

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

+ + + + +

PUBLIC HEARING

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IN THE MATTER OF:	:	
	:	
WBG WHEELER ROAD, LLC	:	Case No.
	:	13-18
	:	
-----	:	

Thursday,
May 29, 2014

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

The Public Hearing of Case No. 013-18 by the District of Columbia Zoning Commission convened at 6:33 p.m. in the Jerrily R. Kress Memorial Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman, presiding.

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ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairman
MARCIE COHEN, Vice Chair
MICHAEL G. TURNBULL, FAIA, Commissioner
(AOC)
ROBERT MILLER, Commissioner
PETER MAY, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JOEL LAWSON

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF
PRESENT:

JONATHAN ROGERS

The transcript constitutes the
minutes from the Public Hearing held on May 29,
2014.

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

2 6:33 P.M.

3 CHAIRMAN HOOD: Good evening,
4 ladies and gentlemen. This is the public
5 hearing of the Zoning Commission of the
6 District of Columbia for May 29, 2014. It is
7 approximately 6:30 p.m. We are located in the
8 Jerrily R. Kress Memorial Hearing Room.

9 My name is Anthony Hood. Joining
10 me are Vice Chair Cohen, Commissioner Miller,
11 Commissioner May and Commissioner Turnbull.
12 We are also joined by the Office of Zoning staff
13 Ms. Sharon Schellin; also the Office of
14 Planning, Mr. Lawson; the District Department
15 of Transportation, Mr. Rogers.

16 This proceeding is being recorded
17 by a court reporter. It is also webcast live.
18 Accordingly, we must ask you to refrain from any
19 disruptive noise or actions in the hearing
20 room, including the display of any signs or
21 objects.

22 Notice of today's hearing was

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1 published in the D.C. Register and copies of
2 that announcement are available to my left on
3 the wall near the door.

4 The hearing will be conducted in
5 accordance with provisions of 11 DCMR 3022 as
6 follows: preliminary matters, applicant's
7 case, going to ask the Applicant to limit its
8 case to report of the Office of Planning.
9 report of other government agencies, report of
10 the ANC, organizations and persons in
11 support, organizations and persons in
12 opposition, rebuttal and closing by the
13 applicant.

14 The following time constraints will
15 be maintained in this meeting: the applicant
16 has up to 60 minutes, but I would ask that you
17 give a lot of your comments to the architectural
18 questions and some of the issues that was said
19 at set down. Organizations, 5 minutes;
20 individuals, 3 minutes.

21 The Commission intends to adhere to
22 the time limits as strictly as possible in order

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1 to hear the case in a reasonable period of time.
2 The Commission reserves the right to change the
3 time limits for presentations, and notes that
4 no time shall be ceded.

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

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

19 The decision of the Commission in
20 this case must be based exclusively on the
21 public record. To avoid any appearance to the
22 contrary, the Commission requests that persons

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1 present not engage the members of the
2 Commission in conversation during any recess or
3 at any other time. The staff will be available
4 throughout the hearing to discuss procedural
5 questions.

6 Please turn off all beepers and cell
7 phones at this time so as not to disrupt these
8 proceedings.

9 Will all individuals wishing to
10 testify please rise to take the oath.

11 Ms. Schellin, will you please
12 administer the oath?

13 MS. SCHELLIN: Please raise your
14 right hand.

15 (Witnesses were sworn.)

16 CHAIRMAN HOOD: Okay, at this time
17 the Commission will consider any preliminary
18 matters. Does the staff have any preliminary
19 matters?

20 MS. SCHELLIN: We only have two
21 proffered experts. That's the only
22 preliminary matter that I see at this time.

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1 CHAIRMAN HOOD: One, I know, has
2 already -- Mr. Andres, has already been
3 approved and accepted. The other one,
4 colleagues, I may have missed it, it may be in
5 one of these packages, but I didn't see the
6 resume. If somebody can help me find it.

7 MS. SCHELLIN: It was submitted
8 later on. Let me just find the exhibit number.

9 MS. MOLDENHAUR: Exhibit 24.

10 MS. SCHELLIN: It's not the thick
11 binder.

12 CHAIRMAN HOOD: Okay. I'm not
13 sure what happened to mine, but anyway, any
14 objections? Any questions? Not hearing any,
15 we will accept the architect as an expert.

16 How do you pronounce your name, the
17 architect? Keep the microphone next to you.

18 MR. GHARAI: Gharai.

19 CHAIRMAN HOOD: Gharai.

20 MR. GHARAI: Gharai.

21 CHAIRMAN HOOD: Got you. Okay.

22 Okay.

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1 COMMISSIONER MAY: Mr. Chairman?

2 CHAIRMAN HOOD: Yes.

3 COMMISSIONER MAY: I'm not
4 questioning his acceptance as an expert, but I
5 just wanted to ask one question of the
6 architect.

7 CHAIRMAN HOOD: Sure.

8 COMMISSIONER MAY: Projects of
9 significance, you list the Butterfield House on
10 Pennsylvania Avenue.

11 MR. GHARAI: Yes.

12 COMMISSIONER MAY: Were you the
13 design architect for that?

14 MR. GHARAI: Yes, I was.

15 COMMISSIONER MAY: Okay, thanks.
16 That's around the corner from me, so I know it
17 well.

18 CHAIRMAN HOOD: We want to make
19 sure you are on the mic.

20 MR. GHARAI: I was the architect.

21 COMMISSIONER MAY: You were the
22 design architect?

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1 MR. GHARAI: I was the designer. I
2 remember drawing it.

3 COMMISSIONER MAY: Okay, thank
4 you.

5 CHAIRMAN HOOD: Do you like it,
6 Commissioner May?

7 COMMISSIONER MAY: It's a very fine
8 building.

9 CHAIRMAN HOOD: You want to make
10 sure you're on the record, believe me.

11 Okay, anything else? Are there any
12 other preliminary matters?

13 Okay, Ms. Moldenhaur, do we have
14 anything first? If not, you all can just
15 start.

16 MS. MOLDENHAUR: Thank you very
17 much. Good evening, Chairman Hood, members of
18 the Commission. I am Meredith Moldenhaur,
19 here tonight on behalf of WBG Wheeler Road LLC.
20 As you know, Washington Business Group is a
21 vibrant and thriving local developer in Ward 8
22 with strong development experience and a

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1 positive tie to local community, giving back to
2 community is one of WBG's core values.

3 WBG's founder and president, Dinesh
4 Sharma is here tonight to talk about the
5 project. The project involves preserving the
6 existing neighborhood servicing retail on
7 site, developing over 15,000 square feet of
8 retail in total, and 85 affordable units.
9 There will be five stories of residential in a
10 six-story building all of which will be
11 affordable, and depending upon financing,
12 anticipated potentially 16 units that will be
13 available to families who qualify for public
14 housing and families of incomes below 30
15 percent of the area median income.

16 We expect the project will play an
17 extremely important role in the community and
18 will give great enhanced benefit to the
19 neighborhood, increasing critically important
20 services to an under serviced area.

21 The site is recommended for
22 rezoning for C2B and supported by the Office of

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1 Planning. The proposed plans fit well within
2 the parameters of a C2B PUD zone. At a 3.396
3 FAR, the project is well within the 6.0 FAR
4 limitations for the PUD in a C2B zone and within
5 the matter of right, parameters for a C2B at 3.5
6 FAR limitations.

7 There is much community support for
8 the project and no known opposition. Given the
9 location and access to bus and Metro, the
10 traffic impact will be minimal as DDOT
11 concludes in their report. The proposal will
12 close two existing curb cuts and will build a
13 new covered bus stop providing multiple bike
14 shares and also 25 parking spaces in the rear
15 of the alley.

16 In summary, the project is designed
17 to serve the most fundamental needs of the
18 community providing 20 large, 3-bedroom family
19 size affordable units with a healthy living
20 amenity, athletic track, a putting range, and
21 computer center to name a few. The proposed
22 C2B district is not inconsistent with the

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1 future land use map.

2 As you know, the future land use map
3 designates the property as low density
4 commercial. While a C2A PUD would ordinarily
5 be viewed as consistent with the low density
6 commercial, it would only permit an
7 all-residential development. If you were to
8 remove the retail floor, the project would
9 comply with the C2A. However, here, a C2B PUD
10 is essential for the necessary FAR to build a
11 project that improves and enhances the
12 neighborhood retail rather than removing it.

13 You will hear tonight that the
14 existing retail is heavily frequented by the
15 local community and the proposed additional
16 retail will be a substantial benefit to the
17 community and to the neighborhood. The C2B
18 zoning is consistent with the Comprehensive
19 Plan, general policy map, and provides the
20 services designated for a neighborhood
21 commercial center as the site is labeled.

22 We submit, as OP suggests, that

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1 viewing the generalized policy map in
2 conjunction with the neighborhood
3 comprehensive commercial center and various
4 elements and policies and goals of the
5 Comprehensive Plan that C2B zone is appropriate
6 and has a minimal land use impact. The
7 proposed development addresses the goals of the
8 Washington Highlands Investment Plan by
9 providing a one-of-a-kind mixed use affordable
10 development.

11 As we all know, given the fragile
12 state of the capital market, timing is critical
13 to all projects, especially with an affordable
14 goal such as this. As the Board has addressed
15 in cases previously in the last month, DHCD now
16 requires entitlements before projects can move
17 forward and seek financing as this applicant is
18 seeking here tonight.

19 We appreciate your time and if the
20 Commission has no questions, we'll turn first
21 to our first witness who is the president of
22 Washington Business Group.

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1 MR. SHARMA: Thank you, Meredith.
2 Distinguished Board, the staff, and officials,
3 a very good evening to everyone. My name is
4 Dinesh Sharma. I am president and CEO of the
5 Washington Business Group. We are a proud Ward
6 8 business. On May 5th, we celebrated our 15th
7 anniversary. We are very proud of that, too.

8 Of those 15 years, almost half of
9 the time has been in Ward 8. We are a
10 commercial real estate full service
11 development firm. In 1991, I first came to the
12 United States. I landed at Dulles Airport. I
13 went to George Washington University for my
14 graduate studies. My studies are in
15 engineering management with emphasis on
16 construction management. My undergraduate is
17 in civil engineering, Delhi, India.

18 I was employed by a very prominent
19 developer in McLean, Virginia, West Group.
20 They sponsored part of my education. I worked
21 with them from '91 through '96. At that time,
22 during my period over there I started as

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1 assistant project manager, raised to project
2 manager, and then senior project manager. I
3 worked on Freddie Mac Phase 2 project, started
4 with Phase 2 and completed Phase 3, Freddie Mac
5 Phase 3 on the Freddie Mac Phase 3 campus.

6 In '96, I came to Washington, D.C.
7 to work for a firm called RETA, Real Estate
8 Technical Advisors. I worked with them for
9 three years, rising to the vice president
10 level. In 1999, I founded Washington Business
11 Group. The corporation I founded is based on
12 three fundamentals. Number one, any project
13 that we undertake in the last 15 years, the
14 project must meet three criterias. The first
15 one is it must be good for communities. And me
16 moving our office from Vermont Avenue to Ward
17 8 in 2007 is a testament of that, that I am
18 committed. I walk the talk.

19 The second element that must be
20 there is good for environment. I want to leave
21 this world better than I received for my kids.
22 I have three beautiful kids and a lovely wife.

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1 The then finally it must be for
2 profit. We are not a nonprofit. We are not
3 there for a lot of money, but we have a payroll
4 and we need a paycheck. So once the project
5 meets those three criterias, we will undertake
6 that project.

7 Next slide, please. Thank you.

8 So on this slide, at this time like
9 to focus your attention to our screen and as you
10 will see the project and the thought, this is
11 our number two project when I started
12 Washington Business Group. This is a 480,000
13 square foot headquarters, corporate
14 headquarters building for ATF located at 99 New
15 York Avenue at the intersection of Florida
16 Avenue, N.E.

17 And down below here is 1338 North
18 Capitol Street which is only I think a little
19 less than 10,000 square feet.

20 CHAIRMAN HOOD: We are going to
21 turn the lights out.

22 MR. SHARMA: Okay. Thank you. So

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1 this is only 10,000 square feet and this is our
2 office in Ward 8. The whole building is a
3 little over -- I think it's 11,000 or something
4 like that. But the reason I picked these
5 pictures of the project for this slide is to
6 show the weight of the area. No project is too
7 small and no project is too big for me. And the
8 Wheeler Renaissance, the project that we are
9 here for tonight is right here in our sweetest
10 spot.

11 I would like to reflect back on
12 element number one, the project must be good for
13 community. This slide is dedicated to our
14 community work. I will go quickly over that in
15 2014 we founded East End Business Council in
16 Washington, D.C. to represent on this site Ward
17 8 and Ward 7 because there is no such
18 organization representing small businesses.
19 Between 2013 and 2010, we served over 500
20 Thanksgiving meals in Congress Heights.
21 That's part of our culture now and over here,
22 she's my daughter, beautiful, wonderful. She

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1 is going to UV. I'm very proud of her. She is
2 helping us. And my son is hiding somewhere
3 there, too. So this is Thanksgiving dinner
4 right here in Ward 8.

5 Then we sponsored and hosted 25 kids
6 from one nonprofit in Ward 8 for a day long
7 picnic. These kids. What we did is we rented
8 a limo and our vice president, Mr. Magrath, he's
9 sitting right here with me. He devoted the
10 whole day to take these 25 kids, many of them
11 first time in their life they touched this
12 beautiful sun and water in summer and see how
13 much fun they are having. So this was 25 kids
14 from Ward 8. We sponsored the whole day trip
15 including lunch, sorry, brunch, lunch, and the
16 afternoon snacks in our office.

17 We had four chaperones, 25 kids, and
18 four volunteers, one of the volunteers, my
19 daughter. So this is where these kids are
20 having a good time, enjoying the water. They
21 came back in the evening to our office. We
22 offered them goody bags.

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1 Then we have adopted this block,
2 Washington Business Group, and this where we
3 are doing our clean up. We have cleaned this
4 corner to extent. Before we moved over here it
5 was -- you name it, it was there, prostitution,
6 drugs, but gradually we worked and I was leading
7 that group over there physically and we have
8 cleaned this. And that's what we will do at
9 Wheeler Renaissance.

10 We are instrumental at directing
11 community center to Ward 8 which is now located
12 in our building. We hosted and participated in
13 community meetings, Ward 8 economic
14 development strategy work group, provided blue
15 market space for nonprofit organization that
16 are making positive contributions to the
17 community. Mentor-aspiring Ward 8 resident on
18 fielding new businesses including I mentor and
19 I teach George Washington MBA class right here
20 in Ward 8. They do come here as a project to
21 study Washington Business Group, our business
22 model that how a socio-economic model working

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1 in Ward 8 and making impact.

2 And when I speak about impact, this
3 is our work, but here is some stats to go on.
4 Washington Business Group efforts are bringing
5 tangible success involving the local
6 community. We have so far 11 new businesses
7 grossing over \$3 million new dollars in this
8 ward. Eighteen new jobs that were never here
9 before in the foundation site. Twenty-seven
10 indirect jobs. These are new positions at the
11 partners' clients and suppliers' location and
12 69 induced jobs, the results of increased
13 spending power of newly empowered
14 neighborhood.

15 We have and if with your blessing,
16 distinguished board, we will have a \$36 million
17 project right here in Ward 8 for this community
18 to make an economic impact.

19 So these are some of our
20 socially-responsible projects. Next slide,
21 please. Wheeler Renaissance Division. We
22 believe that Wheeler Renaissance, this mixed

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1 use, retail on the first floor and residences
2 on the upper level will act as a catalyst and
3 spark the long overdue socio-economic
4 development in this part of the city.

5 We believe this 100 percent
6 affordable project consisting of 85 absolutely
7 beautifully designed residences, green
8 building, green community standards, improved
9 storm water management, designed to
10 accommodate low and moderate income families,
11 provide much, much needed neighborhood serving
12 retail. There is none right now. The closest
13 and meaningful retail center is a good two and
14 a half, three miles which is Giant. I think it
15 was developed by William C. Smith and they
16 have a fabulous job on that retail center.
17 There is none right now.

18 ADA accessibility designed to allow
19 residents to age in place. When I say age in
20 place, we have unit as large as close to 1600
21 square feet in Wheeler Renaissance. It's not
22 happening anywhere in D.C. right now,

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1 three-bedroom units. Improved sidewalks,
2 brand new bus shelter, brand new streetscape,
3 safety, security, supporting residents with
4 business center, support training, supporting
5 local community building institution by
6 providing free conference room and meeting
7 spaces.

8 Between site maintenance,
9 security, landscaping, soil removal, building
10 facility, building property management, we
11 estimate Wheeler Renaissance itself will
12 create anywhere from 16 to 20 full-time jobs in
13 Congress Heights.

14 In addition to permanent jobs,
15 Wheeler Renaissance will create anywhere from
16 100 to 120 construction jobs and we will provide
17 job training with leading Ward 8 organizations
18 such as OIC, Opportunities Industrialization
19 Center, Ward 8 Workforce Development, and UPU.

20 Next slide, please.

21 When we bought this property,
22 that's how this property was. It was burned

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1 out, fire, empty retail, blighted, all kind of
2 activities, nondesirable. We improved this.
3 It was right now it is a one-story commercial
4 establishment. It consists of barbershop,
5 Wheeler Market, Mobile Phone, small Subway
6 shop, and so on. It was built in approximately
7 middle of 1960 and it was in very poor
8 condition.

9 Next slide, please.

10 But this is what we have done. Even
11 though we know that we are going to demo this
12 site, which was like this, we have converted to
13 this. This is what we have done even knowing
14 am I making any money over there? Absolutely
15 not. But this is doing a meaningful, serving
16 a meaningful purpose over there for safety of
17 the residents and the services providing there
18 to the community. Beautiful barbershop,
19 beautiful Metro PCS, and Wheeler Market which
20 is very much needed, a convenience store over
21 there. And I do intend to keep all of them in
22 this new development. I am committed as long

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1 as they are willing to work with me.

2 Next slide, please.

3 So it shows that this is a piece of
4 land right now. Over the period of time we have
5 acquired this whole block. We have assembled
6 the whole block, but there's no retail. We
7 need retail in this part of town.

8 Next slide, please.

9 So this is another -- we put up a
10 fence for safety, but this is how it looks now,
11 and this is what we are proposing with your
12 blessing tonight.

13 Next, please.

14 Alley, this was a trouble. They
15 were drums and drums of hazardous material when
16 we acquired. We have cleaned this thing, but
17 there is much more we have to do. When we
18 purchased, it was covered with oil drums, it
19 needed improvement, yes. And we will have a
20 state-of-the-art stormwater management at the
21 rear of the building. Manor View Condominium
22 will be looking -- right now they look on at

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1 unattractive garbage cans, but they will look
2 on a beautiful green balconies when we are done.

3 Next, please.

4 It's a property location. It's
5 Wheeler 295, Wheeler and it's pretty -- I will
6 have our architect address this more in detail.
7 The project site over the last two years or
8 more, we have acquired this whole block which
9 is absolutely ready for brand new development.
10 This is a little bit more bus routes, excellent
11 connectivity with the Metro, bus, train, bike
12 path. And I will let our traffic consultant
13 address, elaborate more on this slide.

14 Surrounding neighborhood. This is
15 Wheeler Creek estate across the street, active
16 streetscape, significant use of Metro bus. I
17 think, not sure, that we have three schools and
18 one of them is chartered right behind where we
19 are proposing Wheeler Renaissance. It's a
20 beautiful, vibrant neighborhood, but ladies
21 and gentlemen of the board, there is no retail.
22 There is no retail. The only retail we have is

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1 what I showed you at the Wheeler Renaissance.

2 Next is also -- this is a 900 Barnaby
3 Street, Southeast. Same thing. I think it's
4 a senior housing, but not sure. Again, it's a
5 beautiful community, very, very important for
6 the neighborhood, gorgeous, vibrant. Sorry,
7 no retail. We desperately need retail there.
8 And it's no secret. We all know, we need retail
9 in Ward 8, a quality, meaningful retail in Ward
10 8.

11 Next, another beautiful project
12 developed at Oxon Run. It's two blocks from,
13 two and a half blocks from Wheeler Renaissance.
14 It has half senior, half affordable, only one
15 bedroom and two bedroom. Wheeler Renaissance
16 is offering three bedrooms. No retail.

17 So the point I am trying to make over
18 here that Wheeler Renaissance will bring that
19 much needed quality retail for this part of
20 town.

21 Community outreach. Since March
22 2013, we have met with various community

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1 leaders including ANC Commissioners, Ward 8
2 Council Members, various neighborhood
3 organizations, local businesses,
4 stakeholders, etcetera. We are very grateful
5 for their overwhelming support for the Wheeler
6 Renaissance documented in the attached letters
7 and we have also engaged Chosen Consulting to
8 reach out even further.

9 Next slide, please. Thank you.

10 Zoning Map. As of now, this is C1
11 and I humbly request to distinguished board,
12 please allow us with C2B. We need this to make
13 meaningful effect, meaningful impact on this
14 part of town. Thank you.

15 Next slide, please.

16 Community benefit. This project
17 is loaded with community benefits.
18 Eighty-five, 100 percent affordable
19 residences. Green community design. Our
20 goal is to be the greenest city in the world.
21 We have -- it is a requirement for public money,
22 it has to comply with the Green Community Design

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1 and we all know that GCD application is due on
2 June 2nd. We do intend to apply for that money
3 with your blessing tonight.

4 The green roof will soak up most of
5 the water. We have porous pavers will soak up
6 many of the water on the ground. As of today,
7 I am not aware of any stormwater management.
8 The rundown goes straight into the creek and the
9 streets. There is no management of that
10 stormwater. We are proposing a brand new
11 state-of-the-art stormwater management for
12 this community.

13 We have on-site job training and
14 there are multiple letters from United Planning
15 Organization from Ward 8 Workforce Development
16 Council and from OIC to name a few willing,
17 ready, able to provide a meaningful job
18 training over there on this project. I would
19 like to read from a couple of links. Okay,
20 thank you.

21 So those are on-the-jobsite
22 training employment opportunities, community

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1 -- they all will be done by Ward 8
2 organizations. No one is coming outside of the
3 ward. They all will be right there. They are
4 our partners. They will provide job training
5 right there in Ward 8. Employment
6 opportunities, community development,
7 economic development, yes, it will spark that
8 long-needed socio-economic development in that
9 part of town. Upgraded stormwater management.
10 We will have this new water retention pond
11 there. Metro bus shelter, community accessible
12 smart transit screen. That will be right in
13 the main lobby of Wheeler Renaissance. So if
14 a lady with two kids and a stroller, doesn't
15 need to go out and wait for a bus. Barnaby
16 Street doesn't even have a shed right now, bus
17 shelter. We are proposing a brand new shelter
18 as part of our community benefit package. And
19 with the transit screen right in the lobby where
20 you can sit and seconds before the bus arrives,
21 a person can have the kids, take them to the bus,
22 no need to sit in the snow or sun.

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1 Safer and brighter streetscape
2 includes 24/7 surveillance. We are proposing
3 bright lighting on alley. Right now there is
4 none. We have put some temporary lighting on
5 the retail center right now for customer and
6 public safety. But we will replace them with
7 brand new lighting on the street and on alley
8 and with brand new trees suitable for
9 Washington, D.C. environment. BikeShare is a
10 big part of this project, so this project is
11 loaded with community benefits.

12 Next slide, please.

13 The construction or the development
14 of this project has been a long process. For
15 over the last two years, we have assembled this
16 large piece of land now Phase 1 which will
17 include -- one slide back, please. No, next
18 one.

19 This is the Phase 1 of this project
20 where we will build three retail shops and move
21 the existing tenants back here and with some
22 temporary arrangements, if needed. They will

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1 occupy this brand new newly constructed retail
2 space. We already have a permit in place.
3 Then we will demo the existing retail and build
4 this will be Phase 2 of the project. And then
5 this will be the Phase 3, the residential part.
6 So Phase 1, Phase 2, Phase 3. That's how we
7 plan to build this thing.

8 The financing for Phase 1 and 2 is
9 in place which is commercial financing. This
10 is the financing we need to apply on June 2nd,
11 Monday, by 5 p.m. for DFCD money. And we will
12 need approval for that and I have a request for
13 that, please.

14 And then the timeline seems to be
15 that if we start construction in 2014 because
16 we already have the foundation and grade permit
17 in place by spring of 2015, we should be able
18 to complete the Phase 1 and Phase 2 and then we
19 continue with Phase 3 which is the residential
20 part of this thing.

21 With this, I will conclude my
22 testimony and I am gracious for the opportunity

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1 to present this evening and respectfully
2 request an approval to present with our
3 application for financing of Phase 3. I will
4 be available for any questions. Thank you.

5 MS. MOLDENHAUR: At this point in
6 time, we'll turn it over to the architect,
7 Sassan Gharai from SGA.

8 MR. GHARAI: Hello, good evening.
9 My name is Sassan Gharai. I am the architect
10 and principal of SGA companies.

11 MS. SCHELLIN: Sir, if you could
12 please speak loud.

13 MR. GHARAI: Okay, got it.

14 MS. SCHELLIN: Thank you.

15 MR. GHARAI: So I'm going to first
16 focus on the layout of the existing site. The
17 site, Wheeler Road is a major commuter
18 thoroughfare. It's a pretty busy street. The
19 site is bounded on two sides by 20-foot wide
20 public alleys and the fourth side is defined by
21 Barnaby Street.

22 The existing building is about

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1 9,000 square feet and it's on the site right
2 now. The property is set up right now as sort
3 of a typical suburban mall where you have a
4 strip center with parking in front and this is
5 essentially an abandoned lot at the moment.
6 Back here, there is the Manor View
7 Condominiums. And one of their main accesses
8 to that parking is through this public alley
9 right here. And there are three stores
10 currently here at the moment. They're in
11 operation that are going to be moved over into
12 the new building that should break ground
13 imminently.

14 We can go to the next image.

15 This is the building that we're
16 proposing to put on site. And this -- the site
17 that faces Wheeler Road is the main retail side.
18 The building has its residential entry right on
19 the corner. There's some major picture window
20 looking into the lobby here. This side going
21 down Barnaby Street is -- it's not the public
22 face of the building. There's a loading dock

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1 here. The bus stop is going to go here and the
2 BikeShare is going to go right on the corner
3 right here where I'm circling around it.

4 The building also has a penthouse
5 that from the street view when you stand on the
6 street it's basically -- it's presenting to the
7 street as a six-story building. Nearly all the
8 apartments, all the units have a little bit of
9 outdoor space and there's also another bus stop
10 in front of the retail spaces on Wheeler Road
11 itself.

12 One of the interesting things about
13 Wheeler Road along this location is there is a
14 certain amount of what I call urban street life
15 that is already there and I think encouraging
16 that sort of street life and having people come
17 and go is something that is going to help in the
18 overall development of this area. And you've
19 seen it in other parts of the city life, for
20 example H Street. But one of the things that
21 is critical to having that kind of development
22 take place is density -- is creating this kind

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1 of density and the intensity of the density is
2 important, too.

3 Let's go on to the next slide.

4 This is the proposed overall site
5 plan. You can see this is the 20-foot side
6 alley on the side. This will stay as is. It's
7 going to be a two-way means of accessing the
8 parking in the rear. We don't have, I mean for
9 obvious financial reasons, we're not putting in
10 underground parking, but there are some other
11 issues with not putting in underground parking
12 that I think helps create more of a sense of
13 community and increases the need for the people
14 who live in this building and this neighborhood
15 to really use public transportation. I think
16 the increased use of public transportation in
17 the long term is going to give us a healthier,
18 more vibrant city.

19 The other thing that's interesting
20 about the way we've laid the building out is
21 that we have well, I can't say that we did this
22 deliberately, we have building restriction

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1 lines so in the front of the property. What
2 this does though is it gives us these
3 wonderfully deep sidewalks that are -- this is
4 about 15 feet here. So we've got close to 30
5 feet of sidewalk depth which allows you to have
6 street trees. It allows you to have the
7 BikeShare module over here, the bus stop, and
8 another bus stop over here.

9 It allows a gracious depth for the
10 retail to sit behind.

11 The other big thing about the site
12 plan that I really want to point out is security
13 back here, this is going to be -- this is going
14 to have 24/7 video surveillance. There is also
15 going to be somebody that sits at the reception
16 desk so there will always be a presence in this
17 building. It's not going to ever be like an
18 empty, deserted building.

19 The other thing that I'll show you
20 later on is along this what is essentially a
21 blank wall, that it's going to be an extremely
22 long opportunity for public art. And I think

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1 public art in this community is really, really
2 important. It's a place-making piece of art.
3 And I think it's something that creates a sense
4 of home for both the people who live here, but
5 also for the people passing through. It sticks
6 in your mind as the marker of this building.

7 Let's go on to the next image.

8 So this is what the first floor of
9 the building is going to look like. This area
10 that I'm pointing to is going to be the first
11 phase. We currently have a foundation permit
12 and construction is imminent to start this
13 summer and this will be built first. The next
14 section which is Phase 2 is a bit more retail
15 space and then finally this section here is the
16 section for the residential services.

17 And if we go to the next slide, I can
18 talk about that a little bit more.

19 So one of the issues with mixed-use
20 buildings is how do you have a nice entry for
21 the residences, separate entry for the retail?
22 It's really, you're really trying to have sort

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1 of a two-in-one use in a building with very
2 different needs. So the entrance for the
3 residential is right on the corner. You come
4 into a really nice main lobby, good size.
5 There is a package store. There are a couple
6 of offices like leasing offices. There's a
7 conference room. There is a business center
8 set up with computers that is also going to be
9 used for community, job training facility, as
10 well. There's trash and recycling.

11 One of the issues on all large-ish
12 buildings I should say like this is loading and
13 unloading. And we've been working through
14 that with DDOT and our transportation expert
15 will talk more about that. But you can see how
16 all of these uses are sort of packed to one side
17 so that you have, on this side on Barnaby Street
18 is the residential side of the building and then
19 the retail side presents a solid row of retail
20 to the street.

21 Let's go on to the next floor plan.

22 This floor plan shows that on the

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1 retail uses also have mezzanine space for some
2 additional storage and office space. Our
3 retail is generously proportioned. There's a
4 mixture of large spaces down here and some
5 smaller spaces, so hopefully, we'll get a mix
6 of tenants.

7 And let's move on to the next image.

8 Now we get to the unit mix which is
9 always a really anxiety-driven process
10 whenever you put a building like this together
11 because there are literally millions of
12 combinations. But one of the things that we
13 did was we looked at doing these corner units
14 are all three-bedroom units. And I'll show you
15 on the next slide what they look like in more
16 detail, but they're generously proportioned
17 units.

18 Too often what happens with
19 affordable housing is that you get sort of
20 little -- one way to get to affordable housing
21 is to build really small units and one of the
22 things that we looked at doing here was really

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1 getting a mix so that when you are young, you
2 live in a studio. I personally, that was the
3 happiest days of my life when I lived in a
4 studio. And then you sort of move on to a one
5 bedroom, a two bedroom, and then you know, once
6 you get into the two and the three bedroom
7 range, it's enough space for a family. And
8 even the two bedrooms, some of the two bedrooms
9 are over a thousand square feet.

10 We've got some tight two bedrooms as
11 well that are right at 720 square feet which I
12 kind of call a New York two bedroom. But it
13 still functions as a two bedroom apartment.

14 Let's go on to the next slide. If
15 you look at this unit in this corner, you can
16 see -- that's a king size bed. This is a really
17 generous bedroom. You don't feel like this is
18 a jail cell. This unit also has a really nice
19 balcony, a good size kitchen with lots of
20 storage cabinetry above it. A second bedroom,
21 again, a good size bedroom. Also, all of our
22 units in this building are ADA Type A or B units.

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1 We've got the required amount of Type A ADA
2 units. But the proportions are generous. You
3 don't feel like you're somehow in a
4 straitjacket of the space.

5 The other thing that I think is
6 interesting, too, is so often on floors of
7 apartment buildings you don't really get to
8 know your neighbors. And one of the things
9 that again we added as an amenity is on each
10 floor there's a community space that can be used
11 as a game room or a television room or I'm sure
12 there will be different uses for different
13 floors. But again, it's something that brings
14 people together. It's an amenity to everybody
15 in the building.

16 And more importantly, it's
17 something that helps bring the building
18 together. When you do a building of this size,
19 a sense of community between the retailers, the
20 people who live there, and the wider
21 neighborhood starts to develop. And you know,
22 the ultimate goal, of course, is that this will

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1 encourage other developers to take on projects
2 like this.

3 So let's go to the next image.

4 The floor plans three through six
5 are identical. The one thing that's different
6 is on the second floor, there's a green roof and
7 there's a setback that you can see here with
8 balconies overlooking the green roof. We did
9 this for a number of reasons. One of them we
10 wanted a solid street facade. We often think
11 of the urban street as a room and when you have
12 buildings that are set back or disjointed, it
13 sort of ruins the proportions and the feeling
14 of that room. It doesn't help enclose your
15 street.

16 And then the other reason we did
17 this over here, we set this back is behind us
18 are the Manor View buildings and they're about
19 four stories. And you know, there's a little
20 bit of a height difference, but given the
21 setback here and the width of the alley and the
22 fact that their buildings don't start on the

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1 property line, there's enough of a gap so that
2 this doesn't feel like you're up against a
3 skyscraper.

4 Let's move on to the next one. This
5 is the roof deck and the roof is mostly covered
6 with this area here, this shaded area is a green
7 roof. This area here, this hatched area is a
8 running track or a walking track as the case may
9 be. There's outside space. There's a
10 children's play area. There is also my
11 favorite feature is a putting green over here.
12 Right there. There's a tiny little putting
13 green which -- and we're going to design some
14 features around the putting green to imitate
15 nature. There's also some outdoor space.

16 The roof again it's an amenity.
17 It's so that if you live in an apartment, and
18 you need wider space, you need fresh air, this
19 is where you go to get that.

20 Let's move on to the next image.

21 Okay, so let's go to the next image
22 or should I start?

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1 MS. MOLDENHAUR: Can you address
2 the setback?

3 MR. GHARAI: Oh, yes, yes, yes.
4 The setback issue. Let's talk about that.
5 When you do a penthouse, per the zoning code,
6 the height of the -- the setback from the edge
7 of the roof needs to equal the height of the
8 penthouse. And there's one location over here
9 where we are one foot nine short and we're
10 actually ten inches short over here. And we
11 moved this around to make it -- to try and make
12 this work. I mean originally we had this right
13 up against the edge here. And we moved this
14 around to make the relief as small as possible.
15 But this is one of the areas of relief that we're
16 seeking is the incremental one foot nine inches
17 that we need in order to meet the edge of roof
18 setback requirement.

19 And now we can move on.

20 Again, this is the roof and one of
21 the things that was -- one of the great ideas
22 that sort of came out through this process is

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1 the compressors. We have tucked the
2 compressors in for the HVAC equipment
3 underneath this penthouse roof as well. We've
4 hung it off the ceiling of this penthouse. The
5 compressors, they make quite a bit of noise and
6 tucking them inside makes this roof a lot more
7 quiet and it's just when you -- there are
8 portions of this area where you know you're on
9 a hill or you're approaching this building and
10 you can see the top of the roof and this is just
11 a more attractive way of dealing with your roof
12 scape than just having it be I call it a
13 condenser farm. And I'm not guilty of that,
14 but this was -- I was really happy with this.
15 This is a really nice roof layout. It's clean.
16 It's got a lot of green space on it and I think
17 that it really, really works.

18 Let's move on.

19 This is sort of an aerial view
20 showing you how the streetscape works. You can
21 see the line of trees. This is where the
22 BikeShare goes. Over here, we have this corner

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1 tower feature that grounds the entry. So often
2 in our day and age it's hard to know where the
3 entry is to a building and I don't think there's
4 going to be any mistake that this here is the
5 residential entry. Big picture window letting
6 light into the residential lobby. And then
7 down here we have the loading dock tucked away.
8 And then tucked away behind the building is the
9 parking for the building. And we have a
10 mixture of glass, balconies, metal balconies.

11 Nearly all of the units have access
12 to exterior space. I want to say all of them,
13 but I'm not 100 percent sure. I'm pretty sure
14 all of them do though. So let's move on.

15 This is the front facade. One of
16 the things we've got, we've got a base to the
17 building and in a minute I'm going to show you
18 the materials. This is a brick base. The
19 edge, this tower is defined with metal and a
20 curtain wall system which we have a sample up
21 here as well. One of my favorite features on
22 this building is the porcelain tile rain

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1 screen. It is very hard to pick that on a
2 rendering like this, but in real life the
3 porcelain tile rain screen is a fantastic
4 looking, very clean, very unique way of
5 cladding this building that will last a long
6 time. And one of the problems with affordable
7 housing is that you do this building, you put
8 all this time and effort into this building and
9 ultimately you struggle with materials that
10 aren't really intended for super long-term use.
11 But porcelain is. This porcelain will last a
12 very long time.

13 You can also see the roof deck.
14 There's some greenery up here and the
15 storefronts, they're lined up. There's lots
16 of glass. At night, these will be well lit.
17 They'll help light the street and help create
18 what I call -- I call it street life. But it's
19 a vibrancy and density that you really need.
20 And over here, we have the side view. This is
21 the residential entry. Again, this is a brick
22 base along here. This is the bus stop. And

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1 again, we have the rain screen pretty much
2 covering this entire facade. And then there's
3 a sort of stopping point with this vertical
4 feature that is a tower that makes you want to
5 come into the residential portion of the
6 building.

7 Let's move on to the next screen.

8 This is the rear facade. And this
9 section here is recessed. It's an expansive
10 rain screen. Then along the bottom is the
11 brick. This area will be well lit. There are
12 doors going into the property so the retailers
13 can come in and go from behind the building.

14 Let's move on.

15 This is another one of my absolute
16 favorite features on this building which is the
17 street art. This is the alley view and the idea
18 is that we would find somebody local and through
19 hiring them to something like this, it's a
20 significant piece of art. It's a significant
21 facade. It will be remembered and it's just a
22 wonderful, wonderful thing to do.

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1 Let's move on.

2 This pretty much wraps up my
3 testimony here on this facade. Oh, these are
4 views just showing how the penthouse is set back
5 enough so that if you're across the street on
6 Wheeler Road, you really experience this as a
7 six-story building and not as a seven-story
8 building.

9 Let's move on.

10 Let's talk about materials. We
11 have these boards. I'm not sure how to bring
12 them up to you, whether I should put them on --
13 pardon? I mean I don't know if I can just put
14 them on the dais in front of you. So I was going
15 to do that.

16 Yes, okay. So should I stand up and
17 point out each of the materials to you? Is that
18 the best way to do this?

19 CHAIRMAN HOOD: You can just call
20 out the name and if we want to return and look
21 at it.

22 MR. GHARAI: Okay, all right. I

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1 got it. So let's see. So on the board over
2 there you have an example of the porcelain tile
3 that we're going to use. There's some cement
4 board. We have two types of brick that this
5 brick here that is also on the boards basically
6 forms the base of the building. We have three
7 types of porcelain tile that are sort of in the
8 same hue and family color wise, but they're
9 subtlety different and it helps, it helps
10 basically break the building up. But also the
11 other thing that's wonderful about this
12 porcelain tile is the size that it comes in. It
13 sort of helps with the grid that it forms. It
14 helps to materialize the facade a little bit.

15 It still -- I can't hide a six-story
16 building and I'm not pretending to, but by using
17 different materials, alternating the colors,
18 having a strong base, covering the base with --
19 there's a piece of synthetic trim that goes
20 across the top of the brick and that ends the
21 retail section and then it goes up into the
22 porcelain tile.

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1 There's an example of the curtain
2 wall as well and then we also have some
3 decorative metal canopies on the property as
4 well. And that -- I think that just about wraps
5 me up.

6 These are sections that are just
7 here. If there are questions later on and --
8 oh, I quickly want to touch on this. I feel
9 like I'm running out of time. But the GAR
10 requirements, so the parking, currently this
11 site is completely impervious. And basically
12 what we're replacing it with is -- it's going
13 to be about 70 percent green roof by the time
14 we're done. And the parking is being done with
15 pervious pavers. And underneath it, there's
16 going to be right along here, we've snuck in an
17 underground stormwater management system.

18 Let's move on.

19 And we're using native trees,
20 native plants and also on there was that block
21 I just gave you. That's the green roof as well.
22 I gave you that as well up there.

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1 And this drawing just basically
2 shows -- this is -- let's go back, sorry. This
3 is the bus shelter, bike racks, Capital
4 BikeShare and their location along the
5 residential facade.

6 I am going to turn this over to our
7 transportation consultant. Thank you very
8 much.

9 MR. ANDRES: Good evening,
10 Chairman Hood, members of the Commission. My
11 name is Erwin Andres of Grove/Slade Associates.

12 Chairman Hood, given your comments
13 at the beginning focusing this presentation on
14 architecture, I will go as quickly as I can
15 through my slides. It's important that I
16 highlight some items related to the transit.

17 With respect to the transit, the
18 slide is I guess skewed, but it's important to
19 note that the site is located approximately a
20 mile from Congress Heights and Southern Avenue
21 Metro rail stations. Even though the site is
22 about a mile away, it is still well served by

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1 transit because of the fact there are 18 Metro
2 bus routes that are accessible within a quarter
3 mile which is approximately a five-minute walk
4 from the site. In addition to that, there's
5 also two bus routes which are Prince George's
6 County routes.

7 The site plan, some of the important
8 transportation elements that I want to
9 highlight, there is an existing bus stop that
10 we're maintaining. There is an existing bus
11 stop on Barnaby Street which is located
12 further south that we're relocating slightly
13 further north. And the reason for that is
14 because we are in the process of coordinating
15 with both WMATA and DDOT in relocating that bus
16 stop. And the reason for that is because we're
17 providing an on street loading area that would
18 be managed by the applicant through an
19 extension loading management plan that we have
20 agreed to with DDOT.

21 DDOT also in their review letter
22 identified several other loading management

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1 elements that the applicant has agreed to as
2 well.

3 With respect to TDM, as you're all
4 aware, this project incorporates an extensive
5 TDM program which the applicant has agreed to,
6 everything from the basics that include
7 identifying a TDM coordinator to some of the two
8 elements which we will coordinate with DDOT
9 beyond this hearing process. And the two items
10 are number five, the Capital BikeShare station.
11 In DDOT's review letter, they identified that
12 the space that we've allocated for the Capital
13 BikeShare station is not big enough so we will
14 continue to work with them through the public
15 space process to identify a location that is big
16 enough and that is appropriate. So that's one
17 element that we're going to continue to work
18 with DDOT. The other is the relocation of the
19 bus stop that I identified on Barnaby Street
20 where we're going to relocate the bus stop in
21 order to accommodate an on-street loading area.

22 With respect to the relief sought,

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1 there's two transportation-related relief that
2 we're seeking. The first is parking. Based
3 on the current zoning regs, the requirement is
4 85 spaces and we're -- excuse me, oh, 43 spaces.
5 And what's provided is 25 spaces. Essentially
6 with the new zoning rewrite regs, the
7 requirement is actually going to be 22 spaces.
8 So although we don't meet the current zoning
9 regs with the zoning rewrite regulations we
10 would meet the zoning regulations.

11 With respect to loading, some of the
12 elements of the loading which include the 55
13 berth, 55-foot berth and a 20-foot service
14 space. We're looking to accommodate these
15 loading activities on street which DDOT agrees
16 can be accommodated with some of the additional
17 loading management plan elements that we've
18 identified and that they've identified.

19 With respect to the loading relief,
20 I think there are a couple of elements here.
21 The first bullet is the loading management plan
22 that we came up with. We believe there was a

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1 plan that's workable and enforceable. DDOT
2 came up with number two which is letters A
3 through F which they identified that we should
4 incorporate in addition to the existing loading
5 management plan that we identified. And the
6 applicant has agreed to implement points A
7 through F. And number three, is again
8 something that we've identified earlier which
9 is coordinating with DDOT WMATA on the
10 relocation of the bus stop.

11 With respect to parking relief, we
12 believe that the existing demographics can help
13 support the parking relief requested. Car
14 ownership within this census tract consists of
15 70 percent of the renters in a census tract
16 where this project is located currently do not
17 own a car.

18 In addition to that, of the people
19 who do live in that census tract, only 33
20 percent of them drive to work or carpool to
21 work. So the majority of residents currently
22 in the area are choosing to use transit most

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1 likely out of necessity.

2 With respect to the transit service
3 that I identified there are two bus corridors
4 -- actually, there are a couple bus lines that
5 contribute to WMATA's priority bus corridors,
6 the A2 and the A6 line are two bus lines that
7 are priority bus lines. And actually those are
8 the two bus lines that allow us to take a 25
9 percent credit as part of the new zoning
10 rewrite. We are also implementing a TDM plan
11 and in addition to that we did on-street parking
12 counts and we've identified that there is only
13 about 50 percent of the parking on street in the
14 neighborhood are currently at peak
15 utilization. So about half of the parking is
16 available at all times.

17 And the last item is the site itself
18 is not eligible for residential parking permit
19 because it's on Wheeler Road which is a
20 commercial street. So essentially the last
21 item I want to finish up with, DDOT's comments
22 which we agree with, some of these elements I've

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1 raised and I will continue to go through these
2 real quick. One is relocating a bus stop.
3 We're looking to coordinate with DDOT. We're
4 implementing their loading management plan
5 elements that they added on. We're working
6 with DDOT to identify location for the
7 BikeShare station and also working with them on
8 the relocated bus shelter. In addition to
9 that, we are identifying some signal timing
10 changes that we will continue to coordinate
11 with them for the public space process. Thank
12 you.

13 MS. MOLDENHAUR: We just have one
14 more very quick witness and then we would
15 conclude our testimony.

16 CHAIRMAN HOOD: Typically,
17 regulations say you have 60 minutes. As you
18 know, Ms. Moldenhaur, because if there was a
19 party in this case that had opposition, then
20 that would cause a problem. Since it's Ms.
21 Richardson and if we do have some issues, we
22 will deal with that accordingly, but I know this

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1 is probably your first PUD, but typically 60
2 minutes and we really stick to the time limit.

3 MS. MOLDENHAUR: She can testify as
4 an individual in support if that would be more
5 appropriate.

6 CHAIRMAN HOOD: Is she part of your
7 presentation, did you all rehearse this?

8 MS. MOLDENHAUR: She has written
9 testimony.

10 CHAIRMAN HOOD: But I'm asking you,
11 did you rehearse it? Normally, when you come
12 down in front of us, they usually rehearse and
13 I usually ask how much time did it take?

14 MS. MOLDENHAUR: We rehearsed and
15 we were right on 60 minutes, but obviously --

16 CHAIRMAN HOOD: Right on 60
17 minutes, minus Ms. Richardson?

18 MS. MOLDENHAUR: No, with Ms.
19 Richardson.

20 CHAIRMAN HOOD: I wonder what
21 happened. But anyway, Ms. Richardson, you can
22 go ahead.

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1 MS. RICHARDSON: Good evening,
2 Chairman Hood. It's nice to see you again and
3 good evening to all the distinguished -- hi, Mr.
4 May, all the distinguished Commissioners --

5 CHAIRMAN HOOD: We don't usually
6 get that nice of a presentation. Thank you.
7 You go right ahead.

8 MS. RICHARDSON: All right, all
9 right. My testimony is very short and sweet.

10 Good evening, my name is Brenda Lee
11 Richardson. I am a resident of Ward 8. My
12 company is Chosen Consulting, LLC. I provided
13 government relations services and some
14 community engagement on behalf of the
15 Washington Business Group from April 2013 to
16 August 2013 and during that period I attended
17 a lot of meetings. I just wanted to share in
18 closing there will be more community outreach
19 by continuing to attend monthly meetings and
20 hosting roundtable discussions on public
21 safety, green living, etcetera. There will be
22 two possible roundtables that will include

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1 emerging economic development and its impact on
2 Congress Heights as well as jobs, joining our
3 brothers and sons, building neighborhoods one
4 family at a time.

5 The Washington Business Group is
6 devoted to being a strong community activist
7 and providing a project that the entire
8 community can be proud of. Thank you for your
9 time.

10 MS. MOLDENHAUR: That concludes
11 our presentation. Thank you.

12 CHAIRMAN HOOD: Thank you.
13 Commissioners, let's open up for any questions.
14 Let me just see by a show of hands, is there
15 anyone here who is going to testify as a person
16 or an organization in support? Okay. Is
17 there anyone here who is going to testify as a
18 person or organization in opposition. Okay.
19 Thank you.

20 Let's open it up for questions.
21 Commissioner Miller?

22 COMMISSIONER MILLER: Thank you,

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1 Mr. Chairman. I might just have a couple of
2 questions, but I mostly just have comments. I
3 wanted to comment the applicant on all your
4 community outreach, continuing community
5 outreach. I think that that's great. I
6 really think overall it's a fantastic project,
7 the all affordable housing, the diversity of
8 units with the larger units is just really --
9 fulfills a need both in this community and a
10 city-wide need.

11 So on a site that was formally
12 blighted and vacant and bringing retail, as you
13 said, Mr. Sharma, that is badly needed in this
14 neighborhood and retaining the retail as you do
15 the construction, I think that that's an
16 important amenity as well to keep the
17 neighborhood serving retail while the building
18 is being constructed and then moving them back
19 in to the larger building once it's complete.

20 You have made some modifications, I
21 think as a result of concerns expressed by OP
22 and DDOT or the Zoning Commissioners at setdown

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1 including modifying and increasing the roof
2 setbacks and giving more details on the
3 renderings in general.

4 I personally think, and there are
5 five of us up here and we all have different
6 opinions which is why you'll hear all of them,
7 but I personally it looks great and that it's
8 providing a lot of amenities within -- both
9 within the building and for the larger
10 community as well, the porcelain tile rain
11 screen that you pointed out, Mr. Sharma, the art
12 mural.

13 The two green roofs, I'm having
14 trouble visualizing. Maybe it's in one of the
15 packets. The second floor level green roof,
16 was there an illustration of that that you can
17 point me to?

18 MR. GHARAI: Yes, I'll show you
19 where that is. If you go to -- it's the rear
20 elevation. It's the south building elevation
21 --

22 COMMISSIONER MILLER: You're in

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1 the May 9th submission by the applicant.

2 MR. GHARAI: It's A204.

3 COMMISSIONER MILLER: A204, okay.

4 MR. GHARAI: Yes, you'll see it on
5 A204. If you look at the section, you'll see
6 that there is an open area on top of the
7 mezzanine over the retail.

8 MR. SHARMA: Slide 29 depicted
9 where it says tied to the sixth floor, slide 29.

10 COMMISSIONER MILLER: The slide
11 that you had tonight?

12 MR. SHARMA: Yes. It's number 29.
13 It shows the floor plan third through sixth
14 floor and the green roof below.

15 MR. GHARAI: Yes, that's good.

16 COMMISSIONER MILLER: Okay, so I
17 see it. That's kind of an architectural
18 rendering. I was -- it's my untrained
19 architectural, non-architectural eyes I was
20 looking for if you had it or if you can provide
21 it at some point, not tonight what it would
22 actually look like from a vantage point where

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1 you would see it from one of the second floor
2 units or from a higher level or from across the
3 street or whatever. That would be good. I was
4 just having trouble visualizing what it looked
5 like.

6 So I like all the balconies and the
7 large size of them. I like the clean green,
8 active and attractive roof. So in one of the
9 renderings it was hard to -- one of the
10 illustrative renderings it didn't quite look
11 like a one-to-one setback, but I see on your
12 other exhibits that it's all but one foot, you
13 said and it's all short one foot and nine inches
14 or something. I'll leave it to our
15 architectural eyes on this dais to confirm that
16 that actually is happening because on the
17 illustration, it looked almost -- it still
18 looked pretty close to the edge of the building,
19 but I see on the roof plan that there's -- and
20 the penthouse plan, that there's a lot of space
21 up there that's separated from the -- and to the
22 six-story building.

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1 Anyway, I guess I don't have any
2 comments other than maybe looking and getting
3 an illustrative rendering of the second floor
4 green roof and if I have other questions I'll
5 come back to it later. Thank you very much for
6 your presentation. I really appreciate it.

7 CHAIRMAN HOOD: Okay, who would
8 like to go next? Vice Chair? Mr. Turnbull,
9 would you like to go next?

10 COMMISSIONER TURNBULL: If you'd
11 like.

12 CHAIRMAN HOOD: The Vice Chair
13 would like for you to go next.

14 COMMISSIONER TURNBULL: Does the
15 Vice Chair want to go next?

16 VICE CHAIR COHEN: No, I want you
17 to.

18 COMMISSIONER TURNBULL: Okay.
19 Well, thank you for your presentation and it
20 echoes a lot of the comments that Commissioner
21 Miller had said. But let me -- I've still got
22 -- I'm a little troubled by -- I think you had

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1 mentioned that the condos north of the alley
2 were four stories? I mean well, let's take a
3 look at slide 16. It's a rendering of a corner
4 of a building. Those look like two-story units
5 across the alley.

6 MR. GHARAI: Oh, yes. That is not
7 drawn right. The Manor View are - -I'm sure
8 they're three story and then they have -- do we
9 have a picture of Manor View handy that we could
10 hand out.

11 COMMISSIONER TURNBULL: I guess
12 what I'd like to see is either a section or a
13 rendering through the alley showing the heights
14 of those buildings as related to what we're
15 seeing with the new structure.

16 What I'm concerned about is on the
17 alley, the impact on the neighbors across that
18 alley. I'm assuming you're going to have trash
19 pickup at the back of this?

20 MR. GHARAI: Well, no. Actually,
21 the way trash pickup is going to work if we go
22 to the image with the lobby, can we go

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1 backwards, Erwin? Show me the lobby view. Go
2 forward one more. Okay, so the trash,
3 recycling and there's a chute that drops all the
4 trash down there. So what's going to happen
5 with the trash is I was sensitive to how trash
6 got picked up. What kind of happens is there
7 is enough room for the truck to pull up
8 alongside here and the trash will get loaded
9 into -- out of the trash room and into there.
10 It's not going to be through the alley. We're
11 not going to have trash pickup through the
12 alley.

13 COMMISSIONER TURNBULL: Okay.

14 MS. MOLDENHAUR: And can I just --
15 it might help you if you go to the larger
16 pictures that you have on page 3, number 7 on
17 the top lefthand corner, provides an actual
18 image of Manor View top lefthand corner, number
19 7 on page 3 which is -- number 7, the top
20 lefthand corner shows --

21 COMMISSIONER TURNBULL: No, that's
22 not good enough.

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1 MS. MOLDENHAUR: I was just wanted
2 to point --

3 COMMISSIONER TURNBULL: No, that's
4 not good enough.

5 MS. MOLDENHAUR: I wanted to point
6 out --

7 COMMISSIONER TURNBULL: I know.
8 I've seen that. I want to see how this relates
9 to the building and what the people across the
10 alley are going to see when they look up at your
11 building. I was concerned about the overall
12 look. I'm concerned about what they're going
13 to see. You've got parking under, you've got
14 lighting, you've got emergency lighting for
15 security lighting. It's going to be down
16 light, I assume?

17 MR. GHARAI: Yes, it's going to
18 have cut offs.

19 COMMISSIONER TURNBULL: I'd like
20 to know exactly what's going on. What I'm
21 concerned about is the neighbors, the existing
22 neighbors there, how much impact it's going to

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1 have on them, okay?

2 CHAIRMAN HOOD: Mr. Turnbull, let
3 me just ask because that's one of the questions
4 I would like to see. I didn't see that and
5 typically we get that.

6 COMMISSIONER TURNBULL: Right.

7 CHAIRMAN HOOD: And a little more
8 than that. I want to see how this building is
9 going to fit with the character of the
10 surrounding neighborhood. I want to see
11 different views of how as Mr. Turnbull said, how
12 the folks who live across the street are going
13 to see it, how I'm going to see if I come across
14 the street, and how it fits down in what already
15 is there today.

16 MR. GHARAI: I understand.

17 CHAIRMAN HOOD: That's what I want
18 to see. Sorry.

19 COMMISSIONER TURNBULL: That's
20 okay. I guess getting back to your loading
21 area out there, you've also got a bus stop
22 there. Is the loading dock in the bus area? I

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1 mean WMATA typically is putting a concrete slab
2 down out in front for the buses.

3 MR. ANDRES: Mr. Turnbull, yes, the
4 plan is to work with WMATA and DDOT to move the
5 bus stop further north so we can have that
6 loading on-street loading area where it's
7 currently planned and proposed.

8 COMMISSIONER TURNBULL: Okay.

9 MR. ANDRES: We actually reached
10 out to WMATA and asked them preliminarily if
11 they had any, if there were any fatal flaws and
12 our correspondence said no. He said that he
13 thinks that the plan is workable, but we're just
14 going to have to go through and make an actual
15 application to DDOT/WMATA to relocate that bus
16 stop.

17 COMMISSIONER TURNBULL: Okay, I'm
18 just concerned you've got the bus stop, the
19 little protection, you've got -- as I say, the
20 bus stop and then you've got the loading area.
21 And it just looks like you may have a little bit
22 of a conflict there. I'd hate to see loading

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1 going into the WMATA space.

2 MR. ANDRES: Understood. With
3 respect to the commitment that the applicant is
4 making, he's actually -- well, currently
5 there's no bus shelters at all. And as part of
6 the project he is proposing to include not only
7 relocate the bus stop, but install a bus
8 shelter.

9 COMMISSIONER TURNBULL: Okay. On
10 the retail, what other retail do you see going
11 into this?

12 MR. SHARMA: If I had my way, I
13 would love to have a grocery store over there.
14 We desperately need a grocery store, CVS.
15 Reached out to them the last couple of years,
16 no response. They don't want. They want it to
17 build and that's what we are doing right now.
18 We are creating that attraction for these major
19 retailers to come over there. That's part of
20 my responsibility to create, to attract them.

21 I have an offer from 7-11. I
22 rejected that because we have Wheeler Market,

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1 a beautiful convenience store owned and
2 operated by local resident and we are keeping
3 it because yes, it was more profitable, but no.
4 So if I have my way and if I can do -- if I have
5 any control on these retailers, I would love to
6 have a grocery store over there on the larger
7 bay, but I don't know at this time.

8 COMMISSIONER TURNBULL: So right
9 now you have a barber shop.

10 MR. SHARMA: Yes.

11 COMMISSIONER TURNBULL: Metro PCS.

12 MR. SHARMA: Yes.

13 COMMISSIONER TURNBULL: And
14 Wheeler Market.

15 MR. SHARMA: And we have an alcohol
16 store which lease ends next year and we have a
17 small sub shop.

18 COMMISSIONER TURNBULL: You
19 basically have got two larger spaces that
20 you're looking to --

21 MR. SHARMA: Yes.

22 COMMISSIONER TURNBULL: And you'd

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1 like to see one of them as a -- I can't see a
2 grocery store going in. It's kind of too
3 small.

4 MR. SHARMA: Yes, and no. Yes
5 Market was an organic market, but not a popular
6 product line right now really for that part of
7 the town, but CVS I see, a CVS or Whole Market
8 has a -- but the problem is the clientele, but
9 choosing power is not in that part of town. We
10 want to grow this retail, quality retail, bring
11 the brand over there and then hopefully we'll
12 be able to attract over the time because we
13 definitely don't want liquor over there.

14 COMMISSIONER TURNBULL: Okay.
15 I'm struggling with this penthouse. It
16 doesn't really fit. There's no mechanical
17 really up there. It's like an extra floor.

18 MR. GHARAI: We tucked the
19 mechanical in the roof of it. I understand
20 what you're saying, but there are other
21 features to the --

22 COMMISSIONER TURNBULL: You tucked

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1 the mechanical where?

2 MR. GHARAI: We tucked the
3 mechanical in -- let's go to a section.

4 COMMISSIONER TURNBULL: Okay.

5 MR. GHARAI: If you go to page 25.
6 Stop right there. What we did was we tucked the
7 mechanical underneath this thing. There are
8 two aspects, there are two things that drive the
9 height of the mechanical penthouse. One --

10 COMMISSIONER TURNBULL: Hang on.
11 Let me find 25 here.

12 MS. MOLDENHAUR: On the large plans
13 is 22 which is shown --

14 COMMISSIONER TURNBULL: Oh,
15 they're both there. I think he's showing this.
16 Okay.

17 MR. GHARAI: Here we go. So if you
18 look at the top of this drawing along here, what
19 we're doing is -- well, first of all, let me say
20 this. One of the things that drives the height
21 of the mechanical rooms is the elevator overrun
22 and that's over here. So that's where we get

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1 the 12 foot 10 number.

2 The other thing is that the
3 mechanical units themselves aren't terribly
4 high, so what we did -- and also there's a rule
5 in the zoning code where your mechanical
6 penthouse is required to be at the same level.
7 You can't have differing roof heights on your
8 mechanical. So what we did was we took this 12
9 foot 10 height which we're stuck with and we ran
10 it across. We placed all the condensers --
11 we're building a platform just underneath the
12 roof and we're placing our mechanical equipment
13 in there. There's enough space and air and all
14 that good stuff to make that work.

15 And so we have this space under here
16 and one of the things that you struggle with in
17 buildings like this is you know for the smaller
18 units is to have amenities, is to have outdoor
19 space. And so that's what we've done with this
20 with the overall penthouse. We've taken what
21 is a useless mechanical space and made it into
22 a double use space. That's basically what it

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1 comes down to.

2 COMMISSIONER TURNBULL: Are these
3 all hung from the ceiling, from the concrete
4 structure?

5 MR. GHARAI: No, they sit on a
6 platform. They sit on a platform, yes. It is
7 hung from the ceiling. It is hung from the
8 ceiling, but there is a platform here that
9 erects on as well.

10 COMMISSIONER TURNBULL: And that's
11 not going to vibrate and have noise throughout
12 this whole --

13 MR. GHARAI: We're going to design
14 it so that it doesn't.

15 COMMISSIONER TURNBULL: Okay.
16 And your elevator overrun fits within this --

17 MR. GHARAI: Twelve foot ten, yes.
18 That's where the 12 foot 10 number came from.

19 COMMISSIONER TURNBULL: You can
20 talk to every other architect and tell them they
21 don't need 18 6 then.

22 MR. GHARAI: Actually, you can do

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1 that. But I think that 18 6 number has to do
2 with the zoning code and not with elevator
3 technology.

4 COMMISSIONER TURNBULL: I'm not
5 referring to a lot of architects that come
6 before us. They like more.

7 Let me go back to my notes here.
8 The porcelain tile on the building.

9 MR. GHARAI: Yes.

10 COMMISSIONER TURNBULL: What size
11 are you looking at using?

12 MR. GHARAI: I think we're looking
13 at two by four panels.

14 COMMISSIONER TURNBULL: Two feet
15 by four feet?

16 MR. GHARAI: Yes.

17 COMMISSIONER TURNBULL: How does
18 that -- what kind of a joint do you get when you
19 --

20 MR. GHARAI: That's what's great
21 about it. It's a rain screen. So it's open.

22 COMMISSIONER TURNBULL: It's open.

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1 MR. GHARAI: It's a little open
2 thing and so you don't have these issues of --
3 so it can move a little bit. It can sustain
4 that kind of thing. It doesn't crack over
5 time. It just
6 -- it's a great looking facade.

7 COMMISSIONER TURNBULL: Okay.

8 MR. GHARAI: It really is.

9 COMMISSIONER TURNBULL: Thank you,
10 Mr. Chair. Those are my questions for now.

11 CHAIRMAN HOOD: Vice Chair Cohen.

12 VICE CHAIR COHEN: Thank you, Mr.
13 Chairman.

14 I, too, had some concerns and am
15 still not totally comfortable with the
16 penthouse. It does look to me like another
17 floor and it just -- even though you showed us
18 sight lines, I wasn't confident that you showed
19 us enough sight lines. In other words, from
20 each street, so maybe that would help get me
21 over that hurdle.

22 One of the concerns that I have, a

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1 lot of activity on roofs is again the height of
2 the railing. Kids love to climb and one of the
3 worst things I have ever seen is a child fall
4 out of a window in a New York residential
5 building. They didn't have the locks on the
6 windows. They did have like an open balcony.
7 And kids, as I said, it's pretty high up for a
8 normal size adult, but the kid went over. And
9 that was a horrible sight.

10 So what kind size is the railing? I
11 noticed you had a couple of examples in the
12 submission, so can you elaborate on that?

13 MR. GHARAI: Well, by code the
14 guardrail height is 42 inches, which is -- when
15 you brought up that image of a child going over,
16 that is a horrific image. The most -- I think
17 most children, once you get -- once they get to
18 be 3'6" tall, I hope they have enough sense not
19 to go over that, but that's our -- that's -- by
20 code that's what -- I personally am comfortable
21 with that height. I mean, I think maybe this
22 becomes a building management issue of not

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1 allowing children out there by themselves, but
2 we can't design this world to be perfectly safe
3 for children. But I take your point.

4 And going to the issue of the views
5 of where you can see the penthouse, the reality
6 is that the penthouse is never going to be
7 invisible. There will be portions -- you may
8 be half a mile away from the building at a
9 certain location and you will be able to see the
10 penthouse. What we've designed the penthouse
11 to do is so that when you experience the
12 building up close and in person, even from
13 across the street, that you won't see the
14 penthouse.

15 The other people that will see the
16 penthouse, if you go down Barnaby Road and if
17 you look from the Manor View condos, they're
18 going to see the penthouse as well. They're
19 going to be able to see it because of the way
20 the building is set up and the topography.

21 So we've designed it so that when
22 you're close to the building you won't see it,

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1 but I'm not going to sit here and tell you that
2 that penthouse is invisible.

3 VICE-CHAIR COHEN: That much which
4 I'm not hoping for, but I think one of my
5 colleagues -- we have a suggestion on that.

6 MR. GHARAI: Okay.

7 VICE-CHAIR COHEN: I did not grasp
8 the construction staging. In other words, in
9 all my time that I've spent in various former
10 lives, I have never seen how you have staged
11 Phase 1, Phase 2, Phase 3 of a building. Is it
12 a single building? Seamless? It looks like a
13 very costly way of going about constructing a
14 building. And would it be more appropriate to
15 have on-site signage to continue to shop at the
16 existing stores and just to do the building in
17 one stage. I just didn't get that feeling of
18 how you're going to do this.

19 MR. SHARMA: You're right, it's --
20 but it's very common, though. I mean, it's not
21 unusual. In fact, it's very practical way. I
22 have done lot of construction. And the Phase

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1 1 is very practical, otherwise, we have to find
2 temporary trailers for retailers to move, which
3 is very expensive. We need to find a staging
4 space, which is very expensive. In this case,
5 we are fortunate that we had this vacant lot and
6 we have permit in place. So it is -- probably
7 be most efficient, like -- but planning is
8 everything.

9 And we have a tremendous
10 construction manager sitting over here with us.
11 We have thought this thing through.
12 Construction of Phase 1 is the most efficient
13 and practical way. You build this thing and
14 you provide this existing retailer their
15 permanent new location.

16 And then, yes, there is expansion
17 joint. You're absolutely right. And we move
18 on. And then all of a sudden the podium for the
19 -- under Phase 3 the podium is going to be one
20 slab. But this expansion joint is part of the
21 design. So to us it's -- you're right, it could
22 be very -- a costly way, but on this location --

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1 because we have the benefit of a vacant lot and
2 the benefit of our planning and thinking.
3 Because we applied for our permit, which is --
4 by right we can almost -- like year back or ten
5 month back, and we have it now. We are waiting
6 to start the construction.

7 VICE-CHAIR COHEN: So you're going
8 to be moving the commercial tenants, but you're
9 not going to be moving residential tenants in
10 Stage 1?

11 MR. SHARMA: No, definitely not.

12 VICE-CHAIR COHEN: Okay.

13 MR. SHARMA: It's too --

14 VICE-CHAIR COHEN: All right.
15 Okay.

16 MR. SHARMA: Yes, it has to be
17 occupancy certificate. We have to have
18 substantial --

19 VICE-CHAIR COHEN: Yes.

20 MR. SHARMA: -- completion of
21 residential. There's no way we can move that.

22 VICE-CHAIR COHEN: Okay.

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1 MR. SHARMA: That would be Phase 3.

2 VICE-CHAIR COHEN: In the DDOT
3 report they talked about the utility vaults
4 being in public space. Are you going to be able
5 to accommodate this on private space?

6 MR. SHARMA: I will let Erwin
7 address that. He's our traffic consultant.

8 MR. ANDRES: With respect to the
9 utility vault, obviously that's something that
10 we still have to coordinate with Pepco to --
11 there's a lot of issues related to the loads and
12 things of that nature that have to be worked
13 out. And obviously we're going to have to go
14 through the DDOT public space permitting in
15 order to allow for that, but it's a design
16 detail that has to be further advanced with
17 design drawings that are much further down the
18 line than where we currently are right now.

19 VICE-CHAIR COHEN: You mentioned
20 that one of the current occupants is a
21 convenience store, and I don't have a clue as
22 to what type of products they market, but

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1 because you're working with a number of
2 training organizations, isn't it possible to
3 attempt to get the existing store owner who's
4 local to expand his business and to meet some
5 of the local needs? It just appeared logical
6 to me.

7 MR. SHARMA: I completely agree
8 with you, but I'm not sure I can speak for the
9 tenant or what they will do with the business,
10 but I can definitely take your point and discuss
11 with the tenant. I take well note of it. It's
12 a very valid point. I would love to have that
13 quality, healthy eating food going on in that
14 part of town, which desperately needs that.
15 So, you're totally right.

16 VICE-CHAIR COHEN: And this tenant
17 might not be aware of all the consultants and
18 assistants they may be able to get. They not
19 have really thought about it. But if he's
20 running a successful business now, he probably
21 has the capacity.

22 Question with regard to the -- I

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1 thought I read that retail trash will be stored
2 with the residential trash, is that true, in the
3 lobby of the residential building? Did I
4 understand that properly?

5 MR. SHARMA: That's not true, but
6 I'll let Sass address that. There's no trash
7 in the lobby.

8 MR. GHARAI: There's a trash room
9 just off the loading dock, and I can show you
10 an image of it. Actually it's up there on the
11 screen right now. This is the loading dock and
12 this is the trash room right here. It's trash
13 and recycling.

14 I think what we meant by that is that
15 the residential and the retail people share the
16 same space for their trash. In some buildings
17 we've separated it, but we've -- I don't think
18 it makes a difference. I think in a condo
19 building it's an -- it becomes an issue because
20 of trash cost pick up, but in an apartment
21 building I don't think it's as much of an issue
22 because the costs of picking of the trash are

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1 absorbed by the management company. They
2 basically pay for it and then the building is
3 -- it depends on the building management. But
4 in a condo building the separation of
5 commercial and residential trash is an issue
6 sometimes.

7 VICE-CHAIR COHEN: Yes, that's why
8 I asked the question.

9 I have some really significant
10 concerns with regard to anything that has PVC
11 in it and I'm becoming much more vocal about
12 that. PVC is carcinogenic and it needs to be
13 removed from all of our building materials.
14 Yet I believe your -- what's it called, Profile?
15 The building trim.

16 MR. GHARAI: Right.

17 VICE-CHAIR COHEN: Yes, that has
18 PVC in it. Is there any other companies that
19 produce non-PVC trim?

20 MR. GHARAI: There are, and we can
21 look into that. I wasn't aware that the fine
22 point trim had PVC in it though. It may have

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1 some of the chemical components of it.

2 VICE-CHAIR COHEN: Okay. I looked
3 it up.

4 MR. GHARAI: Okay.

5 VICE-CHAIR COHEN: Okay.

6 MR. GHARAI: I will look into that.

7 VICE-CHAIR COHEN: I'm really
8 becoming a fanatic.

9 MR. GHARAI: Okay.

10 VICE-CHAIR COHEN: And in addition
11 to that, obviously you're using vinyl windows
12 and --

13 MR. GHARAI: Right.

14 VICE-CHAIR COHEN: Even though I
15 have vinyl I wish we would get away from that.
16 So I would encourage you to see if you can find
17 an alternative material there, too.

18 And then maybe you could answer this
19 question for me. I hear that you're going to
20 use Enterprise Green Communities. And then
21 you said in your presentation that you're going
22 to go LEED Gold.

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1 MR. GHARAI: I don't think I said
2 that.

3 VICE-CHAIR COHEN: I'm beginning
4 to like --

5 MR. GHARAI: No, I don't think I
6 said that.

7 VICE-CHAIR COHEN: Okay. Maybe
8 I'm --

9 MS. MOLDENHAUR: I believe it's
10 Green Residential Community, which I think
11 they're providing a parallel, which would be
12 equivalent to Gold. I believe that's what --
13 the comment was made earlier as a parallel.

14 VICE-CHAIR COHEN: Okay. So but
15 you're doing the Enterprise Communities as
16 opposed to --

17 MR. GHARAI: Right.

18 MR. SHARMA: And the reason for
19 that is DHCD money. DHCD follows Enterprise
20 Green Communities, and which is parallel to
21 LEED, but I'm not sure if it's parallel to LEED
22 Gold or Silver or Platinum, but it's parallel

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1 to LEED. This is their version of LEED.

2 VICE-CHAIR COHEN: Okay. I am
3 assuming you're going to move ahead whether you
4 get the vouchers from the Housing Authority
5 which would allow you to go in deeper subsidy.
6 The vouchers are not tied to the property, is
7 that correct? They're tied to the family, the
8 voucher program?

9 MR. SHARMA: I'm not familiar about
10 the financing. We need to get back with you on
11 that. But I don't have the expertise in that.

12 VICE-CHAIR COHEN: Okay. But you
13 will go ahead whether you have that or not,
14 correct, because then you just get a higher
15 income family? That's not going to prevent you
16 from moving ahead?

17 MR. SHARMA: It will. Today it
18 will because the market is not there. What we
19 are trying to do is create the market. Retail,
20 yes, we can go -- move forward with the retail,
21 but the cost of putting the foundation in place
22 and the cost of podium and then to build that

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1 residential, the affordable, is all -- if it's
2 a single story retail, cost is very different
3 compared to --

4 VICE-CHAIR COHEN: Well, you
5 really need to look into that because, frankly,
6 my understanding is that you probably will not
7 be able to leverage those vouchers because
8 they're not project-based, and tax credit
9 investors and debt lenders will probably not
10 underwrite to those. And I think that again
11 they're also not given a term. You get them by
12 year and they're renewed based on budget
13 availability. So I think that that's an
14 important thing for you to look into, if my
15 memory serves me correct.

16 MS. SCHELLIN: I'm not sure if I
17 understand your question, because DHCD
18 financing is not voucher financing in my
19 understanding. DHCD is a bridging financing
20 to me with Housing Finance Agency and then the
21 voucher thing comes with the tenant, which I'm
22 not -- that's on the renter side, which I have

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1 nothing to do with --

2 (Simultaneous speaking)

3 VICE-CHAIR COHEN: Right. Okay.

4 So you're not counting those vouchers to move
5 your project ahead. You will get the gap
6 financing that you're competing for. You have
7 to have that.

8 MR. SHARMA: Right. Yes.

9 VICE-CHAIR COHEN: Okay.

10 MR. SHARMA: Yes, those vouchers
11 are not in our calculation. Yes.

12 VICE-CHAIR COHEN: Okay.

13 That's --

14 MR. SHARMA: I'm sorry. I
15 misunderstood your question.

16 VICE-CHAIR COHEN: No, no, no.
17 You answered the question. Okay. Those are
18 my questions. Thank you very much.

19 CHAIRMAN HOOD: Okay. Thank you.
20 Commissioner May?

21 COMMISSIONER MAY: Yes, just a
22 couple.

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1 Well, first of all, there's a whole
2 lot to like about the project and the design,
3 and so a lot of the things I have to say are kind
4 of detail-focused, but nonetheless I think
5 important details.

6 First of all, what's the type of
7 construction? Is light gauge steel on a
8 plinth, right?

9 MR. GHARAI: Yes.

10 COMMISSIONER MAY: Okay.

11 MR. GHARAI: You're exactly right.

12 COMMISSIONER MAY: All right.

13 MR. GHARAI: That's exactly what it
14 is.

15 COMMISSIONER MAY: Yes, given the
16 height --

17 MR. GHARAI: Yes.

18 COMMISSIONER MAY: -- I figured it
19 wasn't stick.

20 MR. GHARAI: Yes.

21 COMMISSIONER MAY: So, but it's not
22 -- I don't see any columns. So, okay. That

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1 makes sense.

2 So let's go straight to the
3 construction of the penthouse, which is
4 described as the -- a platform being hung from
5 the roof of the penthouse and that's where the
6 condenser units are, right?

7 MR. GHARAI: Right.

8 COMMISSIONER MAY: Condenser
9 units are three feet tall, three-and-a-half
10 feet tall, something like that, right? Maybe
11 four. They're going to be in that interstitial
12 space? I mean, there's going to be a roof over
13 them and then there's going to be a platform?

14 MR. GHARAI: Right.

15 COMMISSIONER MAY: And so
16 basically if you have to service them, you've
17 got to crawl in there. And how do you replace
18 one?

19 MR. GHARAI: We're going to have to
20 figure that out.

21 COMMISSIONER MAY: Okay. So I
22 have a suggestion there. I mean, I understand

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1 that there's a desire to maybe limit the noise
2 that is generated by these, but it's actually
3 very common to have these things on the roofs,
4 and they're all over in every residential
5 neighborhood as well. So I mean, that -- above
6 your eight or nine-foot ceiling, whatever it
7 is, if that's where your roof membrane is. And
8 then your condensers can be above that. And
9 they're open to the sky and the wall is just at
10 12'10" all the way around.

11 MR. GHARAI: They can do that, but
12 I mean -- well, actually you can make us do that,
13 because you can grant us the relief on that. So
14 I'm --

15 COMMISSIONER MAY: I don't think
16 there's any relief needed on that versus any
17 other method.

18 MR. GHARAI: There actually is,
19 because under the Zoning Commission your roof,
20 your platform has to be --

21 COMMISSIONER MAY: No, no. The
22 height of the enclosure has to be uniform.

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1 MR. GHARAI: Right. Right.

2 COMMISSIONER MAY: Not the roof of
3 the enclosure.

4 MR. GHARAI: Okay.

5 COMMISSIONER MAY: The wall of the
6 enclosure.

7 MS. MOLDENHAUR: So it would be a
8 parapet that would surround it to the same
9 12'10".

10 COMMISSIONER MAY: Exactly. Yes.

11 MS. MOLDENHAUR: And with these
12 kind of tucked in.

13 MR. GHARAI: No, you're right. We
14 can do that.

15 COMMISSIONER MAY: Yes. Yes.
16 And I think that's just an easier solution.

17 MR. GHARAI: Yes.

18 COMMISSIONER MAY: It allows it you
19 to --

20 MR. GHARAI: I didn't
21 (simultaneous speaking) parapet.

22 COMMISSIONER MAY: -- crane in new

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1 condensers. Yes.

2 MR. GHARAI: No, that's fine.

3 COMMISSIONER MAY: Yes. I mean,
4 very often when you have large mechanical
5 units, there's not a roof on top of that
6 penthouse anyway. It's all open to the sky
7 because you've got a big cooling tower up there
8 and you got -- you need the air circulation.

9 All right. So I'll continue on the
10 penthouse topic. I do not believe this is
11 penthouse. This is a floor. And I know I saw
12 the memo in there from the Zoning
13 Administrator. Okay. I believe the Zoning
14 Administrator is wrong. The Zoning
15 Administrator is saying something without the
16 same kind of calculation that we've seen before
17 when they said that the interior space is --
18 qualifies as accessory to the outdoor space.
19 Typically what we see is outdoor space and a
20 calculation of how much space that is. And
21 then the indoor space is, I don't know, 20
22 percent or less. I forget what the definition

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1 of accessory space is. But I didn't see that
2 calculation.

3 MS. MOLDENHAUR: We can provide
4 that. And I just want to kind of want to walk
5 through what had been discussed with the Zoning
6 Administrator. It may not obviously change
7 your opinion on it, but just for I think the
8 benefit of the Board --

9 COMMISSIONER MAY: Well, let me --
10 before you do that, I'll just explain to you
11 what -- the way I've seen this justified in the
12 past and the way we have accepted it, which is
13 that you take the area of the roof that is open
14 for recreation -- which does not include a green
15 roof that you can't walk on or run on or
16 whatever. It's the patio spaces, the pool,
17 things like that. That entire area. And you
18 do a calculation of that square footage. And
19 then the calculation of the indoor space that
20 is, quote, "accessory."
21 Now, the mechanical space is not accessory.
22 The elevator overrun is not accessory. It's

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1 just like the exercise room, the changing room,
2 whatever else is in there.

3 If that indoor space is 20 percent
4 of the outdoor space in that calculation, then
5 it qualifies as accessory. And I think it's 20
6 percent. I could be wrong about the exact
7 percentage. So if what you're going to tell me
8 relates to that --

9 MS. MOLDENHAUR: It does.

10 COMMISSIONER MAY: Okay. Good.

11 MS. MOLDENHAUR: It does. So
12 typically what we've seen in the city are pools
13 that are accessory to the outdoor space and then
14 indoor space that relates to a pool. Here what
15 they're offering is something that's very
16 unique. It's an outdoor running track or
17 walking track. And so, in order to create a
18 track, one obviously needs interior space to
19 create a farther distance.

20 So the difference here is that while
21 you indicated that typically in your prior
22 experience you don't include green roofs, but

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1 the green roof here is actually integral to
2 providing a distant track around a space.
3 Otherwise, if you didn't include the green
4 roof, your track would obviously be much
5 smaller and would not obviously be able to be
6 on the outside portion of the structure.

7 So if you actually include that, I
8 believe -- and we've calculated this awhile ago
9 and I'm sorry I don't have the math right in
10 front of me, but we can provide that -- that it
11 does satisfy that typical standard of
12 percentage ratio.

13 COMMISSIONER MAY: Right. It
14 doesn't.

15 MS. MOLDENHAUR: Even if you
16 include the -- I believe the --

17 COMMISSIONER MAY: The green roof
18 -- if you can't walk on the green roof and
19 recreate on the green roof, it's not recreation
20 space. I mean, I could see if you had a potted
21 plant or something like that. And that's
22 technically a form of green roof. I mean, I can

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1 understand that being included in the overall
2 percentage of outdoor space, but if it's just
3 a green roof area, I don't believe that in the
4 past we have included that in the calculations
5 and I don't believe it would qualify here.

6 I also don't think you need to call
7 it a penthouse. Why are you even calling it a
8 penthouse? If we're going to give you a C-2-B
9 Zone, you have 90 feet of height, you're below
10 the FAR, why would we need to call it a
11 penthouse?

12 MS. MOLDENHAUR: We can obviously
13 -- if the Board deemed it appropriate, we could
14 obviously modify the application and call it a
15 story and then include it in the FAR and include
16 it in the height. As you indicated, we are
17 significantly below the requirements. But we
18 did meet with -- and then we did modify the
19 services so that it would all be accessory to
20 the outdoor walking area. But if that's
21 something that --

22 COMMISSIONER MAY: Yes, and again,

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1 the interpretation is wrong. I mean, I think
2 we're going to get into this and clarify things
3 because -- in light of the changes to the Height
4 Act and the allowance for occupied space on
5 rooftop levels. So I mean, if this were
6 happening after those regulations were in
7 place, the path might be clearer here. But
8 here I just don't see that.

9 MS. MOLDENHAUR: And I think my
10 client would be -- I mean, obviously if that's
11 something that the Board would agree with,
12 obviously that would open up the ability for
13 additional services that are currently not with
14 -- are not provided such as accessory equipment
15 or athletic equipment --

16 COMMISSIONER MAY: Yes.

17 MR. GHARAI: -- that if it was
18 deemed to be a story could be provided in that
19 space.

20 CHAIRMAN HOOD: All right. I
21 mean, I think part of the reason why the Height
22 Act was changed was to promote rooftop

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1 recreation and use. And so, I think that
2 that's -- and particularly here where you have
3 the excess FAR and the excess height, I
4 wouldn't -- I don't see why you wouldn't just
5 call it what it is under the current regs.
6 I'm interested in hearing what the Office of
7 Planning has to say on that as well.

8 With regard to the rail, I have two
9 issues with the rail: One is the safety issue.
10 It's not just an issue of whether a child is
11 going to try to climb over it. And I mean, some
12 of them will and some of them will hang over it
13 and hopefully the appropriate adults are there
14 to watch things. But I personally as a parent
15 have -- it makes me incredibly nervous when kids
16 go even near those sorts of rails when they're
17 at the very edge of the building. And I
18 actually think that your railing showing up in
19 all of your renderings is a real distraction.
20 It detracts from the beauty of the façade that
21 you've designed. And you would benefit by
22 setting that back by 42 inches so that it's less

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1 visible.

2 Now, it may cut into your recreation
3 space or the designs of your track or things
4 like that, but I think it really detracts from
5 the design and it would actually make it feel
6 safer.

7 MR. GHARAI: That's a good idea.

8 COMMISSIONER MAY: Okay.

9 MR. GHARAI: I think that's -- and
10 I know it's making Ms. Cohen happy as well.

11 (Laughter)

12 COMMISSIONER MAY: Yes.

13 MR. GHARAI: So, no, I'm happy to
14 make that change and I think our client will go
15 for it, too, because the last thing we want on
16 our consciences is a hurt child.

17 COMMISSIONER MAY: Yes. Right.
18 And, I mean, falling off of a 42-inch rail,
19 granted, it's very close to the edge of the
20 roof, but it's not falling off.

21 MR. GHARAI: Yes, I'd take that
22 over a six-story building.

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1 COMMISSIONER MAY: Right. So, and
2 back to the green roof for a second. Is that
3 going to be typical sedum-type plants?

4 MR. GHARAI: It is. It is going to
5 be, but with one -- one of the things I've sort
6 of discovered recently are flowering green
7 roofs. So that as throughout the course of the
8 year -- there's one I did in Alexandria where
9 in the spring I get like these wonderful purple
10 flowers. So that's something I'd really like
11 to put in there because the whole sedum -- like
12 some of those plants are really scrawny.

13 COMMISSIONER MAY: Yes.

14 MR. GHARAI: And I'd like it to be
15 something good looking so when people go there
16 it's something to look at.

17 COMMISSIONER MAY: Yes. Well, I
18 mean, I also think that unless you're going to
19 do something to keep people from walking on it,
20 like what we do on the mall with posts and chain
21 everywhere, which is not my favorite thing, but
22 it keeps people from walking on the grass,

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1 you're going to wind up with things -- with the
2 sedum being walked on. And I just hope that
3 it's hardy, whatever it is, because it's --
4 you're going to get some foot traffic the way
5 it's designed.

6 Still on the penthouse, I regularly
7 advocate for darker colors on penthouses, and
8 I think it actually helps make the penthouse
9 recede and become less visible, even if it is
10 up against a bright sky, because it's in
11 relationship to the façade. And you have a
12 very bright façade.

13 MR. GHARAI: Right.

14 COMMISSIONER MAY: So I think you
15 should look at a darker color. I'm not going
16 to -- it's always a suggestion that I make.
17 It's never anything that I require unless the
18 whole Zoning Commission applaud for it, and
19 they've never seemed to applaud when I talk,
20 so --

21 (Applause)

22 COMMISSIONER MAY: Oh, there we go.

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1 Thank you.

2 There's something strange going on
3 the Wheeler Road elevation because it shows --
4 in one drawing it shows a rather straight
5 façade. And then there's another drawing that
6 shows that there's some sort of a recess in one
7 portion of it in addition to having the loading
8 door and stuff.

9 MR. GHARAI: I think -- well,
10 should we look at it?

11 COMMISSIONER MAY: Yes.

12 MR. GHARAI: Okay. So that's the
13 Wheeler Road façade.

14 COMMISSIONER MAY: No, I'm -- you
15 mean the rear façade.

16 MR. GHARAI: No.

17 COMMISSIONER MAY: The façade that
18 faces Manor View.

19 MR. GHARAI: Hold on.

20 COMMISSIONER MAY: I'm sorry, the
21 east -- call it the east elevation. There we
22 go. That's it. So I see we're seeing the bus

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1 shelter and then we're seeing windows and we're
2 seeing a narrower garage door. And I
3 appreciate the fact that you made some changes
4 in response to the comments at set down. But
5 when I look at the project aerial on page 16,
6 which I guess is just one back from there -- so
7 it looks like; and here, I'll use my handy-dandy
8 pointer, right in there there's something white
9 and recessed. What's going on there?

10 MR. GHARAI: So we set this back a
11 tiny bit to give this some prominence, but
12 really what this -- this is what you're talking
13 about, right?

14 COMMISSIONER MAY: Yes.

15 MR. GHARAI: That's the fire
16 control room setback with a little door there
17 and the exit stair. There's an exit door got.

18 COMMISSIONER MAY: Got it.

19 MR. GHARAI: And the fire control
20 room is there.

21 COMMISSIONER MAY: So that does not
22 show up the same way in the elevation. The

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1 elevation it just looks like we're just seeing
2 the fire control door and the exit door.

3 MR. GHARAI: Because if you go --

4 COMMISSIONER MAY: Just go to the
5 next page and I'll point out what I'm talking
6 about. No. There we go. So right in there
7 we're seeing a door and we're seeing a door and
8 we're seeing a flat façade.

9 MR. GHARAI: Right. You're right.

10 COMMISSIONER MAY: Okay. So --

11 MR. GHARAI: It's a discrepancy.

12 COMMISSIONER MAY: -- one or other.
13 Yes, coordinate it; fix it.

14 MR. GHARAI: Yes.

15 COMMISSIONER MAY: And I don't know
16 what it actually is because it's shown two
17 different ways.

18 So while we're on those façades,
19 let's go to the main Wheeler Road façade there,
20 the long elevation. Good. Okay. Right
21 there. So one of the things that I find jarring
22 about the design the way it is right now is that

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1 all of these openings for the retail line up
2 with the solid face of the building above. And
3 maybe I'm just traditional about these things,
4 but I'd like to see mass -- follow mass all the
5 way to the ground. And I don't know how
6 flexible you are in the placement of those
7 retail façades, but I would be much happier if
8 they aligned somehow with the windows above
9 them rather than having all of those columns
10 kind of land on openings. Follow me?

11 MR. GHARAI: I do.

12 COMMISSIONER MAY: So, I'll let you
13 think about that.

14 All right. Also still on the
15 façades, the building trim that you've shown us
16 here, the Fypon sample --

17 MR. GHARAI: Right.

18 COMMISSIONER MAY: -- that's
19 rather fancy and your building is rather
20 streamlined, straight, modern. And I'm
21 wondering, is this the actual profile that you
22 would be using?

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1 MR. GHARAI: It's one of the ones
2 that we're considering, yes. I think that's
3 one of the -- as I'm sure you know, when you go
4 through a building, there are refinements that
5 happen.

6 COMMISSIONER MAY: right.

7 MR. GHARAI: And that may very well
8 be one of them.

9 COMMISSIONER MAY: Okay. So I
10 don't know how far into the detail of this we
11 need to get as -- when we vote on it, there often
12 is some flexibility, but the major elements are
13 pretty well defined. And I would -- I think we
14 need to -- you need to do one of two things: You
15 either need to make the -- use a profile that's
16 more in keeping with the rest of the
17 architecture, or explain to me how that works
18 with those façades.

19 And so, maybe we need to have a
20 blow-up of a section of the retail elevation,
21 just a close-up on one bay up to half way through
22 the second story that shows us how it all fits

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1 together. It may be perfectly fine. It just
2 seems like it's incongruous with the rest of the
3 materials and the look of the design. And it's
4 frankly hard to tell what the design is really
5 supposed to look like because seeing them in
6 this sort of watercolor version, it's very hard
7 to pick out the details.

8 We usually get very fine
9 machine-generated computer renderings that
10 show everything in photographic-kind of
11 detail. And it's a little bit harder to see it.
12 I mean, I'm okay with what you've presented
13 here. I'm not asking you to change those
14 renderings out, but it does make it a little bit
15 harder for us to understand what we're seeing.

16 On the materials, where is the thin
17 brick being used?

18 MR. GHARAI: It's being used on the
19 retail façade.

20 COMMISSIONER MAY: On the retail
21 façade?

22 MR. GHARAI: Right.

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1 COMMISSIONER MAY: Okay.

2 MR. GHARAI: So it's steel stud --
3 and by thin brick, it -- basically what I'm
4 saying is it's not structural. It's a veneer.

5 COMMISSIONER MAY: Oh, it's
6 veneer? So it's full-depth brick?

7 MR. GHARAI: Yes.

8 COMMISSIONER MAY: Oh, okay. Yes,
9 don't use that term "thin brick," because it
10 implies the quarter-inch brick slabs.

11 So the renderings show -- and it
12 doesn't render well in this light, but in the
13 paper version it shows grades of a very light
14 color except for the metal at the corner, or the
15 tower piece of the corner. And we see in your
16 material samples the tile cladding and then the
17 HardiBoard cladding as well and they're all
18 incredibly white and very close together. And
19 what we see in the elevation
20 is --

21 MR. GHARAI: There's more
22 differentiation.

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1 COMMISSIONER MAY: -- a little bit
2 more differentiation. So is this more
3 representative of the color? I mean,
4 ordinarily there's some flexibility in the
5 final selection.

6 MR. GHARAI: Yes.

7 COMMISSIONER MAY: But we like to
8 see the range. Is that the range?

9 MR. GHARAI: That is the range.

10 COMMISSIONER MAY: Is that closer
11 to it? And this is just what you put on the
12 board?

13 MR. GHARAI: Correct.

14 COMMISSIONER MAY: Okay. All
15 right. You may want to submit a sheet of
16 samples that are a little bit closer to the
17 color range that we're expecting.

18 MR. GHARAI: Okay.

19 COMMISSIONER MAY: That might be
20 helpful for the record. And I would suggest
21 that you may want to actually expand the range
22 a little bit and go a little bit darker, because

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1 I think that it's a very bright building and it
2 doesn't necessarily need to be that bright. Of
3 course, I'm a big fan of the Butterfield House,
4 which is a very dark building. And that's way
5 closer to my taste.

6 MR. GHARAI: Okay.

7 COMMISSIONER MAY: But it's not
8 about my taste. I'm just suggesting it's --
9 very white buildings tend to look dirty if
10 they're not incredibly well-detailed. So
11 having a little bit more variation I think is
12 helpful.

13 Let's see. I'm almost done. On
14 the loading, so did you actually look at loading
15 off of the alley rather than loading off of the
16 street, because it's right there. It's right
17 by the alley.

18 MR. GHARAI: Erwin, take that.

19 MR. ANDRES: Commissioner May,
20 yes, we did. We had first started doing that
21 where -- it's actually the same loading room,
22 but the door is just literally around the

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1 corner.

2 COMMISSIONER MAY: Right.

3 MR. ANDRES: The impact was
4 reducing some of the parking that was -- that
5 would be impacted by the entrance to that
6 loading zone if we were to locate it off the
7 alley.

8 COMMISSIONER MAY: So I mean that's
9 the only -- I mean, that's the obvious impact,
10 but that's the only real impact you could -- it
11 would work? Is that the way it works?

12 MR. ANDRES: Yes, it would work.
13 It's serviced by a 20-foot -- that alley is
14 wider than most District alleys --

15 COMMISSIONER MAY: Right.

16 MR. ANDRES: -- being 20 feet.

17 COMMISSIONER MAY: Right.

18 MR. ANDRES: So it would work.
19 However, we wanted to minimize the loss of
20 parking.

21 COMMISSIONER MAY: Okay. I'm a
22 little surprised that DDOT endorsed that

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1 choice, so I'll ask them what their honest
2 opinion is of that. Maybe they'll -- I don't
3 know. I'm not going to predict what they say.
4 I'm just surprised because they usually -- you
5 know, alley first, secondary street.

6 MR. ANDRES: Yes.

7 COMMISSIONER MAY: Rarely a
8 primary street. So a couple other smaller
9 things on the -- I was confused by the retail
10 trash answer. So, I mean, explain to me how --
11 if I'm the retailer at the far end of the
12 building, how does my trash get to the trash
13 room?

14 MR. GHARAI: You go out your back
15 door. You walk down the alley. You go in
16 through the loading dock and you go into the
17 trash room.

18 COMMISSIONER MAY: Okay.

19 MR. GHARAI: That's how you get to
20 it.

21 COMMISSIONER MAY: Okay. Is there
22 actually room to include a service corridor on

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1 the back of those retail spaces that would make
2 that connection? Because what I'm picturing
3 is these trash containers, whatever they are,
4 hopefully plastic, maybe metal, making their
5 way out between the homeowners' cars or the
6 residents' cars and then out into the alley,
7 because there's no passage -- I mean, you're in
8 the public space there and then you're going all
9 the way down. And you have to go all the way
10 around to the street to get in. And there's the
11 big door and you got to go through the big door.
12 So the big door is opening and closing when that
13 happens. It's not very efficient. So I would
14 look at that.

15 MR. GHARAI: (Simultaneous
16 speaking) something out.

17 COMMISSIONER MAY: I would look at
18 that.

19 And I also noted there's a bike
20 storage room off the alley.

21 MR. GHARAI: There is.

22 COMMISSIONER MAY: Kind of in the

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1 middle there. So is that intended to be for
2 employees of the retailers?

3 MR. GHARAI: It's intended for
4 anybody in the building. What I found is
5 that -- and I may -- though we'll probably end
6 up making the bike storage room larger -- I
7 found more and more bikes are getting used and
8 more and more people are storing their bikes
9 inside. If you give somebody a space to store
10 their bike on the first floor, it saves the
11 building from getting beaten up from getting
12 the bicycles taken upstairs.

13 COMMISSIONER MAY: I don't
14 question bike storage.

15 MR. GHARAI: Oh.

16 COMMISSIONER MAY: I love bike
17 storage.

18 MR. GHARAI: Who is for? It's for
19 everybody.

20 COMMISSIONER MAY: The question is
21 how is it going to be used and is it actually
22 going to be a secure place for bicycles --

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1 MR. GHARAI: It will be.

2 COMMISSIONER MAY: -- off the
3 alley, and is it going to be a secure place for
4 people to come and who are parking their bikes
5 off the alley? I don't know. It just seemed
6 like it was out of place. If it's there for the
7 retailer employees, that's great. Maybe it
8 should be off of the corridor that you might be
9 able to put in for retail --

10 MR. GHARAI: There are two of them.

11 COMMISSIONER MAY: I understand
12 there's one over there. I mean, my inclination
13 would be to make the other one bigger rather
14 than having two.

15 MR. GHARAI: Oh, I see. Okay.

16 COMMISSIONER MAY: That's all.

17 MR. GHARAI: That's where you're
18 going. Okay.

19 COMMISSIONER MAY: Just the
20 location.

21 MR. GHARAI: Okay.

22 MS. MOLDENHAUR: To make what, the

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1 commercial --

2 COMMISSIONER MAY: If it's
3 designed for the retail operations' employees,
4 and you're actually going to do something to
5 create a service corridor in the back there,
6 maybe it should be off the service corridor, if
7 it's for them. If it's not, I would just make
8 the other room bigger, if you have that -- if
9 that works. I don't know if it works. I just
10 don't think it's going to -- it's a hugely
11 practical place. If I was living there, I
12 would not really want to go all the way around
13 to the back. I would just take my bicycle up
14 in the elevator and put it in my room or
15 something.

16 So, okay. Just two more. There
17 are mechanical units associated with each
18 apartment, right?

19 MR. GHARAI: Correct.

20 COMMISSIONER MAY: And they're on
21 the outside walls. And are they going to be
22 vented through the wall?

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1 MR. GHARAI: Yes, they are.

2 COMMISSIONER MAY: Okay. So
3 they're not shown in the elevations? Have you
4 figured out --

5 MR. GHARAI: We were going to
6 vent --

7 COMMISSIONER MAY: -- a way to make
8 them invisible?

9 MR. GHARAI: No, we were going to
10 vent -- what we're actually going to do is we're
11 going to run vents through the back. And
12 you're right, it hasn't -- that -- those vents
13 are shown on the rear elevation.

14 COMMISSIONER MAY: Okay. And I
15 have no problem if they're in the back,
16 particularly in the courtyard section of the
17 back, but I really don't want to see those on
18 the front elevation.

19 MR. GHARAI: No, I understand.

20 COMMISSIONER MAY: That's just
21 going to wreck the elevation. I don't think
22 you want that.

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1 And so and then the last thing is for
2 Mr. Andres. I appreciate your pointing out the
3 fact that the parking would be compliant in the
4 future Zoning Regulations. That's a helpful
5 observation. But that hasn't been passed and
6 it sort of sounded like you assumed that was
7 going to pass, and it may not.

8 MR. ANDRES: No, no. And if I came
9 off that way, Commissioner May, I apologize.

10 COMMISSIONER MAY: No, but I do
11 appreciate your mentioning it.

12 MR. GHARAI: But as a point of
13 reference, obviously DDOT and the Office of
14 Planning have done a lot of work to come up with
15 the Zoning Rewrite Regulations, so if anything
16 it just gives you an insight into the way
17 they're thinking. And that was my only point
18 for that.

19 COMMISSIONER MAY: And I do
20 appreciate it. It's just it's a highly
21 contentious issue. I don't know where it's
22 going to land yet.

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1 All right. That's it for me.
2 Sorry to wear you guys out.

3 CHAIRMAN HOOD: Okay. I
4 actually -- let me say this, Mr. Andres. I
5 agreed on that note with Mr. May. Because when
6 you were talking about what's going to happen
7 with the new ZR --

8 MR. ANDRES: Yes.

9 CHAIRMAN HOOD: -- I'm thinking to
10 myself, okay, he knows something I don't. I
11 was thinking did we approve that yet? So I
12 would concur. And I appreciate the analysis,
13 but as he stated, we don't know where that's
14 going to end.

15 MR. ANDRES: Absolutely, Mr. Hood.
16 And the rest -- well, it was one of my bullets
17 towards the end, because it's sort of
18 supplemental, but the primary bullets towards
19 the front gave us sort of reassurance that we
20 believe that that parking is adequate.

21 CHAIRMAN HOOD: Because I don't
22 want anyone to think that the ZR is going to be

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1 rubber stamped.

2 MR. ANDRES: Yes.

3 CHAIRMAN HOOD: All right. One of
4 the things I would tell you that I've had some --
5 while I appreciate all the work that you've
6 done, in looking at this project I had some
7 difficulty in trying to figure out what was I
8 exactly looking at. When I look at the
9 PowerPoint -- and I know a lot of this has to
10 do with maybe running your copies on an IGN
11 versus running it on the regular small walk-up
12 copier, but I actually like this. When I came
13 in here, at first I was having some problems
14 with what I saw in the bigger pictures and what
15 we had to review in the submissions, but I
16 actually like this. So I mean, maybe it's --
17 I don't know, we're not looking -- I keep
18 looking back here, I keep looking back at the
19 materials board and I'm trying to wrap my arms
20 around how this looks.

21 Now, one thing I don't want to do is
22 to start trying to design your project, because

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1 if I design it, you may not get five votes. You
2 may not get any votes. And I know you run the
3 risk of making those changes. A couple of
4 changes I will tell you that -- Commissioner May
5 mentioned the things for you probably to look
6 at, especially when he talked about the massing
7 coming all the way down, I try -- I think I like
8 what you have, and that's what you run the risk
9 of trying to get one vote and you may lose four.
10 So I'm not going to put you in that position.

11 But I will tell you that I've been
12 struggling trying to figure out which rendering
13 to look at. Which actually looks well here.
14 And typically there are some things that are
15 missing in this application that we normally
16 see, at least that I normally see that help me
17 to get to the point where I need to be.

18 One of the things that I looked at,
19 as mentioned earlier, I want to see that
20 building. I really do. That will really help
21 me if you put that building exactly what -- how
22 it exists today, how it's in relationship to the

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1 surrounding area.

2 Mr. Andres, can you show me where we
3 have; and I may have missed it, a rendering with
4 the loading dock or a truck of 30 -- what do we
5 have, a 30-foot truck going into the loading
6 dock?

7 MR. ANDRES: Well, Commissioner
8 Hood, the truck isn't going into the loading
9 dock.

10 CHAIRMAN HOOD: Okay. It's going
11 to be out in the alley or --

12 MR. ANDRES: No, it will be
13 curbside loading similar to, for example --

14 CHAIRMAN HOOD: Show me. Give me
15 an example of it. Where is the truck and how
16 is it going to go in? And you know what I
17 typically see.

18 MR. ANDRES: Yes, absolutely.

19 CHAIRMAN HOOD: Do we have
20 something like that for me to look at?

21 MR. ANDRES: Actually this
22 graphic, which I believe is in your slide

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1 set --

2 CHAIRMAN HOOD: That doesn't do it
3 for me.

4 MR. ANDRES: No? Okay. Well, how
5 about this?

6 VICE-CHAIR COHEN: Don't you have
7 it in the traffic impact?

8 CHAIRMAN HOOD: I looked through
9 that and that -- nothing -- I have not seen
10 anything that has been submitted to me.

11 MR. ANDRES: Well, actually --

12 CHAIRMAN HOOD: I saw the
13 circulation plan. I saw that.

14 MR. ANDRES: Yes, you can leave it.

15 CHAIRMAN HOOD: I just want you to
16 know, I did look through the package. I have
17 not seen anything to get me to my level of being
18 able to ask you those questions, to show me how
19 to go around the site. If you can do that for
20 me, that would be very helpful. Not the
21 circulation -- don't show me the red, the dotted
22 lines. No. I need to see something around the

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1 site --

2 MR. ANDRES: Okay. Well, let's
3 start with this, Commissioner Hood --

4 CHAIRMAN HOOD: Okay.

5 MR. ANDRES: -- and if not, then
6 we'll go to another plan.

7 So essentially this is the -- can
8 you --

9 CHAIRMAN HOOD: That's not going to
10 do it.

11 MR. ANDRES: No?

12 CHAIRMAN HOOD: No, that one's not
13 going to do it for me. Mr. Andres, I think you
14 know. You've been in front of us
15 enough --

16 MR. ANDRES: Absolutely.

17 CHAIRMAN HOOD: -- to know exactly
18 what I'm looking for that just helps me to
19 understand what the impacts are going to be on
20 the community, and I have not seen it in any this
21 package.

22 MR. ANDRES: Okay. Well, with

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1 respect to -- can we turn the lights off?

2 So with respect to the trucks loading and
3 unloading, the intent -- actually this -- to
4 your orient yourself, this up here is Wheeler
5 Road. This is Barnaby Street. This area
6 through here is the public alleys, the two
7 public alleys that are adjacent to the site.
8 And essentially the plan is as the trucks pull
9 up to this location where -- from the rendering
10 there was the roll-up doors. At that location
11 at the curb -- the curb's -- the truck is not
12 going to pull into the building. But at the
13 curb currently there is a bus stop right there.
14 And in essence the loading activity is going to
15 take place where the existing bus stop is. And
16 in order to accommodate that, removing the bus
17 stop from sort of the end of the block further
18 north to a section, to an area that's further
19 north. So that's the intent.

20 All the activity, all the loading
21 activity will take place at the curbside,
22 similar to how they do it on 14th street.

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1 CHAIRMAN HOOD: But you know, Mr.
2 Andres -- let me just stop here. We can move
3 on, because that's not helping me. I would
4 like to have a submission where it shows me how
5 the truck is going to pull in, how it's going
6 to be -- if it's going to pull off to the side
7 or whatever it's going to do. I need to see
8 that. And I need to see it in relationship to
9 what's across the street, or what's across the
10 street, or whatever the case is.

11 MR. ANDRES: Okay.

12 CHAIRMAN HOOD: That's it.

13 MR. ANDRES: I can definitely get
14 you --

15 CHAIRMAN HOOD: I think you know
16 where I am.

17 MR. ANDRES: I think I -- so you
18 want the site plan in context with
19 (simultaneous speaking).

20 CHAIRMAN HOOD: With the context.
21 And I want to be -- I would like to -- I
22 probably -- if you can just color it red or blue,

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1 whatever, since I'm going to have to do it on
2 my own now, I want to see how I'm going to be
3 able to revolve around that site --

4 MR. ANDRES: Yes.

5 CHAIRMAN HOOD: -- in relationship
6 with the surrounding neighborhood.

7 MR. ANDRES: Okay. Well, I'll go
8 ahead -- we'll make sure that we resubmit that.

9 CHAIRMAN HOOD: Okay. All right.
10 What else? Let's go back to the unit mix where
11 you had the three bedrooms I think in the
12 corners and the two bedrooms like in the center.
13 Let's go back to that. How did we come up with
14 that unit mix? And I'm not saying I have a
15 problem with it. I actually like it. I'm just
16 wanting to know how did you come -- was -- did
17 the community have some involvement, or did you
18 just come up with that, or was that --

19 MR. SHARMA: I can address that
20 question. Back -- and I don't know the exact
21 date right now, but when we first went to ANC
22 meeting, we presented this project. At that

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1 time I was more into bringing National
2 Harbor-type of development in Ward 8 and
3 sparked the development. So I went ahead and
4 I asked Sass to give me studio-like living.
5 And so we had 55 one-bedroom and studio mix. So
6 community received this very well. They love
7 Wheeler Renaissance, but they absolutely
8 rejected what we had over there. They says you
9 understand this is Ward 8 and we are large
10 families. Go back to the drawing board and
11 give some larger units.

12 CHAIRMAN HOOD: So that's when we
13 came back with the three bedrooms?

14 MR. SHARMA: That's where the
15 changes start coming. And so now we only have
16 a handful of studios. I don't know, maybe 10.
17 And rest the two-bedroom and three-bedroom,
18 almost half of the project right now.

19 CHAIRMAN HOOD: So is this part of
20 the new Ward 8 that Mr. Barry always talks
21 about?

22 MR. ANDRES: He has blessed the

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1 project. He's very excited.

2 CHAIRMAN HOOD: So this is part of
3 his new Ward 8? Okay. I just asked. Just
4 answer the question. That's part of my
5 questions.

6 MR. ANDRES: Yes, I spoke to him day
7 before yesterday.

8 CHAIRMAN HOOD: Okay.

9 MR. ANDRES: He's very excited
10 about the project, yes.

11 CHAIRMAN HOOD: Okay. Let me see.
12 Well, why I can't finish asking my question?

13 MS. SCHELLIN: You can.

14 CHAIRMAN HOOD: I'm going to start
15 going first.

16 Anyway, I don't really have a whole
17 lot. Once I start trying to -- I will tell you,
18 I came in here with problems with what I saw.
19 And then when I saw the materials board, as I
20 mentioned, and the PowerPoint 82 by 11
21 presentation, that kind of eased up some of the
22 problems I was having. Because I sit here all

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1 the time and I want to make sure that we do what
2 we do in Ward 8, 7 and 5 that we do in 3 and 2
3 and 6 and 1. So I was looking at that and I
4 always try to make sure we balance it out. I
5 don't want to keep that same argument, but we
6 need to make sure we have good architecture
7 across the city. And that's kind of where I am.

8 And with everything that you've
9 done, I want to commend you and it really says
10 a lot when you take people to -- what beach was
11 that? What did you all go? Sandy Point or
12 Ocean City? Sandy Point?

13 MR. SHARMA: Yes, was Sandy Point.
14 I wasn't there. My daughter was there. Ferdilt
15 was the lead.

16 CHAIRMAN HOOD: And that says a
17 lot. You're doing a lot more than just coming
18 and being a developer. You're actually
19 getting invested in the community, and that
20 means a whole lot.

21 MR. SHARMA: I appreciated that,
22 but I enjoyed.

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1 CHAIRMAN HOOD: Yes. Good.
2 Well, keep up the good work.

3 MR. SHARMA: Thank you. I will.

4 CHAIRMAN HOOD: Okay. I don't
5 think I have any other questions. Let's see if
6 we have any -- is the ANC -- what ANC is this?

7 MS. SCHELLIN: 8E.

8 CHAIRMAN HOOD: 8E. Is anyone
9 representing that's here, a commissioner from
10 ANC 8E who's been authorized to cross-examine?

11 (No audible response)

12 CHAIRMAN HOOD: Okay. Not seeing
13 anyone, let's go to the Office of Planning and
14 District Department of --

15 COMMISSIONER TURNBULL: Mr. Chair,
16 I wonder if I could just ask one more question.

17 CHAIRMAN HOOD: Yes.

18 COMMISSIONER TURNBULL: On the
19 typical floor plan; and maybe you could pull it
20 up, on the units that overlook the second floor
21 green area, there's a studio. You have water
22 heaters in those little -- what are those units

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1 in the little bays that are sticking -- are
2 those --

3 MR. GHARAI: That's the AC unit.

4 COMMISSIONER TURNBULL: That is
5 the AC unit?

6 MR. GHARAI: It is.

7 COMMISSIONER TURNBULL: I got a
8 question. On the studio one on the far left
9 there, does that share a balcony with the other?

10 MR. GHARAI: It does. We're going
11 to put a little divider in there.

12 COMMISSIONER TURNBULL: That's not
13 going to give them much --

14 MR. GHARAI: Balcony? No.

15 COMMISSIONER TURNBULL: No,
16 they're just going to be able to go out and hang
17 out.

18 MR. GHARAI: No, it doesn't give
19 you a lot.

20 COMMISSIONER TURNBULL: I guess
21 the other question, looking down at the other
22 end, there's a door to what appears to be the

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1 hallway, the corridor for that -- and can
2 anybody then go into that person's --

3 MR. GHARAI: That's the
4 maintenance door.

5 COMMISSIONER MAY: I mean, show an
6 upper floor. Not the one -- this is the second
7 floor. Yes, there we go. That's a better
8 view.

9 COMMISSIONER TURNBULL: Oh, okay.

10 MR. GHARAI: But actually that door
11 should come off, because this is this guy's
12 balcony.

13 COMMISSIONER TURNBULL: Well, yes,
14 I was just curious what the -- I mean, it would
15 seem like you -- there might be a better way of
16 getting into -- onto that second floor if you
17 need to, but --

18 MR. GHARAI: There is.

19 COMMISSIONER TURNBULL: Okay. I
20 was just curious. I just looked at it and I'm
21 like I don't know if I'd want that unit though
22 myself.

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1 MR. GHARAI: This is my favorite
2 unit.

3 COMMISSIONER TURNBULL: You're
4 going to have a very narrow table and chair out
5 there though.

6 MR. GHARAI: I just won't spend
7 much time out there.

8 COMMISSIONER TURNBULL: Okay.
9 All right. Thank you. It was just one of
10 those little things from a planning standpoint.
11 I know it gets to be a game after awhile on how
12 to maneuver things and get it in, but it just
13 looked like --

14 MR. GHARAI: Well, the other thing
15 that happened, too, is that this whole piece was
16 redesigned sort of at the last moment in
17 response to the comments about we had five
18 two-bedrooms here.

19 COMMISSIONER TURNBULL: Right.

20 MR. GHARAI: And they weren't doing
21 it for me either. So but we redesigned this,
22 and I'm sure we'll adjust this a little bit as

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1 times goes by.

2 COMMISSIONER TURNBULL: Yes.

3 Okay.

4 MR. GHARAI: But the -- I'm really
5 happy with all of these units designed out here.
6 I'm unhappy with these two-bedrooms in the
7 middle. There are just a couple of units here
8 that need a little bit of massaging.

9 COMMISSIONER TURNBULL: No, I
10 think the layouts work fairly well, but I think
11 you probably still have some other iterations
12 that you want to work on it. But all right.
13 Thank you.

14 CHAIRMAN HOOD: Okay. Any other
15 questions?

16 (No audible response)

17 CHAIRMAN HOOD: Okay. I'm going
18 to the Office of Planning and DDOT. And I think
19 we have really pushed a lot of this. If you can
20 just hit the highlights, any of your concerns.
21 And we'll call those reports great. Thank you.

22 MR. LAWSON: Thank you, Mr. Chair.

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1 Joel Lawson with the Office of Planning. I
2 think I'll do one better than that and just say
3 that the Office of Planning continues to
4 support this application. I think the Zoning
5 Commission has made a number of really
6 interesting and valuable suggestions to the
7 Applicant. We'd be happy to work with the
8 Applicant to make sure that those issues are
9 adequately addressed. And with that, I'll be
10 available for questions. Thank you.

11 CHAIRMAN HOOD: Okay. Thank you.

12 Mr. Rogers?

13 MR. ROGERS: Good evening, Mr.
14 Chair. I'll just make a few small points, most
15 of which deal with the continued coordination.
16 One is on the loading. I'd like to reiterate
17 that the Applicant needs to apply to the OP for
18 a curbside loading zone, at which point DDOT
19 will evaluate the merit of that application.
20 Even if the application isn't approved, we
21 believe that loading can still be accommodated
22 either through emergency no parking signs or

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1 via the alley in coordination with the loading
2 management plan that the Applicant has agreed
3 to.

4 I'd also like to point out that the
5 bus shelter is not something that the Applicant
6 can provide independently. That must be
7 coordinated through DDOT. And so I mention
8 that when the Applicant is offering to provide
9 a bus shelter as an amenity that they have the
10 necessary flexibility in case that bush shelter
11 can't be provided. And I can go into more
12 details about that if you're interested.

13 And then I would also just like to
14 mention that the public space plans,
15 preliminary public space spans show a few items
16 that need to be refined in coordination with
17 DDOT, the vaults, the Bikeshare, and we believe
18 that that can -- those can all be worked out
19 during the public space permitting process.
20 And I'd be happy to take any questions.

21 CHAIRMAN HOOD: Okay. Well, thank
22 you, Mr. Lawson from Office of Planning and Mr.

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1 Rogers from District Department of
2 Transportation.

3 Mr. Lawson, let me just ask you, on
4 page 1 in the report it says the proposed
5 PUD-related map amendment to the C-2-B District
6 is generally not inconsistent. Do I read this
7 as a strong support or do I see some hesitation
8 in what I'm reading?

9 MR. LAWSON: I think you can read
10 that as being support for the application.
11 Like you, we struggled a little bit with the
12 current Comp Plan designation of low density,
13 and C-2-B typically isn't a zone that we see in
14 a low-density commercial designation.

15 In this case we went a little bit
16 broader, and it's explained in our report. We
17 looked at the policy map, which clearly calls
18 for this to be a retail neighborhood center.
19 The density will support that retail and the
20 retail will support the surrounding
21 neighborhood. That lends credence to the zone
22 that they've proposed.

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1 And then we looked at some of the
2 language in the Comprehensive Plan as well,
3 particularly -- well, in this case related to
4 the provision of retail in areas that are
5 under-served for retail and for the provision
6 of affordable housing in the District, which is
7 needed pretty much everywhere. So we felt that
8 it is consistent with -- it is not inconsistent
9 with the Comprehensive Plan, but it's a pretty
10 unique situation to us. We wanted to make sure
11 that we weren't sending a message out that now
12 our low-density-designated commercial areas
13 are kind of open season for the C-2-B Zone. We
14 don't believe that. We think in this case they
15 came up with a strong proposal that allows the
16 proposal to meet the intent of the
17 Comprehensive Plan kind of in total.

18 CHAIRMAN HOOD: Okay. And, Mr.
19 Rogers, let me ask you about the loading. Have
20 you seen something that satisfies you, other --
21 have you seen any pictures that satisfy you and
22 give you a comfort level to do the off-street

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1 loading in your work with the Applicant?

2 MR. ROGERS: Yes, the Applicant has
3 provided turning movement diagrams to show that
4 a 28-foot truck can maneuver the alley. So if
5 a loading zone is not allowed on the street, it
6 could be -- loading could occur via the alley
7 and the trucks could make the turn around the --
8 the turn from one section of the alley to the
9 other and exit front end front out, which is in
10 accordance with DDOT's standards.

11 CHAIRMAN HOOD: Were those some of
12 the same renderings I saw this evening?

13 MR. ROGERS: They are in the
14 supplemental transportation report dated May
15 16th, 2014.

16 CHAIRMAN HOOD: Okay. Yes.
17 Again, Mr. Andres, let me get what I need to help
18 me around the character. I think you know what
19 I'm looking for. Okay.

20 MR. ANDRES: Yes, I've already
21 designed it in my head.

22 CHAIRMAN HOOD: Oh, okay. Good.

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1 (Laughter)

2 MR. ANDRES: So I'm --

3 CHAIRMAN HOOD: Then you can just
4 plug it in and copy it now.

5 MR. ANDRES: We will. We will.
6 We will.

7 (Laughter)

8 CHAIRMAN HOOD: Okay. All right.
9 Commissioners, any questions of either Office
10 of Planning or DDOT? Commissioner May?

11 COMMISSIONER MAY: I think that's a
12 good idea. Getting Mr. Andres like a USB
13 connection.

14 (Laughter)

15 CHAIRMAN HOOD: Plug it right it in
16 and help me out. Yes.

17 COMMISSIONER MAY: Well, you hit
18 the one point on the Comp Plan designation. I
19 appreciate that. I'm going to -- I'm taking a
20 look at your report.

21 I wonder whether you have any
22 opinion on the -- I mean, do you have any anxiety

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1 about calling the penthouse a floor, because it
2 looks like a floor to me?

3 MR. LAWSON: Well, it looked a
4 little bit like a floor to us as well. We noted
5 that in our report.

6 COMMISSIONER MAY: Right.

7 MR. LAWSON: And we did request
8 that the Applicant have further discussions
9 with the Zoning Administrator on that
10 particular issue. Obviously if the Zoning
11 Commission is comfortable, then we're not
12 uncomfortable with that. It will push up the
13 FAR and it will push up the building height, the
14 defined building height, which there was --
15 there certainly were conversations with the
16 Applicant to keep those numbers kind of down as
17 close to what would typically be expected in a
18 C-2-A Zone, which is more common for this
19 designation. This will push them up
20 considerably beyond that.

21 COMMISSIONER MAY: Yes.

22 MR. LAWSON: But the project itself

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1 will look exactly the same.

2 COMMISSIONER MAY: Right.

3 MR. LAWSON: And it is certainly a
4 more -- in my thought, I agree with you, it's
5 a much more kind of direct and almost like more
6 honest approach to calling it what it is.

7 COMMISSIONER MAY: Right. Well, I
8 appreciate that. I think if there was -- if you
9 feel that in order to call it a floor, there
10 needs to be further -- another -- a supplemental
11 memo or something like that to support that so
12 that others don't point at this as the new
13 definition of low-density retail, or whatever
14 the Comp Plan designation. I mean, that maybe
15 that would be appropriate since it was -- unless
16 you feel it's perfectly well addressed and it's
17 consistent with your report. I leave that up
18 to you. I just -- I don't want to run the risk
19 of this being precedent setting in some
20 troubling way in the future. And that's one of
21 the reasons why I don't really want the
22 penthouse to be called a penthouse, because I

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1 think that's a worse --

2 MR. LAWSON: I was just going to say
3 that. There's kind of --

4 COMMISSIONER MAY: Yes.

5 MR. LAWSON: -- an unnerving
6 precedent potentially one way or the other.

7 COMMISSIONER MAY: Right.

8 MR. LAWSON: I think that we'll
9 look forward to seeing what the Applicant
10 submits on this. And we would appreciate I
11 guess the record being left open for the Office
12 of Planning to comment if we think it's
13 necessary.

14 COMMISSIONER MAY: I would
15 certainly support that.

16 And so then I have a question for Mr.
17 Rogers about the loading situation. Do you
18 believe that loading directly off of Barnaby
19 Street is better than loading -- and getting
20 those extra couple of parking spaces is better
21 than putting the load onto the alley?

22 MR. ROGERS: So, there's really two

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1 types of loading needs for the site. One is for
2 the residential component, which is closer
3 to -- is on Barnaby. And the retail component,
4 which is further to the north. In our
5 experience retail delivery drivers will try to
6 get as close to their end destination as
7 possible, so it's feasible to think that a
8 delivery to the furthest north retail
9 establishment wouldn't find the curbside
10 loading zone on Barnaby to be all that useful.

11 There is, because of the 20-foot
12 alley and the -- and there are some options with
13 the way that the parking spaces are programmed
14 so that loading could take place in those
15 parking spaces during off hours, that sort of
16 thing. And I think those options are
17 sufficient for the retail.

18 For the residential component,
19 because it's just 85 units and turnover is not
20 expected to be that great, there isn't expected
21 to be a heavy demand for residential loading,
22 and we believe that can be accommodated through

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1 emergency no parking stickers, and that could
2 take place on Barnaby adjacent to the retail to
3 provide convenient loading.

4 CHAIRMAN HOOD: Okay. So you
5 really aren't troubled at all by it being on
6 Barnaby? I mean, I think the only thing that --
7 I guess the -- I think there's going to be a lot
8 of loading that's going to occur off the alley
9 for the retail anyway, no matter what, and I
10 hope that works out okay. In another
11 circumstance we might insist that the loading
12 dock -- that there be a loading dock and that
13 the retailers use it, especially if they put in
14 a service corridor so that you can connect the
15 trash to the loading dock. So, I mean, maybe
16 it's worth another look if they can actually
17 accommodate that retail corridor, the service
18 corridor on the retail, but I don't know. But
19 if you're comfortable with it, I'm not going to
20 make a big issue about it. I'm just trying to
21 see if we can make the circumstance the best
22 that we can for the residents.

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1 MR. ROGERS: Yes, it is something
2 that we're comfortable with and can continue to
3 monitor. And if there are issues, there are a
4 number of management strategies that we could
5 employ to make things work smoother.

6 COMMISSIONER MAY: Thank you.

7 CHAIRMAN HOOD: Okay. Any other
8 questions?

9 VICE-CHAIR COHEN: Yes.

10 CHAIRMAN HOOD: Vice-Chair?

11 VICE-CHAIR COHEN: Thank you, Mr.
12 Chairman. This is for Mr. Rogers. On page 5
13 where you talk about, the third paragraph, the
14 bus stop. And I didn't realize this was public
15 policy. Private entities such as developers
16 are not eligible to purchase and/or install bus
17 shelters. And I'd like to know why that is,
18 because it seems to me that it's very -- not very
19 good public policy, especially since the city
20 does not have the fund to install many bus
21 shelters throughout the city when they're
22 needed.

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1 MR. ROGERS: Sure, I'd be happy to
2 talk about that. DDOT has a contract related
3 to bus shelters with Clear Channel in which
4 Clear Channel pays -- or provides the bus
5 shelters, takes care of maintenance, which is
6 a big issue for DDOT to make sure that those are
7 clean and safe places and to not have that
8 responsibility fall on DDOT. The contract has
9 provided for a certain number of bus shelters,
10 and that contract is active, but the next stage
11 would be -- on that additional contract is not
12 certain. So that's why I was saying there are
13 a finite number of bus shelters associated with
14 the current contract and what happens beyond
15 that is not known yet because the contract is
16 not in place.

17 VICE-CHAIR COHEN: But a developer
18 can pay for a bus shelter, can't they?

19 MR. ROGERS: They --

20 VICE-CHAIR COHEN: Or if they --
21 going through DDOT's contracting procurement,
22 whatever you do, you're saying no, we can't take

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1 private money?

2 MR. ROGERS: My understanding is
3 that there's no mechanism for that currently.
4 That could be part of a future bus shelter
5 contract that we're looking into. There's
6 need for standardization of the bus shelters
7 because of the contract with Clear -- with
8 the --

9 VICE-CHAIR COHEN: Yes, I'm not
10 saying that DDOT should be omitted from the
11 process. I'm just saying that we don't have
12 enough money in the city to do what's needed in
13 transit. I mean, they're even cutting back on
14 streetcars, so why would we eliminate
15 leveraging by having private parties? That's
16 all. I was just curious. I'd never seen that
17 before.

18 MR. ROGERS: Because of the
19 contract that we have, that is actually
20 providing free of charge to the District the bus
21 shelters, as well as some additional revenue.
22 So that is actually a revenue-generating

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1 endeavor.

2 VICE-CHAIR COHEN: You'll explain
3 it to me -- you'll tutor me later.

4 The other question I have is in
5 reading the transportation report, and this has
6 been -- this bothers me all the time when I read
7 about the crash data that's provided. And on
8 Southern and Wheeler it's in pretty bad shape.
9 What are you going to do about that? I mean,
10 why do you even have to have a PUD application
11 to point that out to us? Why aren't we doing
12 something like tomorrow to help eliminate some
13 of those issues where there's -- I mean, maybe
14 it's putting up a sign that says go slower.

15 MR. ROGERS: Safety is paramount,
16 certainly, and that is part of the overall
17 consideration that we want to take into play --
18 or take into account when we're reviewing
19 applications. And the Applicant has suggested
20 a safety improvement that we will work with them
21 on, or we will work with them, coordinate with
22 them on determining the merit of that and

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1 implementing that.

2 VICE-CHAIR COHEN: No, what I'm
3 saying today we have a problem. And so the PUD
4 is probably going to take maybe a couple of
5 years before it goes under construction. Why
6 can't we just deal with that problem that we're
7 faced with now in the city by slowing down
8 traffic or putting in a signal or -- that's what
9 I'm asking.

10 MR. ROGERS: Sure, and that is a
11 particularly highly-trafficked intersection.
12 It's a busy intersection. And we will take a
13 look at it. We can commit to taking a look at
14 that.

15 VICE-CHAIR COHEN: How about
16 tomorrow?

17 MR. ROGERS: Done.

18 (Laughter)

19 CHAIRMAN HOOD: Any other
20 questions or comments?

21 COMMISSIONER TURNBULL: Yes, Mr.
22 Chair?

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1 CHAIRMAN HOOD: Mr. Turnbull?

2 COMMISSIONER TURNBULL: Thank you.

3 I just have a question for Mr. Lawson. I guess
4 I appreciate your willingness to provide a
5 supplemental report, if needed. I struggle,
6 too, with the C-2-A and the C-2-B designation.
7 And your articulation tonight of uniqueness I
8 think is -- I would appreciate something more
9 after reading page 3 that would maybe enhance
10 what you were talking about tonight, to sort of
11 strengthen some of the arguments that you had
12 started to make, maybe just to supplement what
13 you have in there so that it does read stronger,
14 that this is a unique case.

15 What I didn't understand on page 3,
16 right below the last map, and you're talking
17 about the C-2-A and you said on the second
18 sentence, "This would have limited the ability
19 to provide the high level of housing
20 affordability, the quality ground floor retail
21 space and contemporary design that the project
22 seeks to attain." And I guess it's that last

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1 part that sort of didn't make sense. Why would
2 this sort of inhibit the contemporary design?
3 I mean an architect that's worth his salt is
4 going to do a contemporary design regardless of
5 the zoning.

6 MR. LAWSON: I think that what Ms.
7 Thomas was probably getting at here was she was
8 talking about the quality of the design itself.
9 And this is certainly a result of the
10 conversations with the Applicant. We wanted
11 to make sure, like the Zoning Commission, that
12 quality materials are used, that quality design
13 is used. In this case it's a fairly
14 contemporary approach, but it's that level of
15 quality that being able to provide this mix of
16 uses, this level of density would help to
17 ensure.

18 COMMISSIONER TURNBULL: Well,
19 okay. I mean, I still don't agree with that.
20 I think the zoning is the zoning and the design,
21 contemporary or whatever, the architect will
22 attain. That last -- I don't see how putting

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1 a lesser -- going to a C-2-A zoning would limit
2 the architect's ability to do a quality
3 project. That's just my feeling.

4 MR. LAWSON: Understood.

5 COMMISSIONER TURNBULL: But I
6 guess I would appreciate in a supplemental
7 report a little bit more strengthening in the
8 arguments that you had talked about tonight, in
9 what you were saying just to make it a little
10 bit more clear and a little tighter as to the
11 fact that this is a very unique case and maybe
12 articulate a little bit more some of the
13 arguments that you made.

14 MR. LAWSON: We'd be happy to
15 provide that.

16 CHAIRMAN HOOD: Okay.
17 Commissioner Miller?

18 COMMISSIONER MILLER: Thanks, Mr.
19 Chairman. I just have a quick question of
20 clarification for DDOT and OP. Maybe this was
21 clarified and I missed it. On the number of
22 parking spaces required, the DDOT report

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1 says -- the OP report says 43. The Applicant's
2 attorney corrected Mr. Andres as he was about
3 to say 85. DDOT's report says 85. And I think
4 the traffic impact -- maybe the Applicant can --

5 MS. MOLDENHAUR: Maybe I can help
6 clarify that. Initially when we submitted the
7 application we submitted the application under
8 a C-3-B because it actually had an overall lower
9 FAR. Following discussions with Office of
10 Planning, they recommended that we actually go
11 down to a C-2-B, which has a different parking
12 requirement. And so I think what happened was
13 it was just a mistake of kind of carrying
14 through that initial application. The
15 C-3-B -- C-3-A and C-2-B have different parking
16 requirements and obviously when we switched to
17 a C-2-B Zone for the PUD case, it actually
18 reduced our parking requirement from 85 to 43.
19 And it just was a question of not carrying
20 through with all the different documents.

21 COMMISSIONER MILLER: I appreciate
22 that clarification. So the application that's

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1 before is a C-2-B and 43 is what's required, and
2 the project as proposed is 25?

3 MS. MOLDENHAUR: Yes, so as
4 currently existing it's a 43 requirement under
5 the C-2-B PUD requirement, and we're providing
6 25.

7 COMMISSIONER MILLER: Thank you
8 for that clarification.

9 Thank you, Mr. Chairman.

10 CHAIRMAN HOOD: Okay. Thank you.
11 Any other questions?

12 (No audible response)

13 CHAIRMAN HOOD: Again, does the
14 Applicant have any cross-examination of Office
15 of Planning or DDOT?

16 MS. MOLDENHAUR: No, we have no
17 questions for Office of Planning or DDOT.

18 CHAIRMAN HOOD: Okay.

19 MS. MOLDENHAUR: Thank you, both.

20 CHAIRMAN HOOD: Thank you. Next,
21 other government reports. I know there were
22 submissions made by the Office of Planning to

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1 other government agencies. I didn't see any
2 and there's none reported in the report. The
3 report of the ANC; in this case it's 8E, we have
4 a letter of support. Basically it says it is
5 my belief that the Wheeler Renaissance project
6 will be a catalyst for this area and will
7 revitalize the Wheeler Road section of Congress
8 Heights. And this is by chair Anthony
9 Mohammed, ANC 8E. This is dated May the 13th,
10 2013.

11 Other reports we have: We do have
12 a letter from the Honorable Mayor for Life from
13 Ward 8, Honorable Mayor Marion Barry, a letter
14 of support. We also have a letter of support
15 from the late Mr. James Bunn, chairman at that
16 time of the Congress Heights Main Street. Then
17 Ms. Sheila Reid, Avanti Real Estate Services.
18 Louis Real Estate Services, from Mr. Freddy
19 Louis Archer. Also Ida Mae Campbell
20 Foundation wrote a letter of support. Mary
21 Bracewell, president of Mary's Excellent
22 Cleaning Services, a letter of support. And

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1 all that was noted in our submission tonight
2 from the -- and I hope I didn't leave anybody
3 out. But all that was notated in the
4 PowerPoint presentation that we received again
5 tonight.

6 Organizations and persons here in
7 support. I have on my list Mr. Abdul Salaam.
8 And also I saw Mr. Trayvon White. I guess he
9 had to leave. He was here.

10 Anyone else who'd like to come up
11 and testify in support? Ms. Richardson has
12 assigned someone else. If you can come on up
13 and testify in support?

14 We have anyone else?

15 (No audible response)

16 CHAIRMAN HOOD: And again, do we
17 have anyone here who's in opposition?

18 (No audible response)

19 CHAIRMAN HOOD: Sure, have a seat.
20 And we'll start with you. Turn your mic on.
21 Pull it down so we can hear you. Make sure it's
22 lit up, actually it's green. Is it on?

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1 Identify yourself and you may begin.

2 MS. YATES-GLENN: My name is Wanda
3 Yates-Glenn. I live at Willow Creek Estates.
4 I'm a resident of Ward 8. We're a few blocks
5 from the Wheeler Renaissance project. I
6 strongly support this effort. The project is
7 needed in our community in a beautiful and
8 complementary way.

9 I was happy to learn about the
10 Bikeshare program that will be incorporated
11 into the design. The fact clearly lends itself
12 to a more pedestrian-friendly environment and
13 reduces the carbon footprint in Ward 8. I am
14 looking forward to having additional
15 neighborhood-serving retail nearby which this
16 area really is in need of.

17 Our community will certainly
18 benefit tremendously from this needed quality
19 housing for those who work hard and earn decent
20 wage and deserve to live in such a lovely place
21 with so many amenities. And this is Council
22 Member Barry's new Ward 8 vision, as well as the

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1 residents here in Ward 8. And I've been a
2 resident in Ward 8 all of my life and I've worked
3 subsidized housing and I've dealt a lot in the
4 communities with people and I do know the need.
5 And the most important part of this project for
6 me would be to see a turn around in Ward 8 for
7 the beautification to make things more
8 pleasantly live for us, because I feel like Ward
9 8 is always neglected when it comes down to
10 getting the better things on that side of the
11 river. So I'm really looking forward to seeing
12 change for the better in our community. So
13 that's why I support the project.

14 CHAIRMAN HOOD: Okay. Great.
15 Thank you. Hold your seat. We might have some
16 questions for you.

17 Next?

18 MR. SALAAM: Good evening, Mr.
19 Chair and Committee members. My name is
20 Mustafa Abdul Salaam. I'm a resident of Ward
21 8 and I'm a managing partner in a company called
22 Community Economic Development, LLC.

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1 I wholeheartedly support the project. I
2 think it's very needed. It's the right balance
3 between commercial and residential housing
4 that is needed. In fact, it is -- for those low
5 to moderate-income population it is very
6 critical because we're in vast need of that.
7 But even more so the quality of the project
8 makes, I think, Ward 8 feel good about the fact
9 that we can have the same type of architect and
10 design that other communities have, which is
11 very critical. And it really opens the door
12 for other developers to appreciate that their
13 quality is important also.

14 And from a community economic
15 development standpoint, I think what
16 Washington Business Group represents is a real
17 model of what a developer should look like
18 coming into the community. It's very rare that
19 a developer takes the time to really engage the
20 community and support the community with their
21 efforts, and Washington Business Group has done
22 that for a number of years. And so I would

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1 offer that there should be a model of what other
2 developers look like coming into the community
3 and that we encourage developers to really
4 understand the advantage of developing
5 strategies that really connect economic
6 development activities to community economic
7 development, which is a different type of
8 process.

9 So I wholeheartedly agree in
10 support of this. And again, I encourage that
11 the Zoning Committee recognize that the
12 community needs more developers who have a
13 community economic development agenda.

14 CHAIRMAN HOOD: Thank you. Ms.
15 Richardson, did you finish your testimony when
16 you were up here earlier?

17 MS. RICHARDSON: Yes.

18 CHAIRMAN HOOD: You finished it?

19 MS. RICHARDSON: Yes.

20 CHAIRMAN HOOD: Okay. I was going
21 to let you come back up and finish it. Okay.

22 All right. Colleagues, any

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1 questions of this panel? Vice-Chair?

2 VICE-CHAIR COHEN: I don't have a
3 question, but my comment is thank you for
4 testifying that clean air and the environment
5 are important issues and that that's an
6 important issue for Ward 8, which has the
7 highest asthma rate within the city. So I'm so
8 pleased that you mentioned that.

9 CHAIRMAN HOOD: Any other
10 questions?

11 (No audible response)

12 CHAIRMAN HOOD: Is there any
13 cross-examination?

14 MS. MOLDENHAUR: No
15 cross-examination.

16 CHAIRMAN HOOD: Okay. We really
17 appreciate you all coming down and providing
18 testimony. And more than that, sitting
19 through all of our questions and waiting just
20 to have that little bit of time. We appreciate
21 that. That does not go unnoticed.

22 MS. YATES-GLENN: Thank you.

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1 CHAIRMAN HOOD: And let Mr. White
2 know that we're looking to hearing his
3 testimony. Okay?

4 Okay. I don't know how much
5 rebuttal you have, Ms. Moldenaur, but let's do
6 a closing.

7 MS. MOLDENHAUR: I just have a very
8 brief closing. We respectfully submit that we
9 meet the standards for the Zoning Regulations
10 to approve the proposed PUD and consolidated
11 map amendment. We have demonstrated in the
12 fact that -- based on the hearing today that we
13 meet all the applicable standards for approving
14 the PUD. That is consistent with the
15 Comprehensive Plan and we meet the standards
16 for the flexibility requirements as provided
17 for in regard to substantial public benefit and
18 amenities that balance the degree of relief
19 that is being requested here.

20 As stated this evening by Mr.
21 Sharma, the president of the Washington
22 Business Group, DHCD Financing places new time

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1 constraints and we would greatly appreciate if
2 the Commission deems it to be appropriate to
3 move forward with proposed action and provide
4 us enough time obviously to provide additional
5 comments and questions that were asked for
6 today in the record prior to final action.
7 Thank you.

8 CHAIRMAN HOOD: Okay. Thank you.
9 Ms. Schellin, do we have a date that we can
10 decide this before our summer vacation?

11 No, I'm just playing. That's a
12 joke. I know their hearts dropped.

13 (Laughter)

14 CHAIRMAN HOOD: I know they
15 dropped. Okay. Thank you. All right. I
16 have to have some fun up here. Usually I don't
17 have no fun. Okay, Commissioners. I know, I
18 can just imagine. I said I wonder what would
19 happen if I say that?

20 Ms. Moldenhaur, what happened when
21 I said that?

22 MS. MOLDENHAUR: I smiled. I

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1 don't think anybody else did.

2 (Laughter)

3 CHAIRMAN HOOD: Okay. All right,
4 Commissioners, what is your pleasure?
5 Commissioner Miller?

6 COMMISSIONER MILLER: Mr.
7 Chairman, I would like to move approval of --
8 that we take proposed action on case No. 13-18,
9 WBG, Wheeler Road, LLC, consolidated planned
10 unit development and related zoning map
11 amendment at 4129-4131 Wheeler Road, S.E.,
12 Square 5925, Lots 820 and 821, and ask for a
13 second. And in between proposed action and
14 final action that we receive all of the
15 information and renderings and additional
16 reports that have been requested by various
17 Commissioners.

18 VICE-CHAIR COHEN: I will second
19 that.

20 CHAIRMAN HOOD: Okay. It's been
21 moved and properly seconded. Any further
22 discussion?

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1 COMMISSIONER MAY: Yes, Mr.
2 Chairman.

3 CHAIRMAN HOOD: Commissioner May?

4 COMMISSIONER MAY: Yes, I'm very
5 happy to be moving forward taking proposed
6 action on this tonight. I wanted to comment.
7 I mean, I had a lot of comments about the design
8 and ways that I thought it could be improved,
9 but I really do think it should be noted that
10 this appears to be a cut above the sort of
11 project that we often see in sort of similar
12 projects across the city that are financed in
13 this manner or that are all affordable, or what
14 have you. Seems like there's a lot more
15 attention to the detail and the construction
16 and the livability of the units. I mean, the
17 rooftop recreation space is great and the
18 balconies are great. I mean, all these things
19 are really good features and it's clear that
20 you're putting a little bit more into the
21 architecture of it. So I think it's a good
22 project. Still things to be refined on it, but

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1 I'm confident we'll get there. That's why I'm
2 comfortable with the proposed action.

3 CHAIRMAN HOOD: Any further
4 discussion?

5 (No audible response)

6 CHAIRMAN HOOD: All those in favor?

7 (Chorus of ayes)

8 CHAIRMAN HOOD: Not hearing any
9 opposition, Ms. Schellin, if you'd record the
10 vote.

11 MS. SCHELLIN: Yes, staff records
12 the vote 5-0-0 to approve proposed action in
13 Zoning Commission case No. 13-18.
14 Commissioner Miller moving, Commissioner Cohen
15 seconding, Commissioners Hood, May and
16 Turnbull in support. And if I could --

17 CHAIRMAN HOOD: Let's go down the
18 list, and I guess dates, yes.

19 MS. SCHELLIN: And some dates, yes.
20 So going down the list, Ms. Moldenhaur turned
21 in that large set of plans that she did not
22 upload before coming to the hearing, so we do

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1 need her to upload those. So we do need those.

2 And Commissioner Miller asked for a
3 view of second floor green roof.

4 Commissioner Turnbull asked for a section
5 or a rendering through the alley showing the
6 heights of the buildings with the new structure
7 showing the impact on the neighbors.

8 Commissioner Hood asked that there
9 be different views of the building with the
10 surrounding area today, so put the building in
11 showing different views, not just the alley
12 view.

13 Commissioner Cohen said she's still
14 not comfortable with the penthouse. Maybe
15 more sight line would help.

16 Commissioner Cohen said see if they can
17 find alternatives to any PVC materials that are
18 being used.

19 Commissioner May asked that they
20 consider putting the condensers on the roof
21 instead of the penthouse. He doesn't think the
22 penthouse is a penthouse at all, but rather a

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1 floor.

2 Commissioner May with regard to the
3 railings, he think it would be better if they
4 could set the railings back maybe 42 inches.

5 Again, Commissioner May with regard
6 to the penthouse, more of a suggestion, the
7 darker colors for the penthouse would be less --
8 make the penthouse less visible. Just a
9 suggestion.

10 Commissioner May again, the Wheeler
11 Road east elevation that was shown, there was
12 a discrepancy with the elevation or the picture
13 shown on page 16. Just ask that that be fixed,
14 the discrepancy.

15 Commissioner May; if I captured
16 this correctly, the façade columns landing on
17 openings, he would prefer that they come all the
18 way down.

19 Commissioner May asked for a
20 blow-up of the retail elevation of one bay up
21 to half way, maybe to the second floor, half way
22 up the second floor.

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1 Commissioner May asked that they
2 submit a sheet of the sample of the sample of
3 the HardiPlanking in the color range that will
4 be used.

5 Commissioner May asked that they
6 look at a service corridor for the trash rather
7 than taking it out through the alley.

8 Commissioner May asked that they
9 consider making the second bike room larger for
10 the tenants.

11 COMMISSIONER MAY: Not larger.
12 Look at the location and/or possibly
13 consolidate it with the other bike storage
14 room.

15 MS. SCHELLIN: Look at making at
16 the location or consolidate. Okay.

17 And Commissioner Hood asked that
18 they provide a site plan in context with the
19 area that shows the truck loading. I believe
20 that's something that the traffic consultant is
21 going to --

22 CHAIRMAN HOOD: Actually, they can

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1 put all that together, what I asked for earlier.

2 MS. SCHELLIN: Okay.

3 CHAIRMAN HOOD: If you could just
4 put it all on one page, the circulation, how the
5 trucks go in there, how that building fits
6 there. If you put all that on one page, that
7 will be easy for me. Less pages I have to --
8 and plus it is green. We only want to use one
9 page.

10 (Laughter)

11 MS. SCHELLIN: I believe OP asked
12 for an opportunity to be able to respond to the
13 submissions that the Applicant makes if they
14 see something that they'd like to respond to.
15 No? Just one issue? Okay. So if -- the one
16 issue they'd like to have an opportunity to
17 respond to.

18 And I believe that, if I heard Mr.
19 Turnbull correctly, he asked that OP provide
20 more articulation on the arguments regarding
21 C-2-B. Is that correct? Okay. Regarding
22 one issue. The same issue maybe. Okay. And

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1 that's all I have.

2 CHAIRMAN HOOD: We all on the same
3 page?

4 MS. SCHELLIN: And now --

5 COMMISSIONER TURNBULL: Mr. Chair,
6 the only thing I -- when you start looking at
7 the penthouse or the floor, you're working to
8 a 12'10" dimension. If that gets monkeyed
9 around with, that may screw up your setback by
10 Barnaby. So there's a balance there on how
11 you --

12 MS. MOLDENHAUR: Well, if it was a
13 floor, there would actually be no setback
14 requirement, but we would obviously --

15 COMMISSIONER TURNBULL: If it's a
16 floor, right.

17 MS. MOLDENHAUR: But we would
18 provide it with a similar layout.

19 COMMISSIONER TURNBULL: Right.
20 So if you're working on a penthouse solution,
21 maybe that would be an issue to be thinking
22 about.

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1 COMMISSIONER MAY: I mean, I think
2 it can all be done within 12'10".

3 COMMISSIONER TURNBULL: Well,
4 that's --

5 COMMISSIONER MAY: It's been done
6 within 12'10" now.

7 COMMISSIONER TURNBULL: Yes.
8 Well, I'm just saying it still is something
9 if -- depending on what their solution is, it
10 may or may not be an issue.

11 COMMISSIONER MAY: Right.

12 VICE-CHAIR COHEN: And then a
13 recalculation of FAR just to conform to what
14 solution you come up with.

15 MS. MOLDENHAUR: Absolutely.

16 CHAIRMAN HOOD: All right.
17 Anything else?

18 MS. SCHELLIN: Dates. If we could
19 have these by June 9th, the submissions by June
20 9th. OP would make their response by June
21 16th. All responses due by 3:00 p.m. Draft
22 findings of fact, conclusions of law by June

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1 16th. Then we can look at final action,
2 consider that at the June 30th meeting. And
3 the Applicant will need to also make their
4 submittal since proposed action was taken
5 tonight to Section 2403.15 through 2403.21. I
6 have a copy of that, if you need that. That's
7 it.

8 CHAIRMAN HOOD: All right. Anyone
9 have anything else?

10 (No audible response)

11 CHAIRMAN HOOD: All right. I want
12 to thank everyone for their participation
13 tonight, and this hearing is adjourned.

14 (Whereupon, the above-entitled
15 matter went off the record at 9:34 p.m.)
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