounds us
20 on the east side here. This is the lowest
21 level of the parking garage. We call it level
22 three but actually it is really only this
23 corner right here.

1 This area right here is under the
2 road structures that we're preserving so we
3 don't disturb that area under any of the
4 parking areas. This is that one piece of
5 parking that has been added to that lowest
6 level. That was a change.

7 As we move through it you'll see
8 this is pretty much a full level with the
9 exception of this on P2. This is parking
10 level P1. You can see that we do sit right
11 next to the Metro platform coming in off of
12 7th Street. The tunnel runs right up 7th
13 Street abutting the building.

14 Ground floor plan. In difference
15 to Mr. Parsons, I will talk about the
16 landscape architecture of the first level, the
17 ground floor. We are preserving two existing
18 trees, oak trees on 7th Street. We are adding
19 oak trees to the Shumard Oaks to replicate and
20 repeat what's happening on 7th Street already
21 with the two we are preserving. We are
22 putting on T Street Maple trees, Cherry Maples
23 on T Street. What's this? The Lomand -- the

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1 London Plane on S Street.

2 The payment is a two by two
3 pressed concrete paver here. It's a precast
4 concrete pavement I should say, two by two
5 here. We are doing the typical D.C.
6 basketweave brick around the site and in the
7 five-foot setback across the alley. In the
8 alley will be a pressed concrete itself.

9 At the entrance of the building
10 here we are putting in granite pavers,
11 decorative granite pavers right at the
12 threshold of the building. That was ground
13 floor.

14 This is a typical floor of the
15 building just to show that it's basically a
16 straightforward double-loaded corridor for the
17 residential with an office plate that is
18 pretty much open with the service happening to
19 the rear of the building.

20 On the roof I will point out that
21 we are having a green roof over 52 percent of
22 the office building with an outdoor play area
23 -- not play area, outdoor deck for

1 entertaining on top of the office building
2 here. On top of the residential we have about
3 33 percent of the roof is green with an
4 outdoor recreation area as well for the
5 residents.

6 We have acquired, I think, 17 lead
7 points and we have another five lead points
8 pending so we could get to about 22 points on
9 this project.

10 Elevations. 7th Street elevation
11 straightforward. The office building break is
12 to the east -- I mean, to the south. North is
13 this way. I mean, we are looking at the west
14 elevation so this is the residential.

15 Keeping all of the historic retail
16 that is in front of the building, the
17 residential steps back 40 feet from the front
18 of all these historic structures here. Many
19 of these are being restored and this one is
20 actually -- one is coming down and we are
21 rebuilding a two-story entrance to the
22 building.

23 This is T Street. This shows next

1 to the Howard Theater and you can begin to see
2 how the residential is here. We step in
3 height to the Howard and we step back up to
4 the residential 90 feet in height.

5 This is the alley elevation east
6 side, office building, residential. This is
7 an enlarged residential -- I'll move through
8 these. I want to get to the S Street
9 elevation for the office building. This is an
10 enlarged alley elevation to the office.

11 Talk about materials. This is the
12 Metro station. Ramada was very concerned that
13 they didn't get lost in the shuffle with
14 material usage. Their standard materials are
15 stainless steel at their entrances and so we
16 refrain from using any stainless steel in our
17 projects so that the stainless that you do see
18 here and the signage will be reminiscent of
19 the Metro signage all over the city so there
20 will be no confusion or little confusion as to
21 where the Metro is. Our materials are clear
22 glass and anodized aluminum for the windows.

23 We have a combination of both

1 precast limestone at the entrance of the
2 building and the base where the residential
3 is. Precast as we get up higher and basically
4 a clear glass with anodized aluminum for most
5 of the windows in the office building.

6 When we get to the residential
7 building we have limestone, a light colored
8 brick. These slides have put a slightly green
9 cast on the brick. The actual material boards
10 are behind me sitting over here. When the
11 lights come on you can see that it's not quite
12 as green as it looks here, this brick.

13 It's more or less a buff colored
14 brick with a lighter brick and a darker brick
15 more or less as accent band. The glass is
16 fairly clear. Then we have a dark gray
17 anodized aluminum mullions running at the top
18 of the building.

19 MR. FEOLA: Mr. Purnell, has the
20 project been presented to the Historic
21 Preservation Review Board?

22 MR. PURNELL: The project has been
23 presented to the Historic Preservation Review

1 Board. I am working with them over an
2 extended period of time. It has met with
3 their approval. We've got a favorable staff
4 report from the Historical Preservation Review
5 Board.

6 MR. FEOLA: Mr. Chairman, that is
7 the end of our truncated presentation. We
8 have with us Mr. Ed Papazian, traffic engineer
9 if the Commission wants to ask questions about
10 traffic or transportation. And Mr. Stan
11 Voudric of Four Points can highlight the
12 community benefits if need be.

13 VICE-CHAIRPERSON HOOD: Thank you,
14 Mr. Feola. You still have nine minutes but
15 thank you very much for doing it. Again, as
16 we said, we do peruse and read over submittals
17 so we wanted to make sure in the interest of
18 everyone's time we kind of cut back some so we
19 can ask questions and also hear from the
20 residents.

21 Let me take a quick poll. How
22 many people are here to testify on this case?
23 Could you just raise your hand? Let me see by

1 a show of hands. Okay. Were you here to get
2 sworn in? Were you sworn in? We know you're
3 going to tell the truth but our procedures are
4 -- Ms. Schellin, could you do that right now
5 so we won't forget?

6 MS. SCHELLIN: Raise your right
7 hand, please. Do you solemnly swear or affirm
8 the testimony you will give in this evening's
9 proceeding will be the truth, the whole truth,
10 and nothing but the truth?

11 WITNESS: Yes.

12 MS. SCHELLIN: Thank you.

13 VICE-CHAIRPERSON HOOD:
14 Commissioner Parsons.

15 COMMISSIONER PARSONS: Nothing is
16 worse than one panel second guessing another.
17 Tell us about the views of the Historic
18 Preservation Review Board and moving your
19 penthouses back to the rear of the building.
20 What was the cause of that? What were their
21 views? So you're here now for relief from a
22 decision that apparently they made.

23 MR. PURNELL: We came in early on

1 looking at mechanical systems for the
2 residential that were going to be driven by
3 being a condo building. We have moved to
4 independent units, smaller units for
5 residential so we don't really have the need
6 for a central mechanical penthouse on top of
7 the residential.

8 Then when we actually did get into
9 the engineering on the office building we were
10 able to mitigate that and reduce the size of
11 that a little bit. We have an architectural
12 embellishing sort of element on the office
13 building that rises slightly above the 90 feet
14 that also helps hide the penthouse and
15 anything that would be on the roof.

16 That has been working for us as
17 well. We have a setback on the alley side of
18 five feet. We are asking for it to be just
19 the five feet and that helps us move it back
20 toward the alley as well. All those things
21 working and as we get further along in the
22 design it has allowed us to sort of make it
23 what it is now.

1 COMMISSIONER PARSONS: I'm reading
2 the Office of Planning Report and they say the
3 reason you had to move the penthouse back on
4 the office building was because of the
5 Historic Preservation Review Board. That's
6 not true?

7 MR. PURNELL: Historic
8 Preservation Review Board. Everything that
9 we've been doing has been the result of
10 meeting with the Historic Preservation Review
11 Board for the most part, all of the things
12 I've been mentioning because they have been
13 asking us to keep 40 feet back from the
14 buildings in front of us.

15 They have asked us to go to glass
16 mullions and no masonry at the top two levels
17 of the building and they wanted it more of a
18 lighter feel of the building at the top, John,
19 as opposed to it being all masonry going up as
20 we had it at one point.

21 The top two levels now are
22 basically curtain wall and they felt that with
23 a penthouse that is going to be on the

1 residential that will be brick, they felt that
2 having it close to the edge is not as
3 attractive as it could be if we could move it
4 back and mitigate it and move it away from the
5 curtain wall. Same with the office building.
6 We are going with a penthouse that is metal on
7 top of that.

8 All of the comments that we have
9 had thus far with regards to the zoning have
10 really come from working with HPRB for how
11 long? A year and a half.

12 COMMISSIONER PARSONS: Oh, my
13 goodness. Okay. Thank you.

14 VICE-CHAIRPERSON HOOD: Thank you,
15 Commissioner Parsons. You mentioned that you
16 had 17 lead points.

17 MR. PURNELL: Yes.

18 VICE-CHAIRPERSON HOOD: Are you
19 aware that the Office of Planning had kind of
20 encouraged you all to get closer to the 26?
21 In your testimony it looks as though you had
22 22. Anyway that you can persuade? I'm sure
23 my colleague -- Just be forewarned my

1 colleague, who is going to read the record, is
2 definitely on the green building side, Mr.
3 Turnbull.

4 I'm just trying to help you out
5 here. I'm not speaking for him but you may
6 want to really relook at that and revisit and
7 try to get as close to the 26 points as
8 possible.

9 MR. FEOLA: If it pleases the
10 Chair, I would like to turn in two additional
11 exhibits, both related to the leads
12 certification issues and the items that are
13 both committed to by this applicant to put in
14 the building and those under consideration in
15 addition to the five additional ones that Mr.
16 Purnell talked about.

17 It's broken actually into two
18 pieces, one for the residential component and
19 one for the office component and I think that
20 will help the Commission look through the
21 variety of issues.

22 VICE-CHAIRPERSON HOOD: Thank you.

23 MR. ELLIS: It really goes over

1 many of the things that were considered.

2 VICE-CHAIRPERSON HOOD: Okay.

3 Thank you. The other thing is, and I didn't
4 see this in the submission that was given to
5 us, presubmission, the unit mix for affordable
6 housing. Can you point me to that? If not,
7 can you assure me that's going to happen and
8 it's going to be sporadic throughout the
9 residential portion? It's not all going to be
10 concentrated on one place with bad views and
11 all that kind of stuff?

12 MR. ELLIS: That was a major
13 obviously of the communities and we made
14 certain, and I believe it addresses it in the
15 MOU, that the affordable units be dispersed
16 all throughout so that there's no
17 concentration and that all the affordable
18 units are intermixed without any real
19 identification. As a developer we are
20 committed to that.

21 VICE-CHAIRPERSON HOOD: Okay. All
22 right. We received a traffic report. There
23 were some issues. It talked about several

1 issues. Have you seen this, Mr. Feola, the
2 traffic report?

3 MR. FEOLA: We have, yes.

4 VICE-CHAIRPERSON HOOD: This last
5 paragraph he talks about several issues have
6 to be resolved. Apparently he says he has no
7 objections if you continue to coordinate with
8 DDOT staff. I'm sure you're going to tell me
9 you're going to do that.

10 MR. ELLIS: We are.

11 VICE-CHAIRPERSON HOOD: I know
12 there are some issues. Are you aware of the
13 issues about the PEPCO vaults, bike racks,
14 alley improvements? Obviously you are aware
15 of all that?

16 MR. FEOLA: Yes, sir. Those are
17 predominately in the public space. As you
18 might imagine, neither my client nor the city
19 would like to see PEPCO vaults on 7th Street
20 which is one of the great streets so we are
21 trying to figure out working with PEPCO and
22 DDOT and obviously the pavements and the
23 alleys, public space, we'll work with them on

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1 that. Yes, we are actually on the same page
2 with DDOT if we could convince of the
3 utilities to go along with us.

4 VICE-CHAIRPERSON HOOD: Okay. Two
5 of my favorite ones, First Source Employment
6 Agreements and LSDBEs. You obviously have
7 done work in the city and I'm just curious
8 what is your track record? It looks like a
9 lot of jobs, especially during the
10 construction phase that D.C. residents will be
11 able to get.

12 MR. ELLIS: We are very confident
13 that our contract, Turner Construction, has
14 quite a good deal of experience in this area
15 of LSDBE subcontracting. In our MOU with the
16 community as well we have agreed to making
17 certain that construction jobs were made
18 available to LSDBEs and First Source was a
19 part of our MOU as well.

20 I am a LSDBE. My company is
21 LSDBE. We have a number of LSDBEs on our
22 actual team. Devroux & Purnell is a LSDBE if
23 I'm not mistaken. Let's see, Lelon Hampton is

1 LSDBE.

2 Jarvis, our partner, the Jarvis
3 Company is a LSDBE. Our landscape architect
4 as well is LSDBE. We are very, very adamant
5 about making certain that those levels are
6 met. I would like to exceed those levels.
7 Being a LSDBE I understand the importance of
8 it.

9 VICE-CHAIRPERSON HOOD: Okay.
10 Thank you, Mr. Ellis. The other thing is I
11 know the MOU basically talked about -- this is
12 actually my last question. The MOU talks
13 about the neighborhood contributions. I don't
14 think in the past, and Ms. Schellin might
15 could help me, we have not been able to
16 incorporate MOUs into our order.

17 We probably need some language
18 that really talks about it and spells it out
19 so we can put that, Mr. Feola, in our order
20 about what was promised, what kind of
21 contributions were promised to the
22 neighborhood.

23 MR. FEOLA: We certainly can do

1 that.

2 VICE-CHAIRPERSON HOOD: Okay. All
3 right. That's all the questions I have. Mr.
4 Parsons.

5 COMMISSIONER PARSONS: Mr.
6 Purnell, I want to talk about I guess we'll
7 call it a parapet on the office building. Is
8 that -- does that have glazing in it?

9 MR. PURNELL: It is glazed. It's
10 an extension of the curtain wall actually.

11 COMMISSIONER PARSONS: So then
12 what is the apparent height of the building?
13 It's certainly taller than 90 feet.

14 MR. PURNELL: Probably about 100
15 feet, 112 feet.

16 COMMISSIONER PARSONS: So that's a
17 10-foot extension.

18 MR. PURNELL: It's about 12 feet
19 actually at the very tip.

20 COMMISSIONER PARSONS: Well, it
21 may not surprise you that I struggle with that
22 a little bit as a precedent.

23 MR. PURNELL: We did something

1 similar on the residential, though. Quite
2 frankly right here this is an architectural
3 embellishment on the residential. The idea
4 was to try and make this end of the block
5 appear to be a little higher and to frame the
6 Metro and to separate it visually from the
7 rest of the residential which is reading as a
8 level 90 feet.

9 That really came about after a lot
10 of discussion with HPRB with regards to trying
11 to separate the two structures and them
12 wanting us to really make more or less this
13 tower element here where that is actually
14 residential and make it appear to be more like
15 the office building in terms of it being more
16 glass and like a curtain wall and sort of
17 framing and putting something at each end to
18 say this is the commercial and here again is
19 the residential at the other end.

20 COMMISSIONER PARSONS: Well, you
21 have achieved that for sure.

22 MR. PURNELL: We went through at
23 least six iterations of this to get to

1 something that HPRB really said this is great.

2 COMMISSIONER PARSONS: Did they
3 talk about this extension of the height of the
4 building -- I mean, the extended parapet I'll
5 call it?

6 MR. PURNELL: That really wasn't a
7 big issue with them. I know in the District
8 you can typically create something like that
9 if it's considered an architectural
10 embellishment and not necessarily an habitable
11 floor or area or space.

12 COMMISSIONER PARSONS: What I'm
13 struggling with, and I've been doing it for
14 two years, is the new phenomenon in
15 architecture is we are going to start to
16 decorate the roofs with horizontal
17 embellishments where all of our embellishments
18 to date have been vertical.

19 We've got a little task force
20 working with the Planning Commission and the
21 Office of Planning to try to interpret what
22 the heights of buildings actually meant. We
23 know they were talking about elevators,

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1 mineretts, pinnacles, that kind of thing, but
2 the architectural style of this century
3 appears to be decorating the roofs of
4 buildings with horizontal elements.

5 Yours is the first one that has
6 gone straight up. A lot of them are
7 cantilevering out over the building somewhere
8 between a parapet and a cornice which I find
9 a lot more objectionable than this. The
10 reason for the glazing is simply not to
11 interrupt the flow of the facade. Is that it?

12 MR. PURNELL: Yes, to make it
13 appear a little lighter. Actually when you
14 are on the roof we've got a rooftop deck up
15 there. It will help shelter residents when
16 you get up that high. That is usually what
17 keeps people off the roof is high winds and
18 this helps make that deck a little more usable
19 as well.

20 COMMISSIONER PARSONS: All right.
21 Well, I'll defer to the Historic Preservation
22 Review Board, I guess. A year and a half of
23 that.

1 MR. PURNELL: A year and a half.

2 COMMISSIONER PARSONS: Let's keep
3 it to an hour tonight.

4 MR. PURNELL: And most of the
5 meetings happened outside of the formal panel
6 presentations that were happening with two or
7 three of their members in consultations
8 sometimes weekly.

9 COMMISSIONER PARSONS: Tough city,
10 isn't it?

11 MR. PURNELL: I love it.

12 COMMISSIONER PARSONS: We're all
13 used to it, I guess. Thank you.

14 VICE-CHAIRPERSON HOOD: Thank you,
15 Mr. Parsons. Do we have anyone here from the
16 ANC-1B? Are you representing the ANC? Can
17 you come to the table? Well, first, let me
18 ask you this. Do you have any cross-
19 examination of the applicant? Okay. We'll
20 call you up shortly. With that you can just
21 hold your seats. We are going to go to the
22 Office of Planning.

23 MR. PARKER: Good evening, Mr.

1 Chairman. Travis Parker with the Office of
2 Planning. As you heard from the applicant
3 they have worked very closely with the Office
4 of Planning for the past year and a half, two
5 years including HP and the rest of the office.
6 For that reason I feel comfortable standing on
7 the record as it's submitted and I would be
8 happy to answer any questions you've got.

9 VICE-CHAIRPERSON HOOD: Okay.
10 Thank you, Mr. Parker. You've been standing
11 on the record quite a bit. You all are
12 getting good over there.

13 MR. PARKER: The reports are just
14 so thorough.

15 VICE-CHAIRPERSON HOOD: Oh, okay.
16 They are. I will tell you this report was
17 very well done. The only question is you
18 heard the exchange again about the lead
19 points. I know where you all were pushing the
20 26. I did have something submitted today
21 which is going to give us an explanation.
22 Have you been able to look at that?

23 MR. PARKER: I have and we are

1 fairly comfortable with the 20 to 22 number.
2 Because of all the design work that went into
3 this and HPRB review the push for lead came
4 rather late in the process so I understand
5 that it's difficult to hit a lot of those
6 points this late in the design of the
7 building. We are fairly comfortable with
8 where they have gone.

9 VICE-CHAIRPERSON HOOD: Okay. Any
10 other questions?

11 COMMISSIONER PARSONS: Mr. Parker,
12 again I wanted to go back to this penthouse
13 issue and why HPRB felt it necessary to push
14 back. I just don't see the need. Other than
15 the elevators and the utility core, if you
16 will, or whatever the building core is on the
17 backside, probably because of the depth of the
18 office building isn't enough to put it in the
19 center. Did they actually urge them to push
20 it back?

21 MR. PARKER: I wasn't involved
22 with the discussions but my understanding is
23 that it was just a site-line issue. That

1 penthouses on the east side of the site would
2 not be visible from the 7th Street facade and
3 wouldn't be as visible from the street.

4 COMMISSIONER PARSONS: Okay.

5 Thank you.

6 VICE-CHAIRPERSON HOOD: Okay.

7 Does the applicant have any questions of the
8 ANC -- I mean, of the Office of Planning?

9 MR. PURNELL: No, sir.

10 VICE-CHAIRPERSON HOOD: Does the
11 ANC have any questions of the Office of
12 Planning? Okay. All right.

13 Next we will hear -- we had the
14 DDOT report. I think that's all the
15 Government agencies we have. Do we have any
16 other Government agencies here to testify?
17 Let the record reflect seeing none we have
18 none but we do have the report from DDOT. I
19 think, Mr. Parker, that's all that I have.
20 Anything else? Okay. Thank you. Thank you,
21 again, Mr. Parker, for that report.

22 I'm going to ask that the
23 gentlemen at the table just make room. Just

1 make room for the young lady from the ANC-1B
2 so she can come forward. We have an empty
3 seat there. We don't have to do a whole lot
4 of musical chairs.

5 Can you state your name?

6 MS. MOSS: Good evening, Mr.
7 Chairman. My name is Myla Moss. I'm the
8 Advisory Neighborhood Commissioner for the
9 single member district of historic LeDroit
10 Park, 1B-01.

11 VICE-CHAIRPERSON HOOD:
12 Commissioner Moss, you will be speaking on
13 behalf of the ANC. We have designated
14 Commissioner Moss to represent ANC-1B. If you
15 keep reading it's always there.

16 MS. MOSS: Yes.

17 VICE-CHAIRPERSON HOOD: Okay. So
18 you can proceed.

19 MS. MOSS: Yes. I am here on
20 behalf, as the correspondence indicates, on
21 behalf of ANC-1B and the residents of historic
22 LeDroit. We are very supportive of this
23 broadcast project.

1 We have painstakingly worked on a
2 community benefits package with 1DC, the ANC,
3 the LeDroit Park Civic Association, and
4 residents. This group has been very proactive
5 in seeking out input from the community and
6 ensuring that our concerns and needs have been
7 met. I am here in full support of the
8 project.

9 VICE-CHAIRPERSON HOOD: Okay. Any
10 questions of Commissioner Moss? Any questions
11 from the applicant for Commissioner Moss?

12 MR. FEOLA: No, sir.

13 VICE-CHAIRPERSON HOOD:
14 Commissioner Moss, let me thank you. I'm
15 familiar with ANC-1B and I know you guys work
16 hard and you obviously got a resolution.

17 MS. MOSS: Yes, indeed.

18 VICE-CHAIRPERSON HOOD: Keep up
19 the good work and thank you for coming down to
20 testify.

21 MS. MOSS: Thank you so much.

22 VICE-CHAIRPERSON HOOD: Okay.
23 Going by my list we are going to go with

1 organizations -- well, organizations and
2 persons in support. The person I have is M.
3 Harrison Boyd. Is M. Harrison Boyd here? M.
4 Harrison Boyd? Okay. They were a proponent,
5 Mr. Ellis. They were a proponent so you would
6 be having --

7 Do we have anyone else who would
8 like to testify in support? Do we have anyone
9 else who would like to -- organizations or
10 persons in opposition? Okay. Seeing none,
11 Mr. Feola, do you want to wrap it up?

12 MR. FEOLA: Thank you, Mr. Chair.
13 I'll keep this even briefer than our brief
14 presentation. I just wanted to thank you for
15 the time and effort. We think this project
16 does a lot for the city and creates a
17 significant benefit to this part of the city.

18 It has a great history and has
19 been neglected a little bit by some of the
20 economic times that we have experienced
21 recently in D.C. It will deliver jobs, taxes,
22 housing, retail opportunities with great
23 architecture and preserve some historic

1 buildings.

2 It will be really a catalyst we
3 think to redeveloping 7th Street. With that
4 I would like to thank you for your time and
5 effort and would be happy to answer more
6 questions if you have them.

7 VICE-CHAIRPERSON HOOD: Thank you.
8 I also want to say this. I really like the
9 architecture. I learned this from my
10 colleagues. I like the difference when you
11 move out of the office into the residential.
12 I like that. You didn't think I noticed that,
13 Commissioner Jeffries, but I did.

14 Mr. Feola, the way thing look we
15 would really like to give you a bench decision
16 tonight but, unfortunately, you know our
17 circumstances and I don't know how long it's
18 going to take for Mr. Turnbull to read the
19 record.

20 MS. SCHELLIN: Are you guys
21 planning to expedite the transcript by chance?

22 MR. FEOLA: We can do that, yes.

23 MS. SCHELLIN: Then we could do it

1 October 15th and if we could get a draft order
2 from you guys in two weeks, October 4th, then
3 we can put you on our October 15th agenda.
4 Otherwise, the transcript will not come in
5 time for him to read the record.

6 MR. FEOLA: Right. We will get
7 that done.

8 MS. SCHELLIN: Okay.

9 VICE-CHAIRPERSON HOOD: Okay. So
10 the record in this case is closed. I
11 appreciate everyone's participation tonight.
12 If you want to follow this case, you can stay
13 in touch with the Office of Zoning staff.

14 The Commission will make a
15 decision in this case at one of its regular
16 monthly meetings, hopefully October 15th if
17 everything is in order. With that I
18 appreciate everyone's participation and coming
19 out tonight. This hearing is adjourned.

20 (Whereupon, at 7:25 p.m. the
21 hearing was adjourned.)

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