

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

+ + + + +

PUBLIC HEARING

+ + + + +

TUESDAY

JUNE 10, 2014

+ + + + +

The Regular Public Hearing convened in the Jerrily R. Kress Memorial Hearing Room, Room 220 South, 441 4th Street, N.W., Washington, D.C., 20001, pursuant to notice at 9:50 a.m., Lloyd Jordan, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

LLOYD JORDAN, Chairperson
JEFF HINKLE, Board Member (NCPC)

ZONING COMMISSION MEMBER PRESENT:

ANTHONY HOOD, Chairperson of the
Zoning Commission

OFFICE OF ZONING STAFF PRESENT:

TRACEY W. ROSE, Sr. Zoning Specialist
STEPHEN VARGA, Zoning Specialist

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

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MARY NAGELHOUT, ESQ.

OFFICE OF PLANNING STAFF PRESENT:

STEPHEN GYOR
KAREN THOMAS
STEVEN COCHRAN
ARTHUR JACKSON

The transcript constitutes the minutes from the Public Hearing held on June 10, 2014.

T-A-B-L-E O-F C-O-N-T-E-N-T-S

Application No. 18773
Stephen Rodiger and Marissa Pirocato 4

Application No. 18774
Robert E. Copyak 10

Application No. 18767
Darryl R. Clark 19

Application No. 18772
MR Gallery Square LLC 26

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

2 (9:50 a.m.)

3 CHAIRMAN JORDAN: Then we move into
4 our appealing cases. One thing, for the
5 record, we have affidavits of posting on all the
6 cases now. Is that correct?

7 MS. ROSE: Yes.

8 CHAIRMAN JORDAN: Okay, good.

9 MS. ROSE: Staff would note that
10 Application 18770 of &pizza is postponed to
11 June 17th at 9:30 a.m. And the first case we're
12 hearing today, Mr. Jordan?

13 CHAIRMAN JORDAN: 773.

14 MS. ROSE: 773. This is
15 Application Number 18773 of Stephan Rodiger and
16 Marissa Piropatto, Pursuant to 11 DCMR,
17 Subsections 3104.1 and 3103.2, for a variance
18 from the alley setback requirements under
19 Section 2300, and a special exception to allow
20 a rear addition to an existing one-family row
21 dwelling under Section 223, not meeting the lot
22 occupancy requirements under Section 403, and

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1 the rear yard requirements under Section 404,
2 in the DC/R-5-B District at premises 1528
3 Church Street, N.W. (Square 194, Lot 802).

4 CHAIRMAN JORDAN: Okay. Are the
5 parties for this application present? Please
6 come forward to the witness table. Good
7 morning. Okay. Is your microphone on? It
8 should be a bright, glowing green light.

9 MR. RODIGER: Good morning,
10 Stephan Rodiger, homeowner at 1528 Church
11 Street, N.W. My wife is actually out teaching
12 a course in South Carolina, so she couldn't make
13 it today.

14 CHAIRMAN JORDAN: Good, thank you.
15 Did you give witness cards to --

16 MR. RODIGER: I did.

17 CHAIRMAN JORDAN: Okay, good.
18 Here's one where I believe that there's been
19 sufficient information already filed and that
20 the relief that's necessary for this matter
21 does not include a relief from 23.1 in that the
22 relief that's necessary is for a special

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1 exception of 223 for lot occupancy in rear yard.

2 Is that where we are? Yes, because
3 this would qualify as a, under our definition
4 of the 199, it's a private garage. So it would
5 meet those requirements.

6 I think this file, in my estimation,
7 after reviewing these files and cases for hours
8 before we get here is that this case has
9 sufficient information already submitted in
10 the record with which can grant relief.

11 It has Office of Planning's
12 Approval, ANC 2B's recommended approval and
13 Department of Transportation no objection,
14 which is kind of like their approval.

15 And then you have letters of support
16 from all your neighbors, which we like to see.
17 You have the opportunity, the option rather, to
18 do a presentation and go through the whole
19 thing.

20 Or you can waive it. As I always
21 say, take the risk of saying something wrong and
22 losing your ability to get your relief. But,

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1 or we can just go on and proceed if that's okay.

2 MR. RODIGER: I'll waive my right.

3 CHAIRMAN JORDAN: Good. Board, is
4 there a question you have with this applicant?
5 Anything you need to hear from him to drill
6 down?

7 MEMBER HINKLE: No, Mr. Chairman.
8 I just want to note that I understand the
9 applicant has worked quite a bit with HPRB as
10 well on this, and we have a letter from them.

11 CHAIRMAN JORDAN: Oh, good. Thank
12 you. I was remiss in saying thank you. So
13 then let's turn to the Office of Planning, see
14 Mr. Gyor if he has anything addition that you
15 need to add.

16 MR. GYOR: Good morning, Mr.
17 Chairman and members of the Board. Stephen
18 Gyor with the Office of Planning. We support
19 the applicant's request for relief and rest on
20 the record. Thank you.

21 CHAIRMAN JORDAN: We like it when
22 it's everything already in the file, and we

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1 don't have to fight through it, especially with
2 having the community involved in the letters.

3 I really appreciate that. Is
4 anyone here from the Department of
5 Transportation for this particular matter? I
6 already noted that they submitted a letter of
7 no objection.

8 Is anyone here from ANC 2B on this
9 case, ANC 2B? We do have a letter from ANC 2B
10 which we will give great weight to in support
11 of this application. Is anyone here wishing to
12 testify in support of this application?

13 Anyone in support? Anyone in
14 opposition? Then we would normally turn back
15 to the applicant for rebuttal or closing, but
16 I'm sure you don't need to rebut anything since
17 nothing else was said.

18 And there's nothing to close
19 because it speaks for itself. So we will close
20 the record on this matter, and I would move that
21 we grant the relief requested by the applicant
22 in Case 18773.

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1 MEMBER HOOD: Second.

2 CHAIRMAN JORDAN: It was your turn.

3 MEMBER HOOD: Yes, it was my turn.

4 CHAIRMAN JORDAN: All right, any
5 other discussion on rest, on readiness? All
6 those in favor of the motion, signify by saying
7 aye.

8 (Chorus of Ayes)

9 CHAIRMAN JORDAN: Those opposed
10 nay. The motion carries.

11 MS. ROSE: Staff will record the
12 vote as three to zero to two with a motion by
13 Mr. Jordan, a second by Mr. Hood and Mr. Hinkle
14 in support, Ms. Allen and Ms. Heath not present,
15 not voting.

16 MEMBER HOOD: Mr. Chairman, I also
17 just want to say that as you all have already
18 mentioned, when work like that is done, it makes
19 a lot easier when it comes down here. We don't
20 have to fight through it, so I also want to
21 commend the applicant.

22 MR. RODIGER: Thank you.

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1 MS. ROSE: Would you like a summary
2 order, Mr. Chairman?

3 CHAIRMAN JORDAN: Oh yes, summary
4 please, and all the other matters this morning
5 which we granted relief should all be summary
6 orders, too.

7 MS. ROSE: Thank you.

8 CHAIRMAN JORDAN: Okay. Then
9 we're at 774.

10 MS. ROSE: The next application,
11 18774 of Robert E. Copyak is amended pursuant
12 to 11 DCMR 3104.1 for a special exception to
13 allow a two story rear porch addition, and
14 extension of third floor to an existing
15 one-family row dwelling and expansion of garage
16 height under Section 223.

17 Not meeting the lot occupancy,
18 Section 403, court, 406 and non-conforming
19 structure, Subsection 2001.3 requirements
20 and the limitation on the area of the rear yard
21 that can be occupied by the accessory building
22 under Subsection 2500.3 in the R-4 District at

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1 premises 2819 13th Street, N.W., Square 2856,
2 Lot 109.

3 CHAIRMAN JORDAN: All right, I'm
4 trying to catch up on myself on this one again.
5 I know we had some.

6 (Off the record comments)

7 CHAIRMAN JORDAN: Okay. This is
8 one where it was a little curve ball, but I'm
9 straight now. Sometimes I look at this these
10 things some time in advance, and I forget what
11 I'm doing when the day comes because it kind of
12 processes.

13 And I always say this so that the
14 public knows that the Board probably puts in
15 close to ten hours prior to sitting here going
16 through each one of these cases, each one of
17 these exhibits and making notes and what have
18 you.

19 So this is not when we first see this
20 matter or really get into it. We take all the
21 time that, we usually use up everybody's
22 weekend, individually, whichever way you do it

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1 to do that.

2 And so I kind of forget at times if
3 my notes are not clear when I drive through it.
4 But please introduce yourselves, and I want to
5 get to the issue.

6 MS. FOWLER: I'm Jennifer Fowler.

7 MR. COPYAK: Robert Copyak. I'm
8 the homeowner.

9 CHAIRMAN JORDAN: This is one where
10 we, there was some discussion with OP. This is
11 one where we reviewed the record, and we've had
12 our own kind of, with counsel, had our own kind
13 of discussion about this.

14 And so as I see it, the only relief
15 that's necessary is from lot occupancy under
16 403.2, rear yard 404.1, open court on 406 and
17 closed court.

18 The other relief from, was it 2500.4
19 is not necessary. Would you agree with that,
20 Mr. Jackson?

21 MR. JACKSON: Arthur Jackson, DC
22 Office of Planning. Yes, if you grant the rear

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1 yard relief, then that takes care of it.

2 CHAIRMAN JORDAN: And I think it
3 makes it cleaner.

4 MR. JACKSON: Yes, sir.

5 CHAIRMAN JORDAN: Is that okay with
6 you?

7 MS. FOWLER: That's excellent.
8 Thank you, sir.

9 CHAIRMAN JORDAN: So we make sure
10 we amend your application to reflect that, and
11 staff make sure we recorded it that way. Okay?
12 Good. Ms. Fowler, I don't have any issues.

13 I'm going to check with the other
14 board members to see if there's any issues.
15 The ANC, did we get an ANC letter?

16 MS. FOWLER: No, I was going to
17 mention that. We did go to the ANC. We were
18 unanimously supported last Thursday at their
19 full meeting.

20 But we never received a letter.
21 And I checked the file this morning. It was not
22 in there, but we did get their support.

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1 CHAIRMAN JORDAN: Okay. And we
2 take the representation on oath that there has
3 been ANC vote and support of this.

4 MEMBER HOOD: Mr. Chairman, can I
5 just ask? I'm familiar with ANC 1B. I think
6 Chairman Turner's name, but I'm curious. They
7 always respond, not that this is a hold up for
8 me. So could you tell us what the vote was? Do
9 you remember?

10 MS. FOWLER: I believe was
11 unanimous.

12 MEMBER HOOD: Unanimous?

13 MS. FOWLER: Yes.

14 MEMBER HOOD: Okay.

15 CHAIRMAN JORDAN: But you did do a
16 presentation --

17 MS. FOWLER: I did.

18 CHAIRMAN JORDAN: -- and they did
19 vote.

20 MS. FOWLER: Yes, we actually went
21 two months in a row. We went the first time,
22 and then we went last month. And that's why it

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1 was cutting it so close --

2 CHAIRMAN JORDAN: Okay.

3 MS. FOWLER: -- because we didn't
4 have the neighbor letters yet the first time
5 around.

6 MEMBER HOOD: I just wanted you to
7 put the vote on the record. I'm sure if they
8 had a problem, they would've submitted
9 something. I'm just surprised they didn't
10 submit something anyway, but anyway.

11 MS. FOWLER: It might be just
12 because it was last Thursday. It was cutting
13 it very close to the hearing.

14 MEMBER HOOD: Oh, last Thursday.
15 Yes, they are volunteers. Okay.

16 MS. FOWLER: Yes.

17 MEMBER HOOD: Thank you.

18 CHAIRMAN JORDAN: Does the Board
19 need to hear anything in particular from this
20 applicant on this because I think the record and
21 file are very complete? Appreciate it, so are
22 you willing to let us proceed on?

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1 MS. FOWLER: Yes, please.

2 CHAIRMAN JORDAN: Okay.

3 MS. FOWLER: Thank you.

4 CHAIRMAN JORDAN: Then going back
5 to you, Mr. Jackson, anything else you need to
6 add?

7 MR. JACKSON: No, Mr. Chairman.
8 Office of Planning appreciates the cooperation
9 and the assistance of the applicant and their
10 consultant to actually address the issues that
11 were raised by this case. And we highly
12 recommend approval.

13 CHAIRMAN JORDAN: Okay. Thank
14 you. I skipped this before. Board, any
15 questions to Office of Planning? The
16 applicant any questions to Office of Planning?

17 MS. FOWLER: No, thank you.

18 CHAIRMAN JORDAN: Okay. Is anyone
19 here from Department of Transportation for this
20 particular case? Then the Department of
21 Transportation has issued a letter of no
22 objection to this matter.

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1 We just discussed that, anyone here
2 from ANC 1B? We don't have a letter from ANC
3 1B, but as Ms. Fowler just represented that ANC
4 1B voted in support of this application.

5 Excuse me, and we take that
6 representation and add it to the record, can't
7 give great weight. But we add it in our
8 consideration.

9 Is anyone here wishing to testify in
10 support of this application? Anyone wishing
11 to testify in support? Anyone wishing to
12 testify in opposition? Anyone opposition?

13 Then we would, unless there's
14 something else you want to add, then we would
15 close the record based upon what we already have
16 in file.

17 As indicated, this clearly meets
18 the requirements for the relief requested, as
19 we discussed, net relief being lot occupancy,
20 rear yard, open court and closed court.

21 Any other discussion Board? I
22 would move that we grant the amended relief as

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1 discussed here today for 18774.

2 MEMBER HINKLE: Second.

3 CHAIRMAN JORDAN: Motion made and
4 seconded. Readiness. All those in favor,
5 signify by saying aye.

6 (Chorus of Ayes)

7 CHAIRMAN JORDAN: Those opposed
8 nay. The motion carries.

9 MS. ROSE: Staff will record the
10 vote as three to zero to two, with Mr. Jordan
11 making the motion with the second by Mr. Hinkle,
12 and Mr. Hood in support with Ms. Allen and Ms.
13 Heath not present and not voting.

14 CHAIRMAN JORDAN: And I'm sure you
15 want a summary order. You don't have to have
16 one.

17 MS. FOWLER: That would be
18 wonderful. Thank you.

19 CHAIRMAN JORDAN: Sure. Thank
20 you.

21 (Off microphone comments)

22 CHAIRMAN JORDAN: So where are we,

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1 767?

2 MS. ROSE: 18767, the application
3 of Darryl R. Clark, pursuant to 11 DCMR
4 Subsections 3104.1 and 3103.2 for variances
5 from the following requirements, lot area under
6 Section 401, lot width under Section 401, side
7 yard under Section 405 and the non-conforming
8 structure requirements under Subsection 2001.3
9 and a special exception from the pervious
10 surface requirements under Section 412 to
11 construct two new one-family semi-detached
12 dwellings in the R-2 District at premises 305
13 and 307, 55th Street, N.E., Square 5250, Lots
14 68 and 70.

15 CHAIRMAN JORDAN: Would the
16 parties for this case please come to the witness
17 table? Is the applicant here? Are you the
18 applicant?

19 Please, make sure your microphone
20 is on, and then identify yourself. It should
21 be a bright glowing green light. Is that on?
22 Does that sound on? Push it. Now try it

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1 again.

2 MR. CLARK: Good morning, Darryl
3 Clark, the owner of 305 and 307 55th Street,
4 N.E.

5 CHAIRMAN JORDAN: Okay. All
6 right, we do have the letter of posting in here.
7 I don't have a letter from ANC 7C. Did you
8 present to ANC?

9 MR. CLARK: I submitted it. I saw
10 it online.

11 CHAIRMAN JORDAN: I have a letter
12 from a single member ANC representative. I
13 don't have a letter from the ANC. Did you
14 present to the ANC, the full board of ANC?

15 MR. CLARK: I did not know I need
16 one from the full board. I did get one from --

17 CHAIRMAN JORDAN: Let me go back to
18 what my question was. Did you present in front
19 of the full board of ANC?

20 MR. CLARK: No, I did not. No,
21 sir.

22 CHAIRMAN JORDAN: Okay.

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1 MEMBER HOOD: So you just went to
2 the single member district?

3 MR. CLARK: That is correct, and he
4 presented it to the full board.

5 CHAIRMAN JORDAN: How do you know
6 that?

7 MR. CLARK: I had a conversation
8 with him, emails and the letter.

9 CHAIRMAN JORDAN: And you didn't do
10 a presentation? Let me tell you, this is one
11 of the areas which we constantly get issue with,
12 with ANC's not being involved.

13 And it's so important that there's
14 a presentation, at least that we hear that the
15 applicant went to the ANC to do a presentation.
16 It's great that a single member commissioner is
17 supportive of your project.

18 But we at least want you to have a
19 presentation or do your best effort to contact
20 the full ANC and have a meeting with them. If
21 they decide not to have the meeting, or they
22 decide not to do anything or support one way or

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1 the other.

2 But it's important for the
3 community to be involved in really knowing. We
4 have to kind of assure ourselves that the proper
5 steps.

6 And I understand you didn't
7 understand that you really do need to do that.
8 But it just gives me a bump in the road for this
9 particular application.

10 MR. CLARK: I did request to go
11 before the Board as I remember now, okay, but
12 there was a scheduling conflict, okay, because
13 they had already had the meeting. So the next
14 meeting would've really been after this
15 hearing.

16 CHAIRMAN JORDAN: Okay.

17 MEMBER HOOD: Mr. Chairman, I will
18 tell you I have a lot of hesitation and pause.
19 As I mentioned earlier, the previous applicant
20 was able to come down and convey to us of what
21 exactly happened.

22 I know ANC 1B, the chairperson

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1 there, but I have some issues with not going to
2 the full. That's a requirement. I appreciate
3 the support of the single member district
4 commissioner.

5 But I think he knows what the
6 requirement is also. I think there needs to be
7 a presentation made to the full board. And
8 hearing this application, and hearing what I've
9 heard from this applicant, I'm not sure.

10 I think we need to send it back to
11 the ANC, to the full ANC, but the good part about
12 it from what he's saying is he has support from
13 single member district.

14 But it still needs to be in front of
15 the complete board because that's a
16 requirement.

17 MR. CLARK: I don't have any
18 problem with that.

19 CHAIRMAN JORDAN: Then let's move
20 this, if that's okay with everyone, to another
21 date. Normally, the Board can move this within
22 30 days. However, I don't know, when's the

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1 meeting of the ANC? You indicated --

2 MR. CLARK: They indicated it would
3 be after the hearing, so it's got to be in the
4 next few weeks, I guess.

5 CHAIRMAN JORDAN: Okay. So let's
6 move this at least three weeks out. Let's go
7 ahead and move it, give us a good date for 30
8 days and make sure that we're okay.

9 MS. ROSE: July 15th?

10 CHAIRMAN JORDAN: What is it about
11 July 15th that bothers me because I think I'm
12 not going to be in town.

13 MEMBER HOOD: I'll be back on the
14 22nd, I think, to be here.

15 MS. ROSE: 22nd?

16 CHAIRMAN JORDAN: So 22nd?

17 MEMBER HOOD: I think, yes.

18 MR. CLARK: July 2-2?

19 MS. ROSE: Yes, July 22nd.

20 CHAIRMAN JORDAN: That reminds me,
21 too, board. I think I'm out of town on the 15th
22 so that we note that. Okay, so July 22nd. And

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1 if the ANC, well, they know generally to get us
2 the letter in at least a week before the
3 hearing. So it should be encumbered upon you
4 to really push for that to happen.

5 MR. CLARK: Okay. All right,
6 thank you.

7 CHAIRMAN JORDAN: Wow, are we like
8 on the last case of the day? All right, we're
9 going to take just a five minute break and then,
10 but the parties for 18772 just start getting
11 yourselves situated. We'll take a five minute
12 break.

13 (Whereupon, the above-entitled
14 matter went off the record at 10:09 a.m. and
15 resumed at 10:16 a.m.)

16 CHAIRMAN JORDAN: Would you please
17 call 18772, please?

18 MS. ROSE: Yes, Application 18772
19 of MR Gallery Square LLC pursuant to 11 DCMR
20 Subsections 3104.1 and 3103.2 for variances
21 from the requiring requirements, the court
22 under Section 776, parking Subsection 2101.1

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1 and loading, Section 2201 and special
2 exceptions from the roof structure
3 requirements, Section 770.6 and 411 and the
4 rear yard requirements under Section 774 to
5 allow the construction of a new hotel with
6 retail use in the DD/C-3-C District at premises
7 627 H Street, N.W., Square 453, Lot 59.

8 CHAIRMAN JORDAN: Very good.
9 Please identify yourselves.

10 MS. SHIKER: Good morning. My
11 name is Christine Shiker with the law firm of
12 Holland & Knight. I'm joined by Jessica
13 Bloomfield, also of Holland & Knight. And
14 would you like me to introduce our panel down
15 the line?

16 CHAIRMAN JORDAN: Whichever way
17 you want to do it. They can introduce
18 themselves or you could --

19 (Simultaneous speaking)

20 MS. SHIKER: We'll start with Mr.
21 Sher on my left.

22 MR. SHER: Steven E. Sher, Director

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1 of Zoning and Land Use Services with the law
2 firm of Holland & Knight.

3 CHAIRMAN JORDAN: A man who needs
4 no introduction.

5 MR. CAFRITZ: Conrad Cafritz, the
6 General Partner of the applicant.

7 MR. CARTER: Doug Carter,
8 President, Davis, Carter, Scott Architects.

9 CHAIRMAN JORDAN: Last name again?

10 MR. CARTER: Carter.

11 CHAIRMAN JORDAN: Carter, okay.

12 MS. SIRCAR: Anita Sircar, Davis,
13 Carter, Scott, Architect.

14 MR. ANDRES: Good morning, Erwin
15 Andres with Gorove/Slade Associates.

16 MS. SHIKER: And we also have Aaron
17 Katz in the audience from Modus Hotels.

18 CHAIRMAN JORDAN: Aaron Katz.
19 Okay. He's going to be testifying, do you
20 know?

21 MS. SHIKER: Only if there are
22 questions for him.

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1 CHAIRMAN JORDAN: All right, so I
2 can get a beat on this time because there are
3 a lot of people there. How many people do we
4 have going to speak in support?

5 If you're speaking in support just
6 raise your hand. Okay. Anyone speaking in
7 opposition? So we're okay. So time wise
8 we're good. Okay. You raised your hand.

9 You speaking in support or
10 opposition? Okay. Got you. Oh, okay. All
11 right. I was trying to find out so time wise.
12 Is the whole community going to speak, or --

13 (Off microphone discussion)

14 MS. SHIKER: He needs to be on a
15 microphone.

16 CHAIRMAN JORDAN: You need to come
17 up to the microphone. Come up please, and just
18 come up and give us your name and et cetera.
19 Okay. Can we have your name, please?

20 MR. LIU: My name is Alfred Liu.
21 I'm an architect, also an urban planner. And
22 I also a designer with Chinatown Archway and Wah

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1 Luck House.

2 CHAIRMAN JORDAN: So you're here to
3 speak in opposition, and you're representing a
4 group?

5 MR. LIU: Yes, also representing
6 almost 90 percent of the Chinatown residents.

7 CHAIRMAN JORDAN: I got you, but we
8 don't have a party status request, do we? No.
9 So you're just speaking as, okay. Got you.
10 Then we call you.

11 Then you just have three minutes
12 because I thought there, all right, so there is
13 no, right, we're clear. You didn't file an
14 application for party status, did you? No?

15 MR. LIU: No, we have not because we
16 didn't know about it until last minute.

17 CHAIRMAN JORDAN: Okay. We'll get
18 to that. All right, so then I think where I am,
19 and I'd rather get to the gist of the muster
20 where I have my issues and where other board
21 members have issues than going through, running
22 through, well, we got opposition.

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1 And I don't know where the
2 opposition's issues are. You're going to have
3 to shoot for it, go for it because I just don't
4 know where the opposition's issues are.

5 But let me tell me where my concern,
6 I'm struggling with relief for parking,
7 eliminating all parking. I'm struggling with
8 the fact that it's, the traffic issues, if they
9 are going to be any, the whole shebang.

10 So that's definitely something I'd
11 want to hear about, and it's effect upon the
12 community, this whole project. Anybody else,
13 any other?

14 MEMBER HOOD: I would concur, Mr.
15 Chairman.

16 CHAIRMAN JORDAN: Okay. So you
17 can give us the rundown on the project, which
18 I think we're real clear on. You'll also have
19 the opportunity in rebuttal maybe even to come
20 back to clean up something that might be said
21 of someone in opposition.

22 I don't necessarily have to hear, at

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1 this particular point, everything about the
2 project. We understand the stroke of it and
3 what have you, so it's on you to deal with it.

4 MS. SHIKER: Thank you, Chairman.
5 I think I'll go ahead and give an opening
6 statement, frame the case for you and then go
7 directly to Mr. Carter to talk through some of
8 the elements of the building and practical
9 difficulties.

10 And then I'll go to Mr. Andres to
11 talk about the traffic impacts. I do have
12 three expert witnesses that I'd like to qualify
13 please. I have Mr. Carter as an expert in
14 architecture.

15 He has been accepted as an expert
16 before the Zoning Commission, but he has not
17 appeared before the Board of Zoning Adjustment.
18 Mr. Sher and Mr. Andres have appeared multiple
19 times before the Board and have been accepted.

20 CHAIRMAN JORDAN: Yes, I've
21 already looked at their backgrounds, and we
22 will accept them as experts for their

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1 particular expertise.

2 Sometimes we stretch that and let
3 them start telling us everything in the world.
4 It's like okay, that's not your expertise. I
5 was on the border, although they're very
6 strong.

7 Is it Mr. Carter, I only saw one
8 project, maybe two DC projects, but they were
9 out of Virginia. I could be wrong about who it
10 was.

11 MR. CARTER: Mr. Chairman, as
12 noted, Doug Carter, Davis, Carter, Scott
13 founded in 1968, and our first project in the
14 District was in 1969.

15 And we've been doing projects in the
16 District ever since, and so we have many
17 buildings surrounding us in this neighborhood
18 so.

19 CHAIRMAN JORDAN: And I
20 understand. I'm not trying to belabor the
21 point because I've already accepted, but just
22 for going forward, one, where the firm is

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1 presenting versus an individual regardless of
2 what the firm has done, if the individual here
3 is testifying, they're testifying as an expert
4 themselves.

5 I was just suggesting, and I could
6 be wrong, clearly when my review of this some
7 days ago that I noticed just a couple of DC
8 projects as an individual, not the firm.

9 But there were some DC projects, and
10 I just wanted to, I was just making that
11 comment, so we're okay. We're going to move
12 forward.

13 But we have had, in other times,
14 people offer folks that have no, they've done
15 Virginia. They've done Maryland, but they
16 haven't done a DC project.

17 And DC is a little bit particular.
18 We're just a particular place, but in a great
19 way. So I just make that note. But we're
20 okay. I've already accepted it.

21 MS. SHIKER: Thank you. The
22 project that we are here to present is at 627

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1 H Street, Northwest. It's located along H
2 Street between 6th and 7th Street. It's an
3 interior lot.

4 It's a vacant lot, and it is Zone
5 C-3-C in the downtown development district.
6 That zone district permits a maximum height of
7 110 feet, and a maximum FAR of ten.

8 And I will point out we are at 110
9 feet in height, and we're well below the FAR at
10 8.49. The project is going to be a hotel.
11 It's going to be a unique concept in DC.

12 It's a microunit hotel, so there are
13 smaller units being geared towards younger
14 people coming in to take advantage of all the
15 wonderful opportunities that the city has to
16 offer.

17 The size of the lot is one of the
18 primary issues that we have, given it's an
19 interior lot, and it's small. As I said, the
20 project complies with all height, density and
21 all of the downtown development requirements as
22 well as the Chinatown requirements.

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1 The Board has seen this site before
2 back in October of 2007 when it granted a case
3 for a very similar relief for finding that the
4 exceptional conditions led to a practical
5 difficulty.

6 And in that case it was a ten story
7 office building with first and second floor
8 retail. You have the pre-hearing submission.
9 You have the Gorove/Slade report.

10 We've also submitted a report from
11 Mr. Sher. We are pleased to have the Office of
12 Planning Report, in support, and we have been
13 working with DDOT.

14 DDOT submitted a report last week
15 that included some conditions. We met with
16 them on, we talked with them on Friday and met
17 with them on Monday. We have come to an
18 agreement on some revised conditions.

19 We've submitted those for the
20 record, and Ms. Israel from DDOT also submitted
21 an email, which is now in the record saying that
22 DDOT agrees to our revised conditions and that

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1 they are not going to plan to be here because
2 those issues were resolved.

3 I gave that to staff. It was not in
4 the record. It came in late yesterday, and Mr.
5 Cochran has a copy of that as well.

6 CHAIRMAN JORDAN: You said DDOT's
7 not going to be here.

8 MS. SHIKER: That's correct.

9 CHAIRMAN JORDAN: One of the things
10 we've talked about in our training, when issues
11 like this, we talked about the, well, that's not
12 your issue.

13 We'll deal with it because this
14 directly goes to transportation issue. I have
15 about 50 million issues about transportation I
16 would want DDOT's participation in.

17 But, okay. I just knew they were
18 going to come to this case, but we talked about
19 that. Cases like this, at this magnitude that
20 someone was going to be here. Okay. I'm
21 sorry.

22 MEMBER HOOD: The problem is just

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1 because they resolved them doesn't mean we're
2 comfortable with whatever was resolved with the
3 Commission, and I think you're exactly right.

4 I would just suggest, Mr. Chairman,
5 if we may not just want someone from DDOT here
6 every hearing case.

7 CHAIRMAN JORDAN: That's
8 certainly, well --

9 MEMBER HOOD: At Zoning
10 Commission, that's what we did.

11 CHAIRMAN JORDAN: I thought we had
12 that discussion.

13 MEMBER HOOD: We did. We're
14 having the same discussion.

15 CHAIRMAN JORDAN: Two weeks ago,
16 right? We had that discussion two weeks ago.
17 But that's okay. We'll work it out. It's just
18 a lot of things slip sometimes or
19 miscommunications. We'll work it out.
20 Anyway.

21 MS. SHIKER: We're also pleased to
22 have the report of ANC 2C. We did present this

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1 project in a very big presentation and long
2 discussion on May 12 to the ANC.

3 Mr. Liu was there. Most of the
4 members of the community sitting in this room
5 were at that hearing and had an opportunity to
6 talk.

7 The issues that primarily came out,
8 from our understanding, and they'll have an
9 opportunity to talk, were that the Chinese
10 elements of the facade were not refined or not
11 really giving the Chinese motifs that the
12 community wanted to see at that meeting with the
13 ANC and as we've put in our pre-hearing
14 submission.

15 We agreed to not have the ANC take
16 a position on that, to continue to work with the
17 community and the ANC, through the Chinatown
18 design review process.

19 There is a steering committee that
20 provides comment, and there's a Chinese design
21 review process that's required to occur before
22 a building permit's issued.

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1 And we've agreed to go through that
2 process and take input and work through those
3 elements. And we would ask the Board to give
4 us flexibility to the extent there are any
5 facade changes as we go through that process,
6 that we'd be able to make those so long as it
7 doesn't impact any area of relief.

8 And these elements are what you see
9 in terms of the cornice lines, the facade
10 treatments that evoke the Chinese spirit from
11 the Chinatown design review process.

12 So we believe that our submissions
13 satisfy the burden of proof, but we're going to
14 have Mr. Carter go through and talk about those
15 different elements and walk through the
16 project, focusing primarily on the parking and
17 the impacts that we have from that. And then
18 we'll go to Mr. Andres.

19 CHAIRMAN JORDAN: And where you
20 know the opposition is from the community.

21 MS. SHIKER: Absolutely.

22 CHAIRMAN JORDAN: I think you just

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1 mentioned that.

2 MS. SHIKER: We have talked with
3 them. We had a very active ANC meeting with
4 these groups of people on May 12th.

5 MR. CARTER: Mr. Chairman, members
6 of the Board, as stated, Doug Carter from Davis,
7 Carter, Scott. And I think just to reassure
8 you, Mr. Chairman, I've been involved in
9 probably two dozen projects in DC, both
10 residential and office and hotel.

11 And that means personally involved
12 in both the design and the presentations to
13 boards such as yourself. We've been involved
14 in this, and we think it's an exciting project
15 for DC.

16 We've been working on for
17 approximately 18 months, and I think that we've
18 produced a building which you've been looking
19 at for the past couple of minutes that will fit
20 into its context in a H Street. As you just
21 heard --

22 CHAIRMAN JORDAN: Just so you know,

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1 it's not just for a couple of minutes. We've
2 looked at it probably since the file's been up.

3 MR. CARTER: Yes, sir. You are
4 correct. Well, then, I will try and make this
5 then, very brief. So if we can then go to the
6 first slide, we have a vicinity map here which
7 shows the building in its context on H Street.

8 And so you can see, it's an interior
9 lot going through from H Street to the alley
10 behind on the north side. We're bounded on
11 both east and west by existing buildings.

12 And so the building to the west is
13 actually encroaching into us by approximately
14 seven inches, making a very tight site even a
15 little smaller.

16 It is an exceptionally small and
17 narrow site. It's 60 feet in width and 132 feet
18 in depth. And it's because of these conditions
19 that we are seeking these several areas of
20 relief.

21 And so if we go to the next slide,
22 this is really a lot of zoning information,

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1 which is very difficult to see. I think the
2 important things are what you've already heard,
3 110 feet tall.

4 So we comply. We have a total of
5 68,000 square feet below the 10 FAR, and we have
6 a total of 254 rooms. So let's move on to the
7 ground floor plan and have a look at where we
8 are.

9 The ground floor plan, as you can
10 see, occupies both the full width and the full
11 depth of the site. The entrances to the hotel
12 and to the retail space are on H Street.

13 And so we've got the hotel entrance
14 in this location, and the entrance into the
15 restaurant at this point. And the restaurant,
16 we might add at this point, is primarily to
17 serve the guests in the hotel and for any
18 community, neighborhood that wish to stop in.

19 One of the areas that we're seeking
20 relief on is the loading, which you can see
21 occurs coming in from the alley on the north
22 side. And I appreciate the pointer. I need

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1 that, thanks.

2 CHAIRMAN JORDAN: Do you have the
3 pointer? Don't we have --

4 MR. CARTER: The cursor is showing
5 on the, yes --

6 CHAIRMAN JORDAN: Got you.

7 MR. CARTER: So the loading here is
8 coming in. Let me use this. The loading is
9 coming in from the alley. And so we're
10 providing one berth at 30 feet deep and one
11 service deliver space at 20 feet deep and a
12 loading platform of 100 square feet behind.

13 We, therefore, need, are asking for
14 relief from the 55 foot loading berth, 55 foot
15 plus the area behind it obviously would occupy
16 fully half of the site on the ground floor in
17 terms of the depth.

18 So based on the site's small size
19 and the narrow width, that becomes practically
20 impossible to do, let alone the fact that a 55
21 foot tractor and trailer can't navigate the
22 alley system within the square to access this

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1 loading facility.

2 So we acknowledge the importance of
3 the loading facility, but we cannot get a 55
4 foot trailer back there. As you heard, we are
5 providing no parking for the site.

6 This, again, is really largely a
7 result of, I think, the type of clientele, which
8 we can speak to later, but also simply because
9 if we were to provide parking, you recognize
10 that bringing a ramp in from the alley would
11 occupy a great deal of the width of the building
12 at 60 feet wide and the minimum of a 20 foot
13 driveway.

14 And so with the core facilities, it
15 becomes literally impossible to bring down a
16 ramp and to provide parking spaces on the lower
17 levels. We are actually one level below grade
18 and one level beneath that.

19 So we would be going down beneath
20 that area, and we can only park cars, even if
21 we did bring in the ramp and wipe out the loading
22 dock area and eliminate a lot of the retail

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1 space, we'd only be providing cars at the rate
2 of seven to eight per level.

3 And so we would be going down
4 another six levels below grade. It is
5 absolutely impractical, and literally if we
6 have the ramp going down, we don't have the
7 sufficient turning radius to actually come off
8 the bottom of the ramp and to park cars in any
9 of the lower levels.

10 So it becomes really an impractical
11 solution.

12 CHAIRMAN JORDAN: Are you saying it
13 can't be done? Are you saying --

14 MR. CARTER: I'm saying in all
15 practicality, Mr. Chairman, it is really not
16 possible to provide --

17 (Simultaneous speaking)

18 CHAIRMAN JORDAN: From an
19 engineering standpoint?

20 MR. CARTER: I'm sorry?

21 CHAIRMAN JORDAN: From an
22 engineering standpoint, architectural

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1 engineering standpoint?

2 MR. CARTER: I mean architectural
3 engineering standpoint.

4 CHAIRMAN JORDAN: Okay.

5 MR. CARTER: But not financial?

6 CHAIRMAN JORDAN: There are
7 obviously financial implications if we go down
8 six, seven and eight floors beneath a tiny
9 hotel. That literally means, it doesn't work
10 financially either.

11 Okay. Moving on, we are requesting
12 relief from the court widths. And so we're
13 providing three courts, both on the east and the
14 west. One closed court is on the west side of
15 the building at the second level.

16 And this court is ten feet and four
17 inches wide and 20 feet and ten inches is
18 required. We're providing one open court on
19 the east side of the building at the second
20 floor.

21 And this is eight feet and two
22 inches wide and 23 feet and four inches is

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1 required. I think looking at the site plan,
2 with the design of a hotel that has any degree
3 of efficiency in operational acceptability, a
4 central corridor with rooms on either side is
5 obviously the way to go.

6 We are providing the courts on
7 either side as indicated so that we can provide
8 a really functional and efficient hotel floor
9 plan. It would be possible to provide one
10 compliant court on one of the building, at that.

11 But what that would mean is we would
12 have daylight into rooms on one side of the
13 corridor and no daylight because we'd be on the
14 property line or windows very much in danger if
15 they were on the property line.

16 And so that becomes also, from a
17 hotel standpoint, an impractical design
18 solution. In addition, we're also requiring a
19 special exception for the rear yard depth.

20 And so the requirement is for 22
21 feet, and we're providing 15, measured from the
22 center point of the alley. The site abuts the

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1 30 foot wide alley at the rear and provides
2 sufficient separation, thereby, from the
3 buildings to the north.

4 And so we, once again, comply with
5 the alignment of the buildings on either side
6 of us. And if you recall the maneuvering of the
7 trucks in the 30 foot wide alley, we think this
8 is a reasonable requirement request.

9 And lastly, to the roof, as you
10 heard we're requesting relief on the roof
11 structures. There's setback requirements
12 that are one-to-one ratio from the east and
13 west.

14 And that is, once again, simply
15 because of the narrow width of the site. And
16 so the roof structure really is placed where it
17 has to be to support the elevators.

18 And the elevators are placed where
19 they have to be as you saw on the typical floor
20 plan so that we actually cannot, on east and
21 west, provide the one-to-one setback
22 requirements. We can obviously from H Street

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1 and do.

2 MEMBER HINKLE: So that one-to-one
3 setback, that's from the courts? Is that
4 correct?

5 MS. SHIKER: Yes, we need the
6 one-to-one from the north and the south
7 facades. It's simply on the court facades that
8 we can't. It's just not wide enough to get the
9 one-to-one setback.

10 MEMBER HINKLE: So essentially you
11 would end up with an eight foot tent house or
12 something if you met the requirement?

13 MS. SHIKER: It would be very, very
14 narrow.

15 MR. CARTER: We couldn't put the
16 elevator machinery in.

17 MS. SHIKER: With that, I'd ask Mr.
18 Andres to talk through the parking and the
19 loading impacts and talk a little bit further
20 about that research. Thank you.

21 MR. ANDRES: Good morning,
22 Chairman Jordan, members of the Board. Again,

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1 Erwin Andres with Gorove/Slade Associates.
2 With respect to the traffic and parking impacts
3 related to the site, I think it's important that
4 we go through the location and the amenities
5 related to where the site's located.

6 And then as I walk through this, I
7 think it's important to understand that this
8 hotel product is extremely unique in this DC
9 market. I think the relief we're requesting
10 here is feasible because of the fact that it is
11 a different type of hotel product.

12 Again, just to go through some of
13 the dimensions, the units or the rooms, are
14 about 150 square feet or less.

15 CHAIRMAN JORDAN: We understand
16 the design and all that, but just get to your
17 analysis. You don't have to repeat what we
18 just kind of heard. That's all I'm trying to
19 say.

20 MR. ANDRES: Okay. That's fine.

21 CHAIRMAN JORDAN: You can if you
22 want, but I'm just saying --

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1 MR. ANDRES: It's one of those
2 things where it's an intrinsic part of the --

3 CHAIRMAN JORDAN: Okay. Well, go
4 ahead. I'm sorry. I'm trying to save you some
5 words.

6 MR. ANDRES: If we were to look at
7 a typical hotel room, which is in the range of
8 350 to 400 square feet, the number of people
9 that you could fit in that are, in some cases
10 you could fit a small family.

11 In this case, you're looking at
12 essentially one bed per room. And what that
13 lends itself to is it lends itself to younger,
14 single or younger couples coming to and from the
15 District and taking advantage of some of the
16 transportation elements in and around this
17 neighborhood that are unique to other parts of
18 the city.

19 The site currently as located is
20 within walking distance of four Metro stations,
21 Metro Center, Judiciary Square, Gallery Place
22 and also the Convention Center Hotel.

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1 The Gallery Place Metro station
2 itself is the third busiest Metro rail station
3 behind Union Station, which is first, and Metro
4 Center, which is second.

5 So in terms of being hubs of
6 locations where potentially young riders of the
7 Metro rail system would congregate, this is one
8 of those places where a hotel product like this
9 would be successful and would take advantage of
10 that.

11 What's also unique with this
12 neighborhood that some of the neighborhoods
13 within the city don't have is some of the inner
14 city bus. There's a Chinatown bus.

15 There are actually several
16 Chinatown bus lines, and some of those bus lines
17 actually provide ten trips a day to New York
18 City.

19 And at 50 passengers, you're
20 looking at 500 mostly single passengers come to
21 and from New York City and cities like
22 Philadelphia and Boston from some of the stops

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1 that are a block to two blocks away.

2 So we are taking advantage of the
3 Millennials that we are looking to accommodate
4 in this facility.

5 MEMBER HINKLE: I'm not sure if you
6 could answer this or somebody else from the
7 team, but are these like double beds? Are they
8 single beds?

9 These are small rooms. Is it
10 double occupancy? I mean are we looking at
11 close to 500 people at this or 245 people if the
12 hotel is full?

13 MR. CAFRITZ: The beds will be
14 comfortable, but the vast majority of, I'm
15 Conrad Cafritz, and I basically owned and
16 operated hotels since 1976. And this is a
17 unique product.

18 This is, we, in 1976 I did a hotel
19 called One Washington Circle, which really
20 reframed hotels, providing a more residential
21 ambiance in hotels and taking a lot of the
22 commercialism out.

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1 Our most recent hotel here in the
2 District is Avenue Suites. This is a little
3 bit off topic, which is rated four, five or six
4 in TripAdvisor.

5 So we have a very good operating
6 team. This is an absolutely unique hotel
7 concept.

8 CHAIRMAN JORDAN: Can you give me a
9 real big favor?

10 MR. CAFRITZ: Sure.

11 CHAIRMAN JORDAN: Mr. Hinkle just
12 asked a great question that kind of has me
13 lingering for that response.

14 MR. CAFRITZ: Okay, fine. I'm
15 sorry go over my --

16 CHAIRMAN JORDAN: No. You can do
17 that at some point, but I just want --

18 MR. CAFRITZ: I apologize. Okay.
19 I apologize because I went beyond. All I'm
20 trying to say is we've had a long experience.
21 This is a unique concept.

22 And the vast majority of the rooms

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1 will be occupied by one person. There might be
2 a quarter, in any given night there might be a
3 quarter or a third of the rooms being occupied
4 by two is what we estimate.

5 And that's all drawn from the New
6 York market and what's happening there.

7 CHAIRMAN JORDAN: But he asked are
8 these two beds in a room or one bed. Did you
9 --

10 MR. CAFRITZ: The vast majority of
11 rooms only have one bed, okay.

12 MEMBER HINKLE: But they could
13 still accommodate two people?

14 MR. CAFRITZ: They could
15 accommodate two people. It would be a double
16 or a queen bed. These are very small rooms.

17 MEMBER HINKLE: But at the top you
18 could have --

19 MR. CAFRITZ: Yes.

20 MEMBER HINKLE: -- 245 rooms, 490
21 people.

22 MR. CAFRITZ: You could, but that

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1 is not the experience of what's happening in New
2 York. It's not what we anticipate the
3 experience by any means will be.

4 MEMBER HINKLE: Okay.

5 MR. CAFRITZ: We assume the
6 experience is going to be like one and a quarter
7 in a given night and add an occupancy of around
8 85 percent.

9 MEMBER HINKLE: Great. Thank you.

10 CHAIRMAN JORDAN: Okay.

11 MR. ANDRES: And also given that
12 the rooms are going to be below market rate
13 given the site, so again, it is looking to
14 attract a certain market.

15 CHAIRMAN JORDAN: So what's the
16 cost of the rooms?

17 MR. CAFRITZ: Again, the costs of
18 the rooms will be about 70 percent of market.
19 We anticipate when the hotel is finished and
20 opens in late 2016 or 2017 the rates will be
21 around \$160 at that time, with the average rate
22 in town being around \$220, \$230 or \$240.

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1 MR. ANDRES: The site plan as
2 shown, I don't think I need to go through that.
3 Mr. Carter did a good job talking about the
4 loading. Just two things I wanted to point
5 out.

6 The alley behind us is 30 feet wide,
7 so the movements to and from the alleys serving
8 the rear alley are sufficient to accommodate a
9 30 foot truck.

10 The alleys leading from either I
11 Street or H Street are 15 feet wide. Next
12 slide. So in terms of our coordination with
13 DDOT, we've identified a Transportation Demand
14 Management Plan that's geared to address the
15 demand and how we manage both the guests and the
16 employees serving the site. Next slide.

17 With respect to the relief that
18 we're seeking, again, I think it's important
19 that we highlight what are the important
20 components of this.

21 The fact that we have 12 bus routes,
22 nine bike share stations, the fact that we have

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1 direct access to Washington National Airport as
2 well as Union Station, the daily ridership at
3 Union Station actually exceeds the daily
4 ridership at National Airport.

5 And the fact that we're only two
6 stops away from Union Station is a huge benefit.
7 In addition to that, again, given some of the
8 transportation incentives that many of the
9 Millennials are looking for, we are looking to
10 providing Capital Bikeshare members and
11 bicycle parking as part of the project.

12 In addition to that, it is a
13 walker's paradise. It's a score of 97, which
14 highlights the fact that not only is it
15 accessible by transit, but there's a lot of
16 things, such as retail shops, services, food
17 options that help support a product like this,
18 geared toward those Millennials.

19 So, in addition to the
20 Transportation Management Plan that we're
21 implementing, that's looking to address some of
22 the transportation needs of the guests and the

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1 employees, we realize that as part of a
2 comprehensive transportation plan, we look at
3 it as layers.

4 We try and promote transit. We try
5 and promote multimodes, but at the end of the
6 day, there might be some potential of people who
7 do decide to drive.

8 At that point, we look at, again,
9 another layer of accommodations. And what we
10 did is we looked at some of the garages in and
11 around the facility.

12 And there are many garages. The
13 one closest to the facility is the one at
14 Gallery Place, which has 660 parking spaces.

15 CHAIRMAN JORDAN: While you're on
16 that point, if you don't mind, this has been
17 bugging me. And you've heard me say this
18 before Mr. Andres, it's an issue.

19 And that's why I wanted DDOT to be
20 here and to have this in your report, and again,
21 it's in DDOT's report. You guys just skipped
22 right from A and went to Z without telling us

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1 in between what are the transportation needs of
2 your guests.

3 How many people do you plan on may
4 drive? What's the percentage of that? I
5 didn't see it. Maybe I missed it in your
6 report, but I went through it a couple of times.

7 You can tell me where it is in your
8 report, but I didn't see it. How many people
9 do you plan on driving? Why is a
10 Transportation Management Plan necessary?

11 And how many people will, how will
12 that Transportation Management Plan relieve
13 the issue of those people driving? I don't
14 know if I'm making sense to you.

15 But I don't see that in the reports.
16 So I need to know that you're going to have, in
17 any given day it's going to be about 50 trips
18 by car.

19 And with 50 trips per car, then we
20 know that 99 percent compliance is going to
21 happen and those people are going to go to the
22 side garages or whatever and that everybody

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1 else is going to come by these alternative
2 means. Does that make sense to you?

3 MR. ANDRES: Yes, absolutely. And
4 typically that's what happens in some of these
5 hotel products that Mr. Cafritz talked about in
6 New York City.

7 When you book your room in the Pod
8 Hotel, which is similar to this, in New York
9 City, on their website it basically tells you
10 we don't have parking onsite, that if you choose
11 to park, but we don't want you to park because
12 of the fact you're right at the Metro Station.

13 You have all of these
14 Transportation Demand Management measures.
15 In the event that for some reason you are
16 compelled to drive, that these are the
17 locations that you can drive.

18 CHAIRMAN JORDAN: Okay. Now let's
19 --

20 MR. ANDRES: And so I guess the
21 question is what is that number.

22 MEMBER HOOD: Yes, but can you

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1 direct me, Mr. Chairman if you don't mind me
2 asking?

3 CHAIRMAN JORDAN: No, I don't.

4 MEMBER HOOD: I'd like to be
5 directed to that website or a website of that
6 fact because I've heard this before in another
7 situation in the city.

8 I don't know, Mr. Andres, if you
9 were involved. And I haven't even got to how
10 we're going to get into the loading dock, but
11 I want you to know that's where we're going.

12 I don't know typically if the BZA
13 does that, but can you direct me to that
14 website? To add a question to what the
15 Chairman has already mentioned, the
16 surrounding parking areas, what is the time?

17 Can you park overnight? What is
18 the rate? Those are some of the factors that
19 go into how people drive and whether they park
20 in the neighborhood or they pull up the street
21 and park somewhere else.

22 So all those factors go into it, and

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1 you mentioned all these sites around. Are they
2 are open 24 hours because it's some places in
3 the city you got to be out by a certain time?

4 MR. ANDRES: That is correct. And
5 what we had done because we essentially
6 anticipated is we reached out to Colonial
7 Parking, which manages the --

8 CHAIRMAN JORDAN: I don't want to,
9 see I'm trying to get, and that's on our list.
10 And please add those things to respond. I'm
11 still, I don't want you to get lost.

12 MR. ANDRES: Okay.

13 CHAIRMAN JORDAN: Because I see you
14 trying to jump to some of these here.

15 MEMBER HOOD: I just wanted him to
16 put all that in your --

17 CHAIRMAN JORDAN: Right, and
18 answer because those are just questions they
19 need to respond to. But going back to the first
20 one, what are you projecting as the number of
21 people who would drive to that hotel on a given
22 day?

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1 MR. ANDRES: On a given day, given
2 the experience of the other operators, probably
3 in the range of 5 to 10 percent.

4 CHAIRMAN JORDAN: The other
5 operators where?

6 MR. ANDRES: The other operators in
7 the other cities in New York.

8 CHAIRMAN JORDAN: You've done an
9 assessment of the other operators in New York,
10 and you know their percentage of people who
11 drive to a similar type of hotel?

12 MR. ANDRES: Yes, it's our
13 understanding with our coordination with our
14 client, that typically it's between 5 and 10
15 percent for potentially people who may drive.

16 Now, we've addressed that, again,
17 by promoting all of the Transportation Demand
18 Management measures. And we've reached out to
19 Colonial Parking to see if it's possible that
20 we can accommodate some of the parking in one
21 of the closest garages, which is on 6th Street.

22 CHAIRMAN JORDAN: So 5 to 10

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1 percent, and this hotel has how many rooms?

2 MR. ANDRES: There's 245.

3 CHAIRMAN JORDAN: 245, so any given
4 day it would only have 5 to 10 percent people
5 who drive?

6 MR. ANDRES: Yes. So, in essence,
7 you're looking at 13 to potentially at this
8 point 25 vehicles. Now, there's parking
9 garages that are on the screen that have
10 capacity in them because as you know, on game
11 day, they're accommodating a significant
12 number of vehicles outside of the area.

13 And in addition to that, what's not
14 on the screen is the City Center, which has over
15 1000 spaces.

16 CHAIRMAN JORDAN: And what's the
17 length of time people stay in these hotels, a
18 day, two days, three days? What is it?

19 MR. ANDRES: I'm going to have to
20 defer.

21 MR. CAFRITZ: Let me just answer
22 the question. Okay. I'm being directed to

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1 answer this specific question. I will do that.
2 Reluctantly, I will answer the specific
3 question. The typical length of stay is one
4 day or two days.

5 CHAIRMAN JORDAN: One or two days,
6 okay. See, these are things we talk about all
7 the time, and the Board considers all this, the
8 impact upon the community.

9 The impact upon the community is
10 very important for us to stay there and to drill
11 in, and we don't like to drive by, for a pun,
12 on these issues.

13 So you got maybe 24 cars a day you
14 think may come, maximum? That's not even
15 talking about people coming in and out, so then
16 you multiply one or two days.

17 So they're going to have an impact,
18 this is your area. I'm just, I'm a novice at
19 this. So, in their stay might have about 48,
20 so their car would be in the area with impact,
21 what 48 cars for one person's stay?

22 I mean per stay in the hotel. So

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1 one person, 24, wait, each day 24. A stay is
2 typically two days. Isn't that going to grow
3 exponentially to some extent?

4 MR. ANDRES: No, essentially, when
5 somebody parks their car, especially because of
6 the fact they are located right where they are,
7 chances are they're not moving that car until
8 it's time for them to leave.

9 CHAIRMAN JORDAN: All right, so and
10 you're relied heavily in your estimation that
11 these people are going to be using alterative
12 modes because at this discounted rate, I am
13 suspecting this is not your business traveler,
14 those who normally fly.

15 MR. ANDRES: No, but again, as I
16 mentioned before, the Chinatown bus, for
17 example, if you go there on any Thursday, Friday
18 afternoon, you can see basically, potentially
19 the market that they're targeting.

20 It's single. They're primarily
21 single. They're primarily younger, and they
22 are traveling alone and visiting friends up and

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1 down the Eastern seaboard.

2 The Chinatown bus, one of the bus
3 lines that are served right in Chinatown has ten
4 trips a day to New York City, and that doesn't
5 include some of the other tour lines that are
6 through there.

7 So, essentially, that is the type of
8 market that they're looking at. Again, it's
9 single, younger, basically less money to spend,
10 but they'd rather not spend it on a bigger hotel
11 room. They'd rather spend it --

12 CHAIRMAN JORDAN: So where are
13 those people staying now? Do you know?

14 MR. ANDRES: I do not know, and I
15 believe there's a market for it because they're
16 looking to build it.

17 (Off microphone discussion)

18 CHAIRMAN JORDAN: No, you cannot,
19 not from back there certainly. Sorry, but it
20 just doesn't work that way unless you have a
21 witness. Okay.

22 All right, evidently she's not with

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1 you. I can tell. Otherwise you would've had
2 her up here. Since you will have the
3 opportunity to come up and talk to us if you want
4 at some point, okay.

5 So you do have an opportunity.
6 Aha, saw that, didn't I? I didn't see the
7 applicant jumping up saying no, come on up.
8 Take a seat. But how do we know? So when those
9 people come here, they're not renting cars?

10 MR. ANDRES: If they are, it'll be
11 Zipcar.

12 CHAIRMAN JORDAN: You know that,
13 right?

14 MR. ANDRES: Excuse me?

15 CHAIRMAN JORDAN: You know that?

16 MR. ANDRES: Well, no. The intent
17 isn't for them to rent cars. It's more cost
18 effective for them to take public
19 transportation.

20 MS. SHIKER: And Mr. Cafritz has
21 experience in looking at these other models,
22 and I think he could add maybe a sentence or two

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1 about what they've seen at some of the other
2 hotels if you'd like.

3 CHAIRMAN JORDAN: And you said the
4 hotels are in New York. Where are the other
5 places are there?

6 MR. CAFRITZ: They're primarily
7 just in New York right now. Our major market
8 is going to be, basically, it's going to be
9 Eastern seaboard. And it is actually --

10 CHAIRMAN JORDAN: For \$160? I
11 don't care where I am in the United States,
12 that's where I'm going to try to stay.

13 MR. CAFRITZ: That's in three years
14 by the way.

15 CHAIRMAN JORDAN: Right.

16 MR. CAFRITZ: It's a lot cheaper
17 today, but the point of this is it's an
18 interesting point about the Chinatown bus,
19 okay. I have children in my family who use that
20 bus.

21 And that bus is cheaper than some of
22 the parking lots downtown to get from New York

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1 to Washington, DC. It's true, and you all know
2 that I think.

3 And so that is dead on in our market.
4 We actually think it's going to be in the lower
5 range. Our hotels seldom run over 10 percent,
6 and if they do run to 10 percent or more, it's
7 basically on the weekends, which is the time
8 when they would do that when there's less
9 parking and obviously less traffic. But not
10 for this hotel --

11 CHAIRMAN JORDAN: So that's less
12 traffic?

13 MR. CAFRITZ: That's when families
14 come. We don't have those, so this is
15 basically at Zipcar at most population, China
16 bus oriented, train oriented, bus oriented,
17 regular bus. This is a different clientele,
18 okay?

19 CHAIRMAN JORDAN: Okay. All
20 right, I don't know if I'm comfortable, but Mr.
21 Hood asked you a series of other things. Can
22 you --

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1 MR. ANDRES: Yes, so one of the
2 other questions that Mr. Hood asked about were
3 coordinating with some of these operators.
4 And so what we did is reached out to Colonial
5 and asked them, basically, is there room for
6 some of our guests to park there in the event
7 that somebody does have to drive and park.

8 And so we secured a letter from
9 Colonial Parking that identified that they
10 confirmed that at a minimum 20, we can
11 accommodate 20 vehicles parking here.

12 CHAIRMAN JORDAN: On any given day?

13 MR. ANDRES: On any given day, so
14 you --

15 CHAIRMAN JORDAN: What's the cost?

16 MR. ANDRES: I am not sure. I can
17 get back to you with that cost, but I'm guessing
18 probably market rate for a full day is probably
19 in the \$25 to \$30 range if I were to guess.

20 MEMBER HOOD: For a day downtown?

21 MR. ANDRES: Yes.

22 MEMBER HOOD: Mr. Andres, come on

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1 now.

2 CHAIRMAN JORDAN: How much did he
3 say?

4 MEMBER HOOD: \$24, \$25.

5 CHAIRMAN JORDAN: What are you
6 talking about?

7 MEMBER HOOD: That's usually an
8 hour or two hours. Mr. Andres is my friend, but
9 sometimes I just, I don't know.

10 MR. ANDRES: In my building on
11 Connecticut Avenue, it's \$18 a day.

12 MEMBER HOOD: Maybe because they
13 know you in your building.

14 CHAIRMAN JORDAN: So we're talking
15 about days when there's not a basketball game.
16 There's nothing at the Verizon Center. Is that
17 what you're saying?

18 MR. ANDRES: \$20 is the minimum.
19 On most days because of the fact that they
20 accommodate significantly more cars, the
21 Colonial Parking operator was just, was only
22 committing to that 20. But they obviously have

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1 more available than that.

2 CHAIRMAN JORDAN: So they're going
3 to reserve them for the applicant? The
4 applicant is flying down and renting 20 spaces?

5 MR. ANDRES: Well, no. The client
6 isn't renting those spaces. He's saying that
7 they are available.

8 CHAIRMAN JORDAN: I understand
9 what you said, but I was asking that because,
10 okay. That's all right.

11 MEMBER HOOD: So this is pretty
12 much in other areas, even though we didn't get
13 a letter from the rest of them. And this is
14 overnight? They can park overnight?

15 MR. ANDRES: Well, yes. The
16 intent we identified that it is a hotel use, so
17 they do know what the, Colonial works with
18 hotels all the time.

19 MEMBER HINKLE: So all the garages
20 identified in your drawing here, those are 24
21 hour garages?

22 MR. ANDRES: No, they're not.

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1 Some of them are commercial garages, but in the
2 event that parking is going to be coordinated
3 with those garages, then we would do something
4 similar to what we did with Colonial and work
5 out an agreement with them.

6 MEMBER HOOD: Mr. Chairman,
7 because of what's being asked for here, this
8 letter's sufficient.

9 But I would need to see one or two
10 more from other garages of this nature that this
11 is doable because we're talking about doing
12 something with parking. And that's a major
13 issue, so something. I would rather see more
14 than one.

15 CHAIRMAN JORDAN: And then you said
16 something about you've worked out an agreement
17 with Colonial. Where is that?

18 MR. ANDRES: No, we didn't work out
19 an agreement.

20 CHAIRMAN JORDAN: Oh, maybe I
21 misheard what you said.

22 MR. ANDRES: What we did is we

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1 reached out to Colonial and coordinated with
2 them, and it's a similar condition that we work
3 out with, because we also worked on a similar
4 hotel case with no parking down at the Navy
5 Yard, down by the Navy Yard Metrorail Station
6 that was recently approved probably within the
7 past two or three years where we reached out to
8 Colonial and they issued a similar letter.

9 MEMBER HOOD: I remember a case,
10 and I just can't remember whether it was here
11 or in the Zoning Commission. I remember a case
12 similar to this.

13 CHAIRMAN JORDAN: In the 20 years
14 that you've been around.

15 MEMBER HOOD: In the 16 years that
16 I've been here. Could we get something or how
17 that's working?

18 MR. ANDRES: The hotel is under
19 construction.

20 MEMBER HOOD: Oh, it's under
21 construction. It hasn't finished yet?

22 MR. ANDRES: No.

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1 MEMBER HOOD: Oh okay.

2 MS. SHIKER: There is also another
3 similar case that the Board heard about a year
4 and a half ago up on New York Avenue, which is
5 also under construction. It's a similar
6 situation.

7 It's a Hyatt Place Hotel for which
8 a full parking variance was given due to the
9 small size of the site and the difficulty in
10 ramping down to get to the parking spaces.
11 Again, that one's under construction as well.

12 MEMBER HOOD: So we don't have
13 anything where we can look at and point to and
14 say this works.

15 MS. SHIKER: At this point, I'll
16 also point out that we were talking about what
17 the maximum demand would be. There is, for the
18 site, 48 parking spaces are required.

19 And so, to your point, Commissioner
20 Hood, it's 48 spaces would be required in the
21 garage. That talks about 20 spaces. You
22 would never have had more than 48 available

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1 parking spaces in the garage.

2 MEMBER HOOD: Yes, but that would
3 handle the 20 something people, 24 cars that you
4 would expect.

5 MS. SHIKER: Which is why we
6 reached out to the garages to find out if people
7 did come at our maximum demand, where could we
8 accommodate those.

9 MEMBER HOOD: Here's what happens
10 down here. I've been here long enough to see
11 this. We approve stuff and actuality, it
12 doesn't work. And I'm not picking on you.

13 I'm just saying what I've noticed
14 over my years. It sounds good, and I'm sitting
15 here thinking this really sounds good. But in
16 actuality, what actually is Chairman Jordan,
17 what are they creating for the city?

18 Are they making more of a problem
19 because I still want to talk about the loading,
20 as you know, previously. I still want to talk
21 about what we're going to do with the loading.

22 And I understand you're asking for

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1 a reduction in the loading berth, but what
2 actually are we doing? It sounds good. Yes,
3 you could put on the website and say this is what
4 we're going to do and what we're not going to
5 entertain here.

6 And this is what we're trying to
7 drive to. All that sounds good, but human
8 practice is what really happens. And
9 actually, we live here.

10 I don't fly in from New York or
11 somewhere else and come down here and sit on
12 this Commission. I actually am one of those
13 who are out there in it.

14 CHAIRMAN JORDAN: And know this
15 area.

16 MEMBER HOOD: True.

17 CHAIRMAN JORDAN: And as you know,
18 Ms. Shiker, that these, each building, each
19 project, each property stands on its own merit.
20 New York Avenue, at that point and especially
21 maybe when that relief was granted, certainly
22 doesn't look like the spot on H Street in

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1 Chinatown where it's always busy and packed.

2 So, you guys have been throwing that
3 out. And certainly down in the Navy Yard is a
4 whole different ball game than where we're
5 talking about in this property.

6 And I'm just saying, so let's talk
7 realistically. Let's not try to, the impact of
8 what these things will do, and I think there's
9 great positives to it. Don't get me wrong.

10 But this Board has to weigh the
11 community interest also, and if we don't
12 seriously consider the, and it's probably no
13 real right or wrong answer to this.

14 Like Mr. Hood is saying, sometimes
15 it's a crap shoot, but the Board has to try to
16 be comfortable at some point that we're doing
17 the right thing or based upon the information
18 that we have at the time we have it, that it's
19 the right thing to do because you have some
20 people here who are opposing it.

21 But they may just be a microcosm.
22 You might have people who don't even understand

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1 the impact.

2 And this Board's responsibility
3 under the law is that we are supposed to weigh
4 these things and look at these things and not
5 do a drive by and not let us get numbers and
6 information about how we're going to deal with
7 the back side on transportation demand without
8 seeing what the demand is going to be.

9 Come on. That's insulting. It
10 really is. You've got to tell us what the
11 number is, so we can work with it because we're
12 fairly intelligent.

13 And we know that there's going to be
14 something. So I'm just trying to, as Mr. Hood
15 is saying, we don't know. And there's a lot
16 of things, this area's being built up left and
17 right.

18 And we keep compiling relief upon
19 relief, and everybody's saying that nobody's
20 going to drive. Nobody's going to drive.
21 Cars are completely obsolete in the future.

22 We don't know. So that's why we

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1 just need your help. That's all I'm saying to
2 you. We really need your help to help us get
3 comfortable so that we know what's going on.

4 MEMBER HOOD: As one of my
5 colleagues said some years ago, those
6 discussions are the flavor of the day.
7 Nobody's driving. That's ludicrous. I don't
8 buy it.

9 I'm in traffic all the time when I
10 drive. That's why they pushed me to Metro. Is
11 that the goal? More cars, push all of us to
12 Metro. Next I'll be on a bike.

13 CHAIRMAN JORDAN: And then if you
14 look at some of the transportation and traffic
15 studies done by other jurisdictions that's
16 around us, sometimes what they thought was
17 targeting was going to happen, you know Mr.
18 Andres, it hasn't really happened that way.

19 MR. ANDRES: No, I completely
20 understand.

21 CHAIRMAN JORDAN: And in fact, part
22 of our problem, Mr. Cafritz is that we have

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1 issue. Our traffic is probably as consistent
2 on the weekend as it is on the weekday and
3 especially in this heavy tourist area.

4 And one of your, and I'm just
5 letting you know our issues so you can deal with
6 it. I'm not trying to scold you. This is
7 what's going on in my brain, what little bit I
8 have here, is that you're talking about taking
9 away parking space in flat.

10 Although, I understand that's an
11 issue, too, and I haven't heard you address
12 that, where I understand that you can't do the
13 60 foot reserved space in front because it
14 encroaches into the bus area.

15 But even if you did, there's parking
16 spaces now in front of that spot just by a little
17 if I'm not mistaken. There's one or two there.

18 MR. ANDRES: There's none.

19 CHAIRMAN JORDAN: There's none?
20 Not to the right of it, over there by, what's
21 the restaurant?

22 MR. ANDRES: There's some spaces in

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1 front of Tony Cheng's, but it's to the east of
2 the alley. So it's probably about 100 feet to
3 the --

4 CHAIRMAN JORDAN: What's the other
5 little restaurant?

6 MR. ANDRES: There's Vapiano's,
7 but there's no parking in front of Vapiano's.

8 CHAIRMAN JORDAN: There's no
9 parking in front of Vapiano's? Hmm. Okay.
10 All right, so those are the kind of things we
11 need to hear. Yes, we're staying with you for
12 a minute, and Mr. Hood has given you a few things
13 to respond.

14 MR. ANDRES: Absolutely.

15 CHAIRMAN JORDAN: Okay.

16 MEMBER HOOD: Can we talk about
17 the, I don't know if they do this on the BZA?
18 Can we talk about the loading?

19 MR. ANDRES: Oh yes, absolutely.

20 MEMBER HOOD: Can you show me how to
21 go around?

22 MR. ANDRES: Absolutely.

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1 MEMBER HOOD: How I'm going to get
2 into --

3 MR. ANDRES: Can you pull up the
4 backup slides? Mr. Hood, it'll take us a
5 second for us to pull up the backup slides.

6 MEMBER HOOD: I want you to take me
7 around the site.

8 MR. ANDRES: Absolutely.

9 MEMBER HOOD: The regular.

10 MR. ANDRES: The regular. Can we
11 dim the lights? So let's start off by saying
12 the trucks that are potentially coming to the
13 site are the linens, maybe some light food
14 service.

15 And what they would do is they
16 would, again, the site is oriented where H
17 Street is actually to the bottom of the page,
18 and I Street is to the top of the page.

19 So the intent is for the trucks to
20 turn right through the alley, head south
21 through the alley, turn right into this wider
22 alley. This wider alley behind the hotel is

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1 about 30 feet wide. It turns itself and backs
2 itself into the loading dock.

3 MEMBER HOOD: Are those alleys one
4 way?

5 MR. ANDRES: Well, no. All the
6 District alleys are 15 feet wide, and they're
7 basically bidirectional.

8 MEMBER HOOD: Okay. But I know
9 there are some alleys that we have one way. Are
10 those one way or two way?

11 MR. ANDRES: This one is not
12 designated either way.

13 MEMBER HOOD: Okay.

14 MR. ANDRES: So it's assumed that
15 it's two.

16 MEMBER HOOD: It has oncoming
17 traffic, and that's why we're going to have the
18 traffic, what do we call it?

19 MR. ANDRES: Loading Management
20 Plan.

21 MEMBER HOOD: Coordinator.

22 MR. ANDRES: Yes.

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1 MEMBER HOOD: The coordinator is
2 going to work through all that.

3 MR. ANDRES: Yes.

4 MEMBER HOOD: And they're going to
5 be certain, will there be certain times when the
6 trucks will be able to come in?

7 MR. ANDRES: Yes, the number of
8 deliveries associated with the hotel use is
9 relatively low compared to some of the other
10 retail uses.

11 MEMBER HOOD: Okay. So we come
12 down. We pull in. Tell me how we're going to
13 do it.

14 MR. ANDRES: Come down. Pull in,
15 and then on the way out, what they'll do is pull
16 out, back up, pull out, back up and then go, and
17 then exit on I Street where they came.

18 And essentially I Street ties into
19 New York Avenue, which allows you access
20 regionally.

21 MEMBER HOOD: So we come down.
22 We're going to pull in. Do we have to pull

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1 forward and then back in?

2 MR. ANDRES: Yes, because of the
3 fact that it's, they're historic District
4 alleys, so they're on the tight side.

5 MEMBER HOOD: So if somebody's
6 double parking, but they don't have that
7 problem down in that area. Nobody double parks
8 in the alley down there, right?

9 MR. ANDRES: No. The alley's
10 relatively clear because of the fact there are
11 a lot of surface spaces around in the
12 neighborhood.

13 MEMBER HOOD: So nobody else is
14 making a delivery, and there's no double
15 parking? But then again, we're going to go
16 back and say that the coordinator will take care
17 of all those issues?

18 MR. ANDRES: Yes, that's correct.

19 MEMBER HOOD: And have we come up
20 with any hours for the coordinator, 7:00 to 7:00
21 or no?

22 MR. ANDRES: The coordinator is

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1 basically a staff member, so essentially, if
2 there's a staff member there, and typically the
3 deliveries take place in the morning.

4 MEMBER HOOD: So someone will call
5 and let them know when they're headed there for
6 a delivery, or will they deliver --

7 (Simultaneous speaking)

8 MR. ANDRES: They'll know when a
9 delivery truck shows up because in some cases
10 they have to do inventory control, so nothing
11 "leaves the truck."

12 MEMBER HOOD: So the only way is to
13 pull down, pull straight ahead, pull forward,
14 back in it. Then we come back out and make a
15 right and go on back out?

16 MR. ANDRES: Yes.

17 MEMBER HOOD: The only thing that
18 messes that up is if somebody's double parked.

19 MR. ANDRES: It's a condition
20 that's unfortunately, that has to be dealt with
21 throughout the District. If anything,
22 depending on which part of the alley somebody

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1 may be stopped or double parked, you can either
2 come out on I Street, or you can come out on the
3 H Street. So it works both ways.

4 MEMBER HOOD: Okay. Thank you.
5 Thank you, Mr. Chairman.

6 MR. ANDRES: We can turn the lights
7 back on.

8 CHAIRMAN JORDAN: Oh, you're
9 finished?

10 MR. ANDRES: Yes, I am.

11 CHAIRMAN JORDAN: You have, huh?

12 MR. ANDRES: The question is are
13 you finished.

14 CHAIRMAN JORDAN: Let me see my
15 other notes. No, I mean it's not my time to
16 tell them they're finished. So we already got
17 that, discount hotel.

18 I was making notes and questions as
19 you were going through. Okay. So you think
20 only 24 people, huh, 24 people are going to
21 drive maximum a day there?

22 MR. ANDRES: Well, 24 cars.

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1 CHAIRMAN JORDAN: 24 cars, yes.

2 MEMBER HOOD: I'm making this a big
3 deal. I heard Ms. Shiker, and the plans sound
4 good in my head as I'm thinking about it, sounds
5 good if everything works, if everything goes
6 exactly precise.

7 But you all know, it never happens
8 that way, and when you sit up here on this Board
9 or on the Commission, you think about what
10 problems are we creating.

11 It's almost, I don't want to say
12 shooting craps, but it's almost like a gamble
13 sometimes. What are we trying to do? We put
14 the precautionary measures in place to make it
15 work.

16 And in actually, we live here, and
17 we see stuff that we do. And it doesn't work.
18 And we take these jobs seriously, and those are
19 concerns I have constantly. Anyway, enough of
20 my soapbox.

21 CHAIRMAN JORDAN: Yes, and that's
22 the other thing. Yes, we're users. We live

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1 there. I'm just going to ask a question. So,
2 am I not clear, am I mistaken that I understand
3 that DDOT pushed back in regards to allowing
4 that front space reserve for cars and stuff for
5 the hotel?

6 MR. ANDRES: So essentially, from
7 the base of the arch heading eastward, there's
8 an existing bus stop. And so what they had done
9 is in front of, there's a Walgreens.

10 CHAIRMAN JORDAN: Yes.

11 MR. ANDRES: So in front of that
12 space, there is an existing bus stop with a big
13 concrete pad. And what Metro bus and DDOT bus
14 operations had done was extended that bus
15 loading area further back so that it encroaches
16 on sort of the border of our property.

17 CHAIRMAN JORDAN: So the bus stop
18 is being pushed back?

19 MR. ANDRES: No. It already has
20 been.

21 CHAIRMAN JORDAN: Okay. So it's
22 no longer an issue?

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1 MR. ANDRES: Well, no. What had
2 happened was the bus stop area where, the area
3 of the buses was shorter. And then DDOT
4 extended them because there are tandem buses
5 that stop at that location.

6 So then what DDOT had identified in
7 their letter, excuse me, in their review letter
8 is that we would need to work with their
9 operations on a potential valet staging area.
10 Although right now they have preliminary
11 concerns with that.

12 CHAIRMAN JORDAN: So I was correct?
13 All that to say that I was correct that DDOT does
14 have a problem with --

15 MR. ANDRES: Yes, I wasn't --

16 CHAIRMAN JORDAN: Whew, I thought
17 it changed hearing you talk.

18 MR. ANDRES: No, they have issues,
19 and it's something that we're going to need to
20 address.

21 CHAIRMAN JORDAN: I thought that's
22 what I read. And that's why I asked you. You

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1 kind of took me around the block. Could you
2 look at your Exhibit 12?

3 So your Exhibit 12, so I guess the
4 car that's parked there, I guess that green sign
5 is a little misleading. Yes, the green parking
6 sign, it just provides you the number if you're
7 going to park back to the east of there. Would
8 that be correct? East, is that east?

9 MR. ANDRES: Well, no, that green
10 area is actually in front of Tony Cheng's.
11 It's east of the alley.

12 CHAIRMAN JORDAN: Okay. So that
13 sign is way off then. Okay. I see. That's
14 why I got the impression that there was parking
15 in front of it.

16 MR. ANDRES: No.

17 CHAIRMAN JORDAN: You see the first
18 --

19 MR. ANDRES: The scale is, because
20 it looks at the whole block as opposed to just
21 our site --

22 CHAIRMAN JORDAN: The very first

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1 picture, Exhibit 12?

2 MR. ANDRES: Is it on Figure 6? Is
3 that what you're looking at?

4 CHAIRMAN JORDAN: Oh, does it have
5 a number? It says Exhibit 12. The very --

6 MS. SHIKER: I'm sorry. We're not
7 familiar with what --

8 CHAIRMAN JORDAN: Your Exhibit 12
9 that's in the file in ISIS. You filed it. I
10 didn't.

11 MS. SHIKER: What's it called?

12 CHAIRMAN JORDAN: It's called View
13 from H Street Northwest, Looking North. All
14 right, am I right? Isn't that what this thing
15 is called? Isn't that what it says? Right?

16 MR. ANDRES: It's the photographs
17 submitted.

18 CHAIRMAN JORDAN: The photos, yes.
19 So I see that one sign that just gives parking
20 information. What do you call it? Parkmobile
21 number.

22 MR. ANDRES: Yes.

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1 CHAIRMAN JORDAN: And there's a
2 car. It looks like it's illegally parked then.
3 Maybe that's what's there. And the sign is
4 further back that says no parking from spot to
5 spot?

6 MR. ANDRES: Yes.

7 CHAIRMAN JORDAN: Okay.

8 MR. ANDRES: So yes, that person is
9 illegally parked.

10 CHAIRMAN JORDAN: It's a big hole
11 there, isn't it?

12 MEMBER HINKLE: So have you had
13 conversations with WMATA or has DDOT? Are we
14 in terms of losing, as being proposed, losing
15 some of the bus stop space?

16 MR. ANDRES: We have started that
17 coordination, so it's something that we're
18 going to need to go through as we move through
19 public space.

20 MEMBER HINKLE: Okay. I mean
21 having worked for a transit agency in Chicago,
22 I know they're not keen on giving up space that

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1 they already have at the curb.

2 I mean that's something that I would
3 be interested in because you're talking about
4 valet parking or some other things as well as
5 I've read in the case file.

6 And that would be moot if WMATA will
7 not give up this curbside space, so I'm just a
8 little bit concerned there at that point. And
9 I've also observed, I mean, illegal parking in
10 this area.

11 And I see these double busses coming
12 in and blocking the traffic. And I haven't
13 seen any real discussion from DDOT about that.

14 And I could certainly see some cars
15 unloading, parking there, going to valet that
16 would continue to cause some traffic problems.

17 So I mean, that's one concern I have
18 that I haven't necessarily seen DDOT address.
19 And, as we said, I wish they were here. It
20 would be nice to have a discussion with them.

21 MEMBER HOOD: Mr. Chairman, I'm
22 glad Board Member Hinkle mentioned that picture

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1 because when I'm looking back through the
2 alley, it looks like a parking lot. It looks
3 to me like --

4 CHAIRMAN JORDAN: He's looking at
5 the picture still in Exhibit 12.

6 MEMBER HOOD: It looks like a
7 parking lot.

8 CHAIRMAN JORDAN: And he's looking
9 at the rear portion, the north side of the other
10 portion of the property.

11 MEMBER HOOD: This might not be a
12 true representation of what's going on, but to
13 me, obviously there's a lot of traffic back
14 there.

15 MS. SHIKER: It also, there are
16 parking lots behind some of those buildings in
17 the private property. It's a 30 foot alley.

18 MEMBER HOOD: Further away from
19 what I'm looking at.

20 MS. SHIKER: So there's a 30 foot
21 alley that it's a kind of a T-shaped alley. You
22 have the 15 foot that goes from H Street all the

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1 way to I Street, and then you have a 30 foot
2 alley and some of it dead ends on either side.

3 MEMBER HOOD: Do we have anything
4 in the file to represent that and show that back
5 in that alley back there? I may have missed it.
6 I've missed a lot of things.

7 MS. SHIKER: We have a plot showing
8 where the alley is.

9 MEMBER HOOD: No, but I mean do we
10 have a true picture like we have here of the view
11 from H Street. Do we have a view in the alley?
12 If we don't have, I don't know what the
13 Chairman's going to do with this today.

14 MS. SHIKER: I don't know if we have
15 it, but we could get it for you.

16 MEMBER HOOD: Okay. That would be
17 good.

18 CHAIRMAN JORDAN: We'll do
19 whatever you want to do, Mr. Hood. You know
20 that.

21 MEMBER HOOD: Thank you.

22 CHAIRMAN JORDAN: Good, anything

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1 else you want to present to us? I know, and we
2 really appreciate what you're doing in
3 providing this information.

4 These are questions we just simply
5 have, and no trick questions. We're just
6 trying to get an understanding ourselves.

7 MR. ANDRES: And I completely
8 understand. Like I said before, there's
9 probably very few locations in the city where
10 a product like this would work given the density
11 of the type of people, excuse me, the Millennial
12 congregation around here.

13 There's many Millennials in and
14 around this neighborhood who would take
15 advantage of this.

16 CHAIRMAN JORDAN: Any other
17 questions? Anything else you want to do first?

18 MS. SHIKER: No, not at this point.
19 We do think that when you look at the three
20 prongs of the test, unique condition, the
21 practical difficulties associated with it, you
22 do have an exceptionally narrow side.

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1 And in order to get the ramping
2 down, it is very difficult to make the turning
3 radius, and with the core and the required
4 stairs, you are not able to achieve drive
5 aisles.

6 You're able to maybe get in a very
7 few number of parking spots on any given level.
8 And we believe with the type of product, with
9 the transit opportunities that are available
10 and with the other mitigation that we've looked
11 at and where our maximum demand, what that
12 maximum demand would be and where they could
13 park, we feel like there is no adverse impact
14 given that the three steps of the BZA standard.

15 And we'd be happy to answer any
16 other questions about the other areas of relief
17 or continue on and come back with a rebuttal
18 after we hear from others. Thank you.

19 CHAIRMAN JORDAN: Just one second.

20 (Off microphone discussion)

21 CHAIRMAN JORDAN: Okay. Then
22 let's, Board, any other questions of the

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1 applicant at this point? Okay. Then let's go
2 to the Office of Planning.

3 MR. COCHRAN: Thank you, Mr. Chair.
4 Steve Cochran, Office of Planning, and I'm
5 pleased to know that I'm a Millennial because
6 I've stayed at a Pod Hotel in New York, the Jane.
7 And I'm flattered to be called one.

8 CHAIRMAN JORDAN: You saw Mr.
9 Andres kind of back track on that when he said
10 it. He said oh, let me pull that back.

11 MR. COCHRAN: First off, I'd like
12 to make a couple of corrections. On the first
13 page of our report, I had said that 48 spaces
14 were required. In fact, it's, I said 68 spaces
15 are required. It's 48.

16 And to the proposed loading, it
17 would also include a 20 foot service delivery
18 space. That wasn't mentioned on the first
19 page. The rest of the report is correct, just
20 a couple errors on the first.

21 Okay. The applicant has, in its
22 testimony, demonstrated that there's a

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1 relatively small lot size and width.

2 And they've talked about, at least
3 in their report, the inability to consolidate
4 with adjacent lots to form, and together that
5 forms an exceptional condition that imposes a
6 practical difficulty for me, the requirements
7 from which the applicant is asking for
8 variances.

9 With respect to parking, the
10 applicant has shown layouts that indicate they
11 would get about five spaces per level, which
12 would mean that there would have to be nine
13 spaces, excuse me, nine levels of excavation.

14 OP certainly has noted the DDOT
15 reports that say that there wouldn't be a
16 negative impact on the parking relief. When it
17 comes to impact on the neighborhood, OP would
18 note that all the surrounding streets are rush
19 hour restricted streets.

20 So a person would have to move a car
21 at least twice a day, and that there is not a
22 non-residentially parking restricted area

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1 within about a mile of the lot.

2 So someone, but it would be
3 presumably regularly ticketed if they did bring
4 a car to the hotel and parked within the
5 downtown area. Or else they would just be
6 towed during rush hour.

7 So to DDOT, to OP rather, excuse me,
8 I do not want to be confused with DDOT. This
9 location seems to be one where contrary to the
10 Field of Dreams, if you don't build it, they
11 will not come with respect to automobiles.

12 It's just a very difficult site to
13 bring an automobile if you are someone coming
14 in from out of town. So OP does have a
15 difficult time understanding what a negative
16 impact would be on the neighborhood.

17 As far as the variance for the court
18 widths goes, I think the applicant has already
19 demonstrated just how difficult it would be
20 with respect to let's start with the roof
21 structure setbacks.

22 Oftentimes, the zoning

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1 administrator doesn't even consider the side
2 lot lines to be an area where a setback is
3 required because he doesn't consider them to be
4 exterior side lot lines.

5 So, and they've already
6 demonstrated that there would have to be roof
7 structure of no more than eight feet, which
8 would certainly pose a practical difficulty for
9 things like elevator overruns.

10 When it comes to the court widths,
11 any double loaded corridor use on this site
12 would not be capable of being developed without
13 some sort of court width relief.

14 Any other use on the site would
15 simply not have windows on either side, so you'd
16 basically be limited to an office building on
17 the site if the court relief were not provided.

18 So that addressed OP's evaluation
19 of whether the applicant has met the tests for
20 the variances. With respect to, and excuse me,
21 I skipped over loading.

22 Clearly, with the width of the site,

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1 getting two loading berths in there plus the
2 required fire exits from the back plus meeting
3 the requirements of the Chinatown regulations
4 for the retail space, there's simply not room
5 to pack that much into the back of that
6 building.

7 And it's not atypical to see
8 requests for relief from the 55 foot loading
9 berths in almost any case that we're now seeing
10 downtown. OP doesn't think there would be any
11 kind of negative impact from this.

12 Now, when it comes to the special
13 exceptions, the rear yard depth can be granted
14 as a special exception if the applicant
15 demonstrates that the tests under 774.2 have
16 been met.

17 On Page 5 and 6 of the OP report, we
18 deal with that to show that we think that those
19 tests have been met. And we've already talked
20 about the roof structure. So that concludes
21 OP's report, and we're certainly happy to
22 answer any questions.

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1 CHAIRMAN JORDAN: Thank you, Mr.
2 Cochran, and I really always appreciate your
3 report. In fact, you did a big lift here as you
4 sat here just a minute ago providing
5 information. Board, any questions of OP?
6 Applicant, any questions of OP?

7 MS. SHIKER: No.

8 CHAIRMAN JORDAN: Yes, and I think
9 the Board's clear and agrees with you on the
10 technical sides and all this. But I think this
11 thing is falling down on the side of impact to
12 community and what have you.

13 And that's kind of what we're
14 wrestling with for lack of anything else here.
15 So, we would now turn to the Department of
16 Transportation, but, is anyone here from the
17 Department of Transportation? Anybody come
18 over here by that time?

19 MR. COCHRAN: Mr. Chair, I have
20 contacted the Department of Transportation.
21 They have four staff people in that division,
22 and they will not be able to attend today.

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1 CHAIRMAN JORDAN: Got you.
2 Appreciate you reaching out. They have
3 submitted a letter of no objections with
4 several different varieties of subject to
5 conditions that seem to be kind of fluent.

6 We can't question that, so let's
7 move on. Is anyone here from ANC 2C? Do we
8 have a letter from ANC 2C?

9 MEMBER HOOD: I think it was
10 represented, the vote in Mr. Cochran's report.
11 And that's what I wanted to, was that a typo,
12 or is it just two people in the ANC?

13 MR. COCHRAN: I wasn't at the
14 meeting. I have the same question, but
15 apparently it was a duly called meeting. And
16 that was the vote. I'd have to defer to
17 somebody who was actually at the meeting.

18 CHAIRMAN JORDAN: I'm going to ask
19 the applicant.

20 MS. SHIKER: There are only three
21 commissioners in ANC 2C. One was not present
22 that night, so there were only two

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1 commissioners, which does constitute a quorum.

2 And the vote was one to zero to one,
3 with the commissioner who abstained seconding
4 the motion to support but then abstaining from
5 the vote.

6 CHAIRMAN JORDAN: So it was not
7 majority. Yes.

8 MS. SHIKER: There was general
9 support. The concerns, as I discussed --

10 CHAIRMAN JORDAN: Ms. Shiker, I
11 just asked you very directly. I said, wasn't
12 that direct? No majority. Then you started
13 to tell me about all the people who were there
14 and what everybody, so it was a no majority?

15 MS. SHIKER: There was one person
16 in support, no person voting in opposition, and
17 one abstaining.

18 CHAIRMAN JORDAN: So?

19 MS. SHIKER: So of all the people
20 voting, one voted yes.

21 CHAIRMAN JORDAN: If there's two
22 people there, one votes yes and one abstains,

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1 so we don't have, of the two people there, it's
2 not a majority, right? Is that right?

3 MS. SHIKER: There was nobody who
4 voted in opposition, so it was one to zero. And
5 one person did not vote, so.

6 CHAIRMAN JORDAN: You're right. I
7 mean I don't need to force that. It speaks for
8 itself.

9 MS. SHIKER: But that's what the
10 vote is.

11 CHAIRMAN JORDAN: And we don't have
12 an ANC letter. That was difficult. That was
13 kind of Vulcan here. Let's do this. Before we
14 go to take people in support and opposition, we
15 need to take five minutes. Then we come back.
16 Five minutes then.

17 (Whereupon, the above-entitled
18 matter went off the record at 11:29 a.m. and
19 resumed at 11:36 a.m.)

20 CHAIRMAN JORDAN: All right,
21 applicant, are you ready? Oh no, applicant,
22 you don't have to sit there. Anyone wishing to

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1 speak in support of this application come
2 forward please and give us your name. Please
3 introduce yourselves, and turn your microphone
4 on please. Okay.

5 MS. LEE: Hi. Thank you for the
6 opportunity to testify this morning. My name
7 is Linda Lee, and that particular problem.

8 CHAIRMAN JORDAN: Excuse me, Ms.
9 Lee. You have three minutes, so whatever you
10 want to tell us.

11 MS. LEE: Okay. That particular
12 property, 627 H Street, our family owned that
13 property until about eight years ago. Our
14 family has been in Chinatown since 1948.

15 And my husband practiced medicine
16 in Chinatown for 45 years, and he was the first
17 Chinese-American pharmacist at the Peoples
18 Drug Store Number 1, the Public Radio site.

19 I'm here to support the project.
20 I'm very excited when I find out the project.
21 It's a very unique project, and I think will
22 work well. And many people concerned about the

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1 traffic in the alley.

2 Please ask me. I know how they
3 handle it because we survived for all those
4 years. I was asked to chair the subcommittee
5 of the transportation when they built the MCI
6 Center.

7 Now it's the Verizon Center.
8 Transportation issue always been a very
9 important issue, people concerned, but we did
10 very well. We study all the variability of the
11 parking facilities.

12 There is multiple programs in the
13 MCI Center or surrounding areas. We
14 identified each site, how many minutes by
15 walking by parking there because we would not
16 have a parking space available under the MCI
17 Center.

18 Well, people forget one of the
19 byproduct we hope will work is subway. We hope
20 the project in downtown is bringing in the
21 ridership of the subway.

22 And when the MCI Center opened we

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1 realized that working better than the parking
2 lot. Parking lot actually is a little bit
3 disappointed. They did not have the volume of
4 parking required as much as the ridership in the
5 Metro.

6 And I remember during one of the
7 hearing that Metro somebody say we can have
8 everybody go home in 30 minutes. I say wait.
9 We have business in Chinatown. We want them to
10 stay in Chinatown longer than 30 minutes, so
11 please don't take everybody away.

12 And the same thing, this hotel, I
13 know you are worried about the parking. Well,
14 I think this hotel will be a very popular
15 transitory type of course to stay because all
16 the transportation is so convenient.

17 Everything is within the walking
18 distance. And I have happened to stay in one
19 of the similar authority when I was in
20 Singapore, and that was very convenient because
21 you stay over for overnight.

22 And next morning you can quickly go

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1 and from that, from the Chinatown area to go the
2 airport is not that far. To go to the Union
3 Station is not that far.

4 You can go either by public
5 transportation or by cab. It's not too bad.
6 And I think this kind of facility, we do not have
7 one in the downtown Washington, DC would work.

8 And hopefully you will pretty soon
9 bring one to somewhere near the Dulles Airport
10 or Tysons Corner area. And I think this kind
11 of facility is good, and I am here to support.

12 I know there's many other detail
13 issues we have to solve, but general overall,
14 it's a good concept. It's a good project, and
15 it's a tax revenue for the city.

16 And we should support the project,
17 and I will be very happy to answer any question
18 and talk about I think it will be good if the
19 parking is too expensive. They will not bring
20 their car in so we have more retail in the area.

21 And we have more people,
22 pedestrians walk around in the area. That will

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1 make it the area become a Times Square vibrance
2 in Washington, DC.

3 CHAIRMAN JORDAN: Thank you. We
4 really appreciate you taking the time and
5 providing the information that you did. Does
6 the Board have any questions?

7 MEMBER HOOD: Yes, I just want to,
8 you said you would answer any questions. Ms.
9 Lee, were you ever the Mayor of Chinatown once
10 before or --

11 MS. LEE: No, I'm not a Mayor of
12 Chinatown, but I can tell you, I have been
13 involved with Washington Convention Center
14 Authority, with their project with the new
15 convention center.

16 I have been invited to participate
17 in the Verizon Center project, the Gallery
18 Place project, and there is always a wrong
19 attitude of the community say what do I get if
20 I support you.

21 I say what do you get if there's no
22 project. I think you have to do something to

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1 contribute to the community. And when the time
2 comes you need help, people will be happy to
3 come and help you.

4 But don't try to ask a price first
5 before you support the project, and I have been
6 involved with all these years. And I'm very
7 happy, and I am very lucky to have the
8 opportunity to participate in all the major
9 projects in the downtown area.

10 MEMBER HOOD: The reason I asked
11 that because I do know of your work in
12 Chinatown.

13 MS. LEE: Yes.

14 MEMBER HOOD: I do know of you.

15 MS. LEE: Thank you very much.

16 MEMBER HOOD: And I appreciate your
17 comments because, again, I always look for the
18 people who are going to have to endure whatever
19 goes on, whatever decision we make. So I
20 appreciate your comments. Thank you very
21 much.

22 CHAIRMAN JORDAN: Thank you.

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1 MS. LEE: Thank you very much,
2 Commissioner Hood.

3 CHAIRMAN JORDAN: Does the
4 applicant have any questions of, I guess not
5 sitting back there, right? Okay. Thank you.
6 Any other person wishing to speak in support of
7 this application?

8 Anyone else in support? Then
9 anyone wishing to speak in opposition, please
10 come forward. Okay. And I thought you were,
11 because you have the lady in the back who was
12 going to say something about the project.

13 FEMALE PARTICIPANT: No.

14 CHAIRMAN JORDAN: Oh okay. I
15 thought, please introduce yourself. And you
16 have three minutes.

17 MR. LIU: My name is Alfred Liu.

18 CHAIRMAN JORDAN: Is your
19 microphone on?

20 MR. LIU: My name is Alfred Liu.
21 I'm an architect and planner. I did urban
22 design work as well as streetscape of design

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1 standards for Chinatown.

2 And this is an issue of law, public
3 law 5-76. There are several articles on the
4 law to protect against Chinatown. Chinatown
5 is only the ethnic cultures community in the
6 whole downtown area.

7 So this is big downtown element. I
8 don't like to see just because it's someone's
9 financial benefit to destroy Chinatown. And
10 this is a major problem so far.

11 We just heard one example, just
12 Linda Lee. She getting all of the developers,
13 supporting the developments, getting her in the
14 position and they are sending her out and
15 herself move out of Chinatown, selling all her
16 property out of in Chinatown.

17 CHAIRMAN JORDAN: I'm really going
18 to ask you to refrain from personal attacks to
19 anyone at this, if you would. If you just tell
20 us --

21 (Simultaneous speaking)

22 MR. LIU: Right. I did want to

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1 somewhat answer the question to say what is her
2 position. She started the Mayor of Chinatown,
3 I mean just try to clarify this issue.

4 And this project, the developer
5 made the difficulties. It's not the project
6 itself difficulties. There was supposed to be
7 was original proposal as hotel. That time is
8 only single load corridor.

9 And then they want to make double
10 load corridor, of course. This is too narrow
11 for double load corridor. And that's why asked
12 for relief.

13 Well this is, to me, is they should
14 only have one half the hotel room rather than
15 the full hotel rooms which they designed. So
16 this is their only problem they are looking for
17 themselves.

18 I agree with the Board meaning
19 you're talking about the parking space. Don't
20 forget there's not only the 24 parking spaces
21 they projected and also all the staff.

22 There's 240 some rooms, it may have

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1 itself ten rooms, so you see all of the
2 employees, huge employees in this whole thing
3 including the management staff and all things
4 that may now take their car.

5 And the only problem Chinatown was
6 wiped out at this time is because there's no
7 parking space. The people of Chinatown eating
8 a dish, they have to pay \$20 per hour to eating
9 there and then they cannot eat one dish.

10 They can go to suburbs and eat two
11 dishes for the same price. So this is one
12 problem which wipe Chinatown out. So those
13 people try to say this is, the parking is not
14 a problem.

15 It is absolutely a problem. If
16 it's anybody that want to park there and take
17 one space, the 12 parking, they just wipe them
18 out. So a lot of restaurants don't make money
19 because it's just too expensive with the
20 parking requirements.

21 And the second thing is about
22 loading dock. If they have the back side,

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1 instead of backing up a few more feet, I think
2 if you don't have to worry about it having
3 double parking or something like that.

4 They can manipulate space, so this
5 is the full side of the area. They could have
6 stepped back a little bit and then a second and
7 so forth going to be higher to the property line
8 asking for that kind of relief.

9 They cannot ask for relief, say that
10 this is a no rear yard setback requirements.
11 And to do with the both courtyard, if they can
12 do this, everybody can say the same thing just
13 because of financial difficulties and any other
14 difficulties.

15 The reasons for the zoning to have
16 a courtyard, the reason you have to two and a
17 half inch per foot going up like this, the real
18 reason of this is because for air for safety
19 reasons. Say if the hotel have a fire --

20 CHAIRMAN JORDAN: Mr. Liu, I'm
21 going to begin to ask you to wrap up because
22 you're over your time.

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1 MR. LIU: Okay. I'm just saying
2 the ANC, the record which the lawyer said I can
3 tell you is wrong because the ANC that day we
4 have all the people witness here.

5 They said that they're not going to
6 pass through as judgement. This is no one to
7 zero to one records. So this is a very funny
8 situation.

9 And the other sense is the public
10 law 5-76 with Chinatown elements. No
11 addressed that, and then they never even talked
12 to Chinatown community.

13 And it is 90 percent people, which
14 is what it costs, which is the percent, 90
15 percent of Chinatown people has never been
16 talked about.

17 And not even this meeting and also
18 the ANC meeting, never told us they were going
19 to make a representation. And in that time
20 because ANC to find out that there's a big
21 opposition in Chinatown.

22 So that's why said to table the

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1 meeting. They don't have any results. I
2 don't know why the lawyer gets an idea one to
3 zero to one. It is very frustrating.

4 CHAIRMAN JORDAN: I'm going to have
5 to cut you.

6 MR. LIU: Yes.

7 CHAIRMAN JORDAN: And you get your
8 one last sentence.

9 MR. LIU: One last sentence, this
10 is I want to make sure BZA want to see all the
11 elements. This is part of zoning with
12 Chinatown design elements and Chinatown the
13 requirements for how to benefit community, how
14 to protect, enhance the community.

15 And then there's a lot of, I think
16 if the government cannot do this work, does not
17 help the law in this area, then with Chinatown,
18 I think everybody has the duty conscience.

19 CHAIRMAN JORDAN: Thank you very
20 much. Our next witness. Are there applicant
21 and Board questions of Mr. Liu?

22 MEMBER HOOD: Mr. Chairman, are we

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1 going to hear from, you're just doing one at a
2 time?

3 CHAIRMAN JORDAN: Well, yes. I
4 didn't want to confuse it.

5 MEMBER HOOD: I'm --

6 CHAIRMAN JORDAN: Whichever way
7 you want to handle it.

8 MEMBER HOOD: I just thought we
9 were going to hear all of them. Is anybody
10 together?

11 CHAIRMAN JORDAN: The next person
12 wants to testify.

13 MR. LIU: I will state the reasons.
14 They don't speak English that well.

15 CHAIRMAN JORDAN: You're going to
16 interpret?

17 MR. LIU: I can interpret them
18 because they ask me. The reason I can speak a
19 little bit longer because they asked me to speak
20 for them to try to save money in translation.

21 CHAIRMAN JORDAN: Oh, I got you.
22 So you already spoke for them.

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1 MR. LIU: Yes, I think the other
2 thing is --

3 CHAIRMAN JORDAN: Wait.

4 MR. LIU: For them to say they have
5 very much concern. Yes.

6 CHAIRMAN JORDAN: Okay. So, I'm
7 sorry. Who's hand is this? Who's the
8 chairperson? It's not the Zoning Commission.

9 MEMBER HOOD: Okay.

10 CHAIRMAN JORDAN: No, I'm just
11 playing with you of course. So let me be clear.
12 I know you just spoke, and I thought you spoke
13 as a witness for yourself.

14 Now I'm asking are the other two
15 people at the table, they can speak in whatever
16 their native language is, and you can
17 interpret.

18 MR. LIU: Yes, an interpreter.

19 CHAIRMAN JORDAN: Or are you saying
20 you already spoke for them? Which one?

21 MR. LIU: That way we don't have
22 enough time.

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1 CHAIRMAN JORDAN: They each can
2 have three minutes themselves.

3 MR. LIU: Then let them to say yes,
4 say something else.

5 CHAIRMAN JORDAN: Okay. And
6 you're going to provide --

7 MR. LIU: Translation.

8 CHAIRMAN JORDAN: -- translation.

9 MR. LIU: Yes.

10 CHAIRMAN JORDAN: And you're going
11 to make sure the translation is truthful for
12 what they're saying?

13 MR. LIU: Yes, I think I'm more
14 truthful than the lawyer testifies that --

15 CHAIRMAN JORDAN: I would say
16 objection. We don't have a certified
17 interpreter. However, but they have a right to
18 say somebody can speak for them.

19 MR. LIU: Okay. Maybe we can ask
20 the lady down there to translate.

21 CHAIRMAN JORDAN: No, we're good.
22 Go ahead.

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1 (Off microphone comments)

2 CHAIRMAN JORDAN: Time out. Go
3 ahead please. You've got three minutes. Let
4 him know he has three minutes.

5 MR. LIU: Okay.

6 CHAIRMAN JORDAN: I need a name
7 first.

8 MR. ZENG: Xiang Li Zeng, Z-E-N-G.

9 CHAIRMAN JORDAN: You just talk in
10 some order.

11 MR. LIU: Okay. His name is Xiang
12 Li Zeng, last name is Zeng, and is the
13 representative of the Wah Luck House Apartment
14 Tenants' Association.

15 CHAIRMAN JORDAN: Apartment
16 tenants. Which tenants' association?

17 MR. LIU: The Wah Luck House
18 Tenants' Association. Sorry, my English is
19 not that good so they asked me, Mr. Liu, to
20 translate.

21 Yes, because the English is bad, so
22 he asked me to representing them to speak on

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1 some of the elements we're just talking about
2 as a reflection of their requests.

3 CHAIRMAN JORDAN: Okay. Have him
4 get to it because you're going to --

5 MR. LIU: Yes, he try to say to
6 building a hotel and it requires a certain
7 amount of the elements. The first one is
8 safety. Yes, when the time there is a fire and
9 how to escape from the rooms.

10 Yes, one way to jump out the window
11 because maybe both exits have been blocked.
12 Another one is someone coming from outside to
13 help them out.

14 Yes, from the architectural drawing
15 they found there's no way from people from
16 outside can help them get out the window. Yes,
17 when you jump out the window, we're so high from
18 the 110 feet to jump, especially the higher area
19 to jump in the courtyard and completely dead
20 core.

21 And then the fire truck cannot get
22 in, so those are big safety factors. The

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1 second one is environmental and also the health
2 requirement.

3 Yes, because of the small size of
4 the alley and also they would block the alley
5 and the garbage, which I think is going to spill
6 out in the alley because there's not enough
7 setback requirements.

8 Another one is he is worried about
9 people coming out of the hotels and also the
10 cars in the backside which jeopardizes the
11 alley. And all these elements is totally
12 against the hotel establishment.

13 Yes, another one is to do with the
14 air, fresh air. The courtyard is too small.
15 He implies there's not enough air in this area.
16 Because the courtyard too small and then the air
17 cannot flow that freely and cause a health
18 problem because of pollution.

19 CHAIRMAN JORDAN: We need to begin
20 to wrap up.

21 MR. LIU: Okay. Yes, because of
22 this is for the hotel, the density is too high,

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1 and this is, for this reasons, this hotel is
2 lacking these elements, which is too dense and
3 can cause a lot of problems for the community.

4 CHAIRMAN JORDAN: That got scary
5 for a minute because I understood density. I
6 kind of heard that. Okay.

7 MR. LIU: He said that because this
8 is in Chinatown, they must have Chinese
9 elements, especially with the first floor.
10 They must have a Chinese restaurant because
11 they had to take a lot of advantage of this
12 Chinatown and public interest because they're
13 increasing so much density.

14 And they get a lot of benefits.
15 They get a lot of more money, and they don't have
16 the help Chinatown. So according to the
17 reasons, the first floor should have a Chinese
18 restaurant.

19 CHAIRMAN JORDAN: Thank you very
20 much. Any questions, Board, applicant?
21 Okay. The other witness is going to testify,
22 or that was good already? Can I have her name?

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1 And she has three minutes.

2 MS. XU: My name is Jiating Xu.

3 CHAIRMAN JORDAN: Okay.

4 MR. LIU: Her name is Jiating Xu.

5 MS. LEE: I'm in Wah Luck House, so
6 I can speak a little English. Okay.

7 CHAIRMAN JORDAN: Okay, you can
8 speak freely.

9 MR. LIU: Wah Luck House and is on
10 the board of directors of Tenants' Association.

11 CHAIRMAN JORDAN: Wah Luck House?

12 MR. LIU: Wah Luck House.

13 CHAIRMAN JORDAN: Wah Luck House.

14 MR. LIU: We can give you a little
15 bit of, Wah Luck House consists of about 90
16 percent of Chinese residents in Chinatown.

17 CHAIRMAN JORDAN: Okay.

18 MS. XU: I am not a repeat others.
19 I just mention two question.

20 MR. LIU: She doesn't want to
21 repeat everybody who said everybody. She only
22 has two points she wants to make.

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1 CHAIRMAN JORDAN: Good.

2 MS. XU: One question about this
3 building, the design, no Chinese character you
4 hear.

5 CHAIRMAN JORDAN: Right, no
6 Chinese symbolism.

7 MR. LIU: They have some Chinese
8 things in there but which is designed very ugly
9 and they look like, the last time in the ANC
10 meeting they point out it looks like matchbox.

11 MS. XU: Yes, so I think are too
12 high, not always the Chinatown, another
13 building to match.

14 MR. LIU: Yes, there is the
15 harmonize the rest of the building of
16 Chinatown, and there is no matching elements in
17 Chinatown.

18 MS. XU: So second question about
19 our transportation.

20 MR. LIU: The second question is
21 about transportation. Yes, because they live
22 in the Wah Luck House, and a lot of their

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1 children from the other side of town to come to
2 visit them, they cannot find parking space.

3 Right now there's another bigger
4 building there, and they have no way to even for
5 five minutes parking and to go upstairs to visit
6 them, they don't have parking space.

7 Just because this hotel, so many
8 people live in there, so it becomes a bigger
9 problem for them, their children to visiting
10 them. They are elderly citizens.

11 They cannot find any parking space.
12 This has become a very serious problem. Yes,
13 she just said about it's two things she wanted
14 mentioned.

15 CHAIRMAN JORDAN: Where's the Wah
16 Luck House? Where is that?

17 MR. LIU: Wah Luck House is just
18 down the block, and actually this main street,
19 H Street, is main street of Chinatown. The
20 last block between 7th and then 6th Street, and
21 this is the corner of H Street and 6th Street
22 is Wah Luck House.

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1 CHAIRMAN JORDAN: Got you.

2 MR. LIU: About 300 people live in
3 there, Chinese people.

4 CHAIRMAN JORDAN: Okay, appreciate
5 it. Thank you. Any questions Board?

6 MEMBER HOOD: I appreciate the
7 translation for us. Let me ask you this. Have
8 you been involved in discussions with the ANC
9 and working with the applicant, you in
10 particular?

11 MR. LIU: Yes, myself first things
12 I did talk with ANC, but the time is always the
13 last minute in letting me know. When I go
14 there, we don't have many communication with
15 the applicants where I wish we had.

16 They have done a lot of things which
17 is they said they very vigorously with
18 community. We have not seen anybody except one
19 person they maybe talked to.

20 But the rest, the majority of the
21 Chinatown just never even know about this.
22 Even today, if somebody don't tell us, we don't

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1 even know there's a meeting here. And the ANC
2 meetings we don't even know.

3 MEMBER HOOD: Also, when the
4 applicant's counsel first spoke to us, she
5 mentioned that there was some things that they
6 still had to work with, with the residents of
7 Chinatown.

8 Did you hear that? Were you hear
9 when, you were hear when all that, when that was
10 said, right?

11 MR. LIU: Yes, but they also said at
12 the ANC meetings, but the question the things
13 after the meetings, there's May 12th and here
14 today. And nobody has even talked to anybody.

15 MEMBER HOOD: Okay. All right,
16 okay. Thank you. Thank you, Mr. Chairman.

17 CHAIRMAN JORDAN: Good. Any
18 additional questions? The applicant, any
19 questions? Okay. Well, we thank you,
20 appreciate it. Thank you. Okay, rebuttal
21 please?

22 MS. SHIKER: Thank you. I just

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1 want to clarify a couple of points, and then
2 I'll have two witnesses address several of the
3 points that were raised.

4 With respect to the ANC 2C meeting,
5 we were there. Our presentation and the
6 questions took about an hour or maybe a little
7 more than that.

8 We, at the end of the meeting, a
9 motion was made by Commissioner Closter. It
10 was seconded by Commissioner Tinpe. Mr.
11 Closter voted for it. Mr. Tinpe abstained.

12 That was the vote from what I saw.
13 I was in the room, so --

14 CHAIRMAN JORDAN: We're good. You
15 already said that.

16 MS. SHIKER: Okay. Secondly, with
17 respect to the Chinatown design review process,
18 we have been in touch with the Office of
19 Planning to start that through the application
20 process, which then would allow us to sit down
21 with the Chinatown Steering Committee and to
22 start working through these Chinese elements.

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1 And again, we intend to go back to
2 the ANC. We'd be happy to work with Mr. Liu.
3 I believe that there are many members of the
4 Chinese Steering Committee with whom we will
5 work on those elements.

6 And we are committed to working and
7 moving forward on those elements. I am going
8 to ask Mr. Carter two questions, and then I'm
9 going to move to Mr. Sher.

10 Mr. Carter, can you please confirm
11 that the building has been designed in
12 accordance with all applicable building and
13 life safety codes?

14 MR. CARTER: Yes, I can.

15 MS. SHIKER: Mr. Carter, can you
16 please --

17 (Off microphone discussion)

18 MR. CARTER: Excuse me. Yes, I can
19 confirm the building is designed to all
20 applicable codes.

21 MS. SHIKER: Secondly, Mr. Carter
22 can you please confirm that there has been

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1 designed within the building a trash room to
2 ensure that trash is handled within the
3 building so that it will not be --

4 CHAIRMAN JORDAN: Now Ms. Shiker,
5 you keep testifying for him these leading
6 questions. And you're on rebuttal. You know
7 the question is tell us about the trash and blah
8 blah blah. And you're going to testify, so you
9 can say yes.

10 MS. SHIKER: Tell us about the
11 trash room please.

12 MR. CARTER: We do have a trash room
13 that will be perfectly adequate to house the
14 trash which is being generated by the building
15 so that when the time for trash removal comes,
16 that will be moved out to the truck and out of
17 the area so there will be no overall into the
18 alley. That we can assure you.

19 MS. SHIKER: And with that, I will
20 let Mr. Sher speak, and I will not ask him any
21 leading questions. Thank you.

22 MR. SHER: I need some questions.

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1 CHAIRMAN JORDAN: Name? No.

2 MR. SHER: Mr. Chairman, for the
3 record, my name is Steven E. Sher. I'm the
4 Director of Zoning and Land Use Services with
5 the law firm of Holland & Knight.

6 I'd like to make a couple of points.
7 Number one, the zoning regulations which
8 presumably set up the validity of what can and
9 should occur on the site allow the site to be
10 developed to a height of 110 feet and an FAR of
11 ten or actually more if it were residential.

12 But given the nature of this
13 building, we are at the maximum height but below
14 the maximum FAR. So the question of density,
15 per se, is not before this board.

16 We're not asking for any relief on
17 height or FAR. As you've heard before, the
18 relief we're asking for is on parking, loading,
19 the widths of the courts, the location of the
20 restructure on the rear yard.

21 I think given the testimony
22 presented earlier by Mr. Carter and Mr. Andres,

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1 I'm not going to go through all of those things
2 because that would just be repetitive.

3 What I do want to say is in my
4 opinion, we have met the tests for relief under
5 the various sections of the regulations. The
6 Board I believe is hearing a fair number of
7 cases these days that are seeking relief from
8 some of these sections.

9 Roof structures came up a lot.
10 Parking's coming up a lot. Part of that is
11 because these are sites that in earlier go
12 rounds would not have been developed.

13 They were too small, and people said
14 we can't deal with these sites given the size
15 and the width that they have. And what we're
16 seeing now are people looking at the
17 desirability of developing in the central area
18 of Washington, DC and trying to figure out
19 ways to make these projects work even though
20 they are small.

21 So, for example, as Mr. Cochran
22 suggested on the width of the roof structure.

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1 When you actually look at the dimensions, the
2 dimension of that main wing of the building is
3 only 38 feet wide.

4 If you had to have an 18 foot setback
5 on each side, you'd have this much space and
6 he's holding his hands about one foot apart, in
7 which you can build a roof structure.

8 Obviously you can't do that. When
9 you look at the width of the site, 60 feet less
10 the seven inches which comes because of the
11 encroachment of the building on the one side,
12 you wind up with not enough room to get rows of
13 parking spaces, aisle widths, ramps going down,
14 turning radiuses within the building.

15 It doesn't work. You wind up being
16 able to put a few parking spaces per floor, but
17 if you did that as was testified to earlier,
18 you'd be down five or six levels deeper in the
19 ground than we are now.

20 And from an engineering point of
21 view, from a financial point of view, those
22 things don't work given the relative cost of the

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1 spaces versus the number that you can get
2 efficiently on a level.

3 So what we have here is a situation
4 where the physical constraints of the site, the
5 width, the location of the cores, the ramping
6 angles that you would need to get down to spaces
7 may get practically impossible, unduly
8 burdensome to put those spaces in the building.

9 So then you come back to the line of
10 questions that you were going through with Mr.
11 Andres before. Okay. When we get to that
12 point, we say all right. We understand.

13 We can't get the spaces on the site.
14 What's the impact of not having those spaces on
15 the site? And again, I won't go through all
16 that discussion.

17 As you went through with Mr. Andres,
18 there will be a very limited number of people
19 who will come to the site by car. If you have
20 a car and you need to park it, you're going to
21 know in advance that there is no parking on the
22 site. You're going to --

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1 CHAIRMAN JORDAN: Those are
2 projections though. Those are simply
3 projections because you're making assumptive
4 statements, and that's what we constantly get.

5 And that's what Mr. Hood was saying.
6 We make these affirmative statements like this
7 is concrete, but these are estimations,
8 projections as to it.

9 So, and I hear what you're saying,
10 but when you make those affirmative statements
11 like this is it, it's not it.

12 MR. SHER: Well, I do believe that
13 if you know you're coming with a car, you're
14 going to know that this hotel, assuming it gets
15 built, doesn't have any parking onsite.

16 So you're either going to have to
17 find another place to put your car or you're
18 going to have to find another accommodation
19 because those are your choices.

20 CHAIRMAN JORDAN: Can I take my
21 car, couldn't I park my car on a side street?
22 What's that other street? Is that 8th? This

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1 is H. What is that I? Is it I Street over
2 there?

3 MR. SHER: I Street is to the north.

4 CHAIRMAN JORDAN: And that's not,
5 isn't I Street, I Street is not rush hour
6 restricted, is it?

7 MR. SHER: I don't know. Do you
8 know?

9 CHAIRMAN JORDAN: Because someone
10 said it was restricted.

11 MR. ANDRES: It's metered.

12 CHAIRMAN JORDAN: Yes, I know it's
13 metered, but is it rush hour restricted?

14 MR. ANDRES: It is not.

15 CHAIRMAN JORDAN: So theoretically
16 I could park my car there and keep feeding the
17 meter when the meter runs out, right? Okay. I
18 just.

19 MEMBER HOOD: Nobody saying people
20 don't do it because they do it all the time.

21 CHAIRMAN JORDAN: That's what I'm
22 saying to you guys. When you come here and make

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1 these superlatives and these affirmative
2 statements, that there's, that's not the real
3 world per se that there are some other things
4 going on.

5 And we do, and parking's just an
6 issue. I mean this is the effect upon the
7 community. I understand the technical issues
8 that you're talking about.

9 But one of the parts of our test is
10 the effect upon the community. And it's not
11 just the guests coming to the hotel. But there
12 are people who probably do park and people who
13 do live in the area and people who do have guests
14 come to the area that gets factored all into
15 this.

16 So that's all I wanted to add to
17 that, Mr. Sher, when you make the statement,
18 when you make these affirmative. Right now,
19 you're doing your best guesstimation, right?

20 MR. SHER: That's all I ever do. I
21 think that's pretty good, but --

22 CHAIRMAN JORDAN: Of course.

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1 MR. SHER: I think there are some
2 examples, and we talked a little bit about
3 whether we can get you some information that
4 would show what actual experience has been of
5 some of these projects after the fact compared
6 to what the estimates are.

7 And we have to look at that. And I
8 think we can get you some information that may
9 be helpful in understanding what the real world
10 impact was after the thing was built.

11 As we talked about, there are a
12 couple things that were approved with no
13 parking, but they aren't open yet. So you
14 can't look at them and say what the experience
15 has been.

16 But there may be some that actually
17 are open, and we'll see what we can get you on
18 that information. I don't think I have
19 anything further to add.

20 CHAIRMAN JORDAN: That's good,
21 appreciate it.

22 MS. SHIKER: I think with that we

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1 would close our case. We would, we do believe
2 that we've satisfied the burden of proof. We'd
3 ask the Board to consider this.

4 There sounds like there may be some
5 additional information that the Board would
6 like to see, and we'd be happy to go over that
7 with you to see what we can provide in addition
8 to what we've provided at the hearing today.

9 CHAIRMAN JORDAN: Well good.
10 Thank you. Then we will close this hearing,
11 but let's see what we can do to supplement this
12 file, if I can read my writing as I scribbled
13 fast.

14 We need something that's going to
15 provide the analysis of the number of cars that
16 are going to park there per day, an analysis to
17 include where your sampling comes from. Mr.
18 Hood, it was additional letters from other
19 parking facilities.

20 MEMBER HOOD: Just one or two more.
21 One was all right, but we need one or two more.

22 CHAIRMAN JORDAN: Then the picture

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1 view from the alley.

2 MEMBER HOOD: Yes, I still want to
3 see a view in the alley of how it looks in that
4 alley there because to me it looked like a
5 parking lot in the view that we had.

6 But obviously I'm being told by Ms.
7 Shiker here it was across a little way. Okay.

8 CHAIRMAN JORDAN: The parking
9 around the block, those are restricted by rush
10 hour restrictions and then those that are
11 metered, if we can have something like that.
12 Did you?

13 MEMBER HINKLE: Just a, I guess any
14 sort of resolution or I would like to hear
15 anything about the curbside management issue
16 and valet. Any additional conversations with
17 WMATA, DDOT, how that's going, that would be
18 helpful.

19 CHAIRMAN JORDAN: And when is the
20 Chinatown review, design committee meeting?
21 When is that?

22 MS. SHIKER: It hasn't been

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1 scheduled yet. The application should go in
2 this week, the initial application to start the
3 process. And then it is a back and forth
4 process.

5 MEMBER HOOD: Mr. Chairman, if we
6 could, since Mr. Cochran goes to those places,
7 there's a website link that I asked for earlier.

8 I don't know if we need the link, but
9 if they can just give a page of what some of the
10 requirements are at these types of facilities.
11 You remember earlier they talked about a link.

12 You go online. There's a link that
13 tells you not to bring your car. Maybe Mr.
14 Cochran if you, if we can use the place that you
15 went to. No, I'm just playing. We'll get the
16 applicant to, if you can just give us that page.
17 Thank you.

18 CHAIRMAN JORDAN: Okay. So we're
19 looking at July 22nd. Is that right?

20 MS. ROSE: Yes. Mr. Hood will be
21 here for the earlier case.

22 MEMBER HOOD: That's what I was

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1 told, the 22nd. We have a scheduler.

2 CHAIRMAN JORDAN: Excuse me. I
3 think that date's the 22nd. Then, so we should
4 be okay by getting the information by the 15th?

5 MS. ROSE: Yes.

6 CHAIRMAN JORDAN: Yes, I don't
7 think there's no other party or anything, so
8 there's no rebuttal opposition. Okay. Is
9 there anything else? We're good.

10 Then let's do that. Get that
11 information in, and let's put this on, let's put
12 it on for a continued hearing on the 22nd, not
13 a decision.

14 MS. ROSE: Continued hearing.

15 CHAIRMAN JORDAN: We may give a
16 decision, but still I wanted to keep the record
17 open to question to documented information
18 that's being provided.

19 Oh, I know what else I really need.
20 We keep talking about it's cost prohibitive to
21 go down and to do this other spacing.

22 And one other thing that was raised

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1 was, that doesn't really make any sense because
2 whether or not it's eight floors or seven
3 floors, I think it's still going to present its
4 own self, the issue.

5 We're not dealing with a density
6 issue. That's --

7 MR. COCHRAN: Mr. Chair, since it's
8 a continued hearing, would you want DDOT there?

9 CHAIRMAN JORDAN: That would be
10 great. Yes, that would be great. Thank you so
11 much. Can we be sure to make a request? The
12 only thing we do is request it and see.

13 I really appreciate everyone taking
14 the time to come down and both from the
15 applicant and those in support and those in
16 opposition. All this stuff factors in.

17 That's why I was going to say we
18 don't get paid the big bucks, but anyway, we're
19 going to have to make the hard decisions and
20 catch the backside, but it's really not a, it's
21 not like flipping a coin or any kind of stuff.

22 And it's not any real, a lot of times

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1 they're not even right and wrong answers. You
2 kind of got to gut it out and do the best that
3 you can.

4 And that's all we try to do in what
5 we try to do here. And there's going to be
6 people who are going to disagree. And there's
7 going to be people who are going to agree.

8 And then some are not going to want
9 to agree or disagree, but that's how we need the
10 information. Okay, good. And with that,
11 we'll conclude this hearing.

12 Mr. Sher, you look like, oh, you're
13 getting ready to punch the button. We're going
14 to conclude this hearing and continue it to the
15 next July 22nd. So thanks again.

16 MR. COCHRAN: Thank you, Mr. Chair.

17 CHAIRMAN JORDAN: Thank you, Mr.
18 Cochran. Good. Is there any other business
19 coming before the board at this time?

20 MS. ROSE: No, Mr. Chair.

21 CHAIRMAN JORDAN: Board, are we
22 good? And we're adjourned. Thank you.

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1 (Whereupon, the hearing in the
2 above-entitled matter was concluded at 12:17
3 p.m.)
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