

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
2 Office of Zoning
3 Zoning Commission of the District of Columbia
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9 PUBLIC HEARING OF THE ZONING COMMISSION
10

11 Case No. 14-08
12 Porter Place, LLC
13
14
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16 6:33 to 7:52 p.m.
17 Monday, October 27, 2014
18

19 Jerrily R. Kress Memorial Hearing Room
20 Judiciary One Building
21 441 4th Street, N.W., Suite 220 South
22 Washington, D.C. 20001
23
24
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1 P R O C E E D I N G S

2 CHAIRMAN HOOD: Good evening, ladies and gentlemen.
3 This is the Public Hearing of the Zoning Commission for the
4 District of Columbia. Today's date is October the 27th, 2014.
5 We are located in the Jerrily R. Kress Memorial Hearing Room.

6 My name is Anthony Hood. Joining me are Vice-Chair
7 Cohen, Commissioner May, Commissioner Miller, and Commissioner
8 Turnbull. We are also joined by Office of Zoning Staff, Ms.
9 Sharon Schellin; also the Office of Planning, Mr. Lawson and
10 Mr. Gyor; as well as the District Department of
11 Transportation, Mr. Rogers.

12 This proceeding is being recorded by a court
13 reporter and is also webcast live. Accordingly, we must ask
14 you to refrain from any disruptive noise or actions in the
15 hearing room, including the display of any signs or objects.

16 This is Zoning Commission Case Number 14-08. Notice
17 of today's hearing was published in the D.C. Register, and
18 copies of that announcement are available to my left on the
19 wall near the door.

20 The hearing will be conducted in accordance with
21 provisions of 11 DCMR 3022, as follows: preliminary matters,
22 Applicant's case, report of the Office of the Planning, report
23 of other government agencies, report of the ANC, organizations
24 and persons in support, organizations and persons in
25 opposition, rebuttal and closing by the Applicant.

1 The following time constraints will be maintained in
2 this meeting. The Applicant has 15 minutes, organizations 5
3 minutes, individuals 3 minutes.

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

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

14 The decision of the Commission in this case must be
15 based exclusively on the public record to avoid any appearance
16 to the contrary. The Commission requests that persons present
17 not engage the members of the Commission in conversation
18 during any recess or at any time. The Staff will be available
19 throughout the hearing to discuss procedural questions.

20 Would all individuals wishing to testify, please
21 rise to take the oath, and also, let me ask, please turn off
22 all beepers and cell phones at this time, so not to disrupt
23 these proceedings.

24 Ms. Schellin, would you please administer the oath.

25 MS. SCHELLIN: Yes. Please raise your right hand.

1 Do you solemnly swear or affirm the testimony you will give
2 this evening will be the truth, the whole truth, and nothing
3 but the truth?

4 [Witnesses sworn en masse.]

5 MS. SCHELLIN: Thank you.

6 CHAIRMAN HOOD: Okay. Ms. Schellin, do we have any
7 preliminary matters?

8 MS. SCHELLIN: Yes, sir. We have a couple of
9 proffered experts. It looks like they have all been
10 previously accepted. In place of Sher, the Applicant has
11 substituted Lindsley Williams. I believe he has also been
12 previously accepted by this Commission.

13 CHAIRMAN HOOD: I think Mr. Williams, he's already
14 been previously accepted. We do have his résumé, so we don't
15 have to go through that.

16 MS. SCHELLIN: Right.

17 CHAIRMAN HOOD: Okay. Any questions on any of that?

18 [No audible response.]

19 CHAIRMAN HOOD: All right. Anything else, Ms.
20 Schellin?

21 MS. SCHELLIN: No, sir.

22 CHAIRMAN HOOD: Let me just see. Is there anyone
23 who is here in opposition to this case?

24 [No audible response.]

25 CHAIRMAN HOOD: Not seeing anyone.

1 Okay. Mr. Glasgow, you have 15 minutes, and hit the
2 highlights, and it will be better for us to ask our questions.

3 MR. GLASGOW: Yes, sir. We will make sure to do
4 that.

5 I would like to have Mr. Colbert and Mr. Campbell
6 come up here with me.

7 For the record, my name is Norman M. Glasgow, Jr.,
8 of the law firm of Holland & Knight. Ms. Jessica Bloomfield
9 is here with me. Seated to my immediate right is Mr.
10 Campbell, who is with Portner Place, LLC; and then Mr. Eric
11 Colbert and Mr. J.B. Lallement are here for Eric Colbert &
12 Associates. And we have others who are here for questions
13 like traffic consultant, land use, that type of thing.

14 As the Commission is probably aware, we are doubling
15 the size of the existing number of affordable units on the
16 site from 48 to 96 units, with no more than 60 percent AMI, so
17 we are way below the AMI standard, and 15 percent of the units
18 would be devoted to households earning 50 percent or less of
19 AMI.

20 The building is oriented to have frontage on U and V
21 Street. U Street frontage, we are proposing to be rezoned to
22 CR zone, which is the same zoning as that immediately to the
23 east, and R-5-D zoning for the V Street frontage, which is
24 located -- which is the same zone as immediately to the west
25 of the site.

1 The heights in the FARs of the pieces are 75 feet,
2 8 inches for the V Street piece and 105 feet, 8 inches on U
3 Street.

4 And with that, I would like to -- and the FAR is
5 6.82 on the overall site, 4.725 on the northern piece and 8.27
6 on the southern portion.

7 And with that, I would like to now turn it over to
8 Mr. Campbell.

9 Would you please identify yourself for the record
10 and proceed with your testimony.

11 MR. CAMPBELL: Thank you.

12 Chairman Hood, Vice-Chair Cohen, members of the
13 Commission, very pleased to be here. My name is Jim Campbell.
14 I am Principal with Somerset Development Company.
15 Accompanying me tonight, my partner is Nancy Hooff and Bill
16 Whitman, along with Sara Ashcroft representing the Jonathan
17 Rose Companies, who is our joint venture partner in this
18 project.

19 Also accompanying me is the entire Board of
20 Directors of the Portner Place Tenant Association, who, as you
21 know from our submission, signed their TOPA rights to us. We
22 have been working with the tenant, Portner Place, since 2008.
23 They were very prescient in recognizing what was happening in
24 their neighborhood and had a tremendous concern and fear about
25 being displaced, and so we have been meeting with them

1 regularly and routinely over the past 6 years to develop a
2 plan that enables them to stay in their home, stay in their
3 community, and maintain their affordability.

4 Our plan that we worked out closely in collaboration
5 with the tenants is to have a 96-unit affordable housing wing
6 fronting on V Street. This will be a building where the
7 existing tenants will return to. We will work with them
8 through the construction period with keeping their Section 8
9 HAP contract in place during that interim period and then
10 bringing it back to the site, so that their affordability is
11 maintained in a new affordable building that accomplishes the
12 goals that they set.

13 That building is designed to have large bedroom
14 sizes, two- and three-bedroom units; family-oriented amenities
15 like a playground and community garden; and resident services
16 that are geared to their needs, an after-school program,
17 computer training, health and wellness programs.

18 Along U Street, we will propose and develop a
19 270-unit market-oriented building with ground-floor retail.
20 That will be designed to meet the demands of the current
21 market with smaller units, smaller bedroom mixes, mostly
22 studios and one-bedrooms, and amenities geared to the
23 millennial demographics.

24 We're able to accomplish this, 30 percent of the
25 total, as affordable housing and the preservation of the

1 deeper subsidy, lower income, by being able to essentially tap
2 into the market strength of the location and cross-subsidize
3 from the U Street wing to the V Street wing to make that all
4 achievable.

5 The proposal has received unanimous support, and the
6 communities, the ANC, we met with three times, twice voted
7 unanimously to support it.

8 The local neighborhood design committees, the U
9 Street Neighborhood Association, and the Meridian Hill
10 Association have all reviewed the plans and voted to approve
11 it.

12 I know time is limited, so just in summary, we're
13 proposing 30 percent affordability versus 8 percent standard,
14 deeper affordability, 50 and 60 percent of AMI. We are going
15 to preserve the affordability and the community of the
16 existing residents, cross-subsidize with the market strength
17 of the neighborhood, and do a project that is truly of an
18 appropriate scale for the urban location, transit-oriented
19 site that exists there, compared to what is currently located
20 there.

21 If we get a prompt approval, Wing A could be ready
22 to start construction this summer. So we request approval, so
23 we can move forward as quickly as possible.

24 And with that, I will turn it over to Eric Colbert
25 to discuss the specifics of the project and the exceptions we

1 are looking for.

2 MR. COLBERT: Good evening, Mr. Chairman and members
3 of the Commission. My name is Eric Colbert with Eric Colbert
4 & Associates Architects.

5 Chip has asked me to go straight to the areas of
6 relief that we are requesting, and the first one shown on
7 Sheet Number A-3 is for FAR. There is a 5-foot, 5 percent
8 overage possible, authorized by the Zoning Regulations in the
9 -- going through the PUD process, and so what we are calling
10 "Wing B," facing U Street, we're proposing 8.27 FAR, which is
11 3.4 percent over. And then in the CR zone -- that is in the
12 CR zone, and in the R-5-B zone, the FAR we're building is
13 proposed to be 4.725.

14 The second area relief has to do with a closed
15 court, and because we knew we wanted to have the area of the
16 building, the façade on V Street and U Street, going
17 continuously all the way across the property, then to connect
18 it, we have this north-south component of the building, and so
19 the only -- the big design decision was where exactly do we
20 put that, and so we looked at the site.

21 On the east side, there is an existing affordable
22 apartment building that we feel will probably stay there, and
23 so when we took what was happening and we saw some preliminary
24 plans for the project to the east and then knowing what the
25 plans were, there is a building under construction on the west

1 side -- so, given that, we did light studies, and it turned
2 out that the optimal location of the north-south bar of our
3 building is where we're showing it, but that created a
4 nonconformity on the court that's on the east side of our
5 building, so we're asking for relief from that.

6 Then Sheet 822 is our parking garage. We are asking
7 for relief from Section 2201.1 in the sense that we are a
8 little more than 40 percent compact spaces. We're asking to
9 go up to 49 percent, and also, there are not always five in a
10 row, as required by the Zoning Regulations.

11 Loading is another issue. We do not have -- we are
12 not accommodating a 55-foot truck. What we're doing here is
13 the -- Department of Transportation is not -- is really
14 pushing back against having the old, more traditional kind of
15 loading docks where a truck has to back across a sidewalk. So
16 what we've done is we've made provisions in our design, so
17 that we'll use 30-foot trucks, but they can actually go inside
18 the building, turn around, and then go back out. And that's a
19 much safer condition because we don't have to have trucks, as
20 I said, backing across the sidewalk. So we're asking for
21 relief from a 55-foot truck.

22 And then on Sheet 823, we're asking for flexibility
23 from the Inclusionary Zoning design standards. My clients
24 have been working carefully with the residents, and this
25 design, as a reflection of their desire to keep their

1 community intact, to not be dispersed throughout the entire
2 project, so we have their own wing, which is a little bit --
3 has some unique characteristics as opposed to the market rate
4 wing, and one of those characteristics is that we're proposing
5 to have a laundry room, which is not included in the smaller
6 apartments. It would be in the market rate south wing.

7 And the reason for that is because we're looking at
8 a situation here with families, and the very small stacking
9 washer and dryers that we would provide in the market units
10 are not really appropriate for a family. There's too much
11 laundry to be done, and it can't be accommodated realistically
12 under that scenario. This is also the arrangement that the
13 residents have asked for.

14 What we're doing is, there are 48 existing units, 12
15 of which are three-bedroom apartments, but all the existing
16 units have interior stairways, and the new design will not
17 have interior stairways. However, we are duplicating exactly
18 the square footage or even a little bit more than what's
19 existing. So when you consider the fact that we're not having
20 the stairways -- also the layout of the units is much more
21 efficient than what was currently existing, and so without the
22 stairs, we get a lot more usable space, but also we have a lot
23 of people that have been in the building for a long time.
24 They are gracefully getting older, but stairs are becoming a
25 little of an issue, and handicap accessibility is not possible

1 with the current unit configuration with the internal
2 stairway, so that's how we're addressing that issue.

3 Then on Sheet 824, I'd like to talk about the
4 penthouses. On this sheet, you see the penthouse for what we
5 are calling "Wing A," which is the affordable wing of the
6 apartment building, and actually, both wings are asking for
7 similar relief in the sense that we will have multiple roof
8 structures. And we -- you obtained approval through the
9 Historic Preservation Review Board. They'd like to have the
10 roof structures be as small as possible, so that's one reason
11 why they're separated.

12 But in addition to being separated, they also have
13 as low a height as possible, which means that they don't have
14 all the same height, because as you've, I'm sure, heard many
15 times, the elevator override to get people on the roof is
16 about 18 feet, 6 inches, and so if you had to make the entire
17 penthouse that high, it would have a lot more bulk and density
18 than what we are currently proposing.

19 Then on 825, it's the same issue that we're
20 separating the penthouses, and we're asking for two different
21 heights.

22 The other thing is that in terms of setback, we are
23 achieving the 1:1 setback ratio the building faces, that face
24 the street. On the courts, we're actually going a little bit
25 less. We're a little closer than the 1:1 ratio, so that's

1 another area of relief that we're requesting.

2 Thank you.

3 MR. GLASGOW: Mr. Chairman, that concludes our
4 direct presentation, and we are available to answer any
5 questions that the Commission may have.

6 CHAIRMAN HOOD: Okay. Thank you very much. We
7 asked for a condensed because we have reviewed the record. I
8 think it was very well complete. Now, we probably have some
9 questions up here, but we appreciate the succinct
10 presentations.

11 Let's go up and see who has some questions. Mr.
12 May?

13 COMMISSIONER MAY: Can you talk to me a little bit
14 -- well, first of all, can you go ahead and pass the material
15 boards up, so we can take a look at those and touch them.
16 Maybe somebody can do it for you while I ask a few questions.

17 Mr. Colbert, you can just pass them up.

18 I am trying to understand what changed with the
19 design from what we had seen earlier and what you changed as a
20 result of the HPRB review, because you obviously did change
21 something, because it went from certain recommendations for
22 changes to everything is satisfied and you have gotten your
23 approval.

24 So what actually changed in the façade designs in
25 particular?

1 MR. COLBERT: Okay. So talking about the U Street
2 façade for a minute, one of the main changes had to do with
3 the detailing of the commercial storefronts where we raised
4 the level of the glass, but also there is this strong band
5 where the signage is proposed, and that is a lot more
6 significant and higher than what we were originally
7 suggesting.

8 Another thing that was changed by the Historic
9 Preservation Review Board had to do with the detailing of the
10 area of the middle of the building over the main entrance.

11 Originally -- I don't know if you have the grade
12 elevation -- there was a component where --

13 I want to see the part that is on the roof, above
14 the front entrance.

15 So we have a kind of U-shaped orientation. In your
16 booklet, if you look at Sheet A-15 or A-13, there is as
17 U-shaped element that's made out of stone that is --
18 originally, that actually went above the roofline, and so the
19 Historic Preservation Review Board asked us to lower that, so
20 that it wasn't as prominent.

21 The other thing is that, initially, the first
22 designs we went to HPRB with had a much more irregular bay
23 configuration, so they asked us to regularize that. So the
24 building didn't look as random in terms of the bay, so that's
25 one very significant change that we have made. And there was

1 some minor tweaking having to do with the storefronts,
2 particularly on the east side of the front residential
3 entrance.

4 COMMISSIONER MAY: Okay. So the earlier version of
5 this that we had seen was from April 28th, but that doesn't
6 sound like that was -- the things that you are pointing out
7 that had changed are not shown on the April 28th drawing,
8 right? So April 28th was already post HPRB?

9 MR. GLASGOW: No. That was pre HPRB, because those
10 elements that he's talking about are shown on Sheet A-13 --

11 COMMISSIONER MAY: Right.

12 MR. GLASGOW: -- of our set that we filed or that's
13 dated October 7th, 2014.

14 COMMISSIONER MAY: Right. That's what I'm looking
15 at, but I'm looking at also -- well, if I just look at the
16 elevations from the April 28th set, it looks very, very
17 similar to what is in the October 7th set.

18 MR. COLBERT: Another change that was made while
19 working with HPRB had to do with the configuration of the
20 mullions. Originally, I think that the way that they felt
21 that we had the windows divided up, particularly in the bay,
22 seemed too horizontal, so we simplified that and changed the
23 proportions of the glazing to acknowledge their concerns.

24 I think also the design of the building facing the
25 west was further articulated than what we had in some of our

1 earlier versions.

2 COMMISSIONER MAY: Okay. So I'm really not seeing a
3 lot of difference. I don't know what the -- why it's -- what
4 the version is, the early version of this drawing set.

5 Just tell me about the U-shaped top of the entry
6 piece. If I am looking at A-13, how much taller was that?

7 MR. COLBERT: That was a whole story taller, so that
8 it formed like an open arch going onto the roof deck.

9 COMMISSIONER MAY: All right. So that's definitely
10 not shown in the April set that I had. It was just very
11 confusing, because I was reading the HPRB comments, and I'm
12 seeing that things had changed, and nothing was changing in
13 the set that I had. But it also didn't seem like -- it seemed
14 like what was wrong was that I didn't have the earliest
15 version of this.

16 MR. GLASGOW: I think you are correct. Going
17 through the April set, we had met with the Office of Planning
18 and HPRB staff --

19 COMMISSIONER MAY: Right.

20 MR. GLASGOW: -- over at OP, and the design was
21 significantly different with respect to the front façade of
22 the building, and there was comments that had come back to us
23 that that should be changed.

24 COMMISSIONER MAY: Okay. Well, those all sound like
25 good developments for the design, so I'm pleased that all

1 happened.

2 Between April and now, did any of the colors change,
3 or is it just a difference in the renderings? Because it
4 seems like some of the really orange colors are gone. They're
5 more muted.

6 MR. COLBERT: Yes, absolutely. As a matter of fact,
7 you can look at -- I don't think Sheets A-12, -13, and A-14
8 were in the set that you had previously.

9 COMMISSIONER MAY: Right.

10 MR. COLBERT: Exactly, your perception is very
11 accurate that we were trying to come up with a more muted
12 palette.

13 COMMISSIONER MAY: Sometimes we see a more muted
14 palette, and it just means that the rendering was done a
15 little differently or printed on a different printer, so I
16 have to ask the question.

17 Did you get any feedback on the -- well, let me ask
18 you this: Is there actually a solar benefit, if you will, to
19 the visors over the windows, those horizontal-projecting
20 elements over so many of the windows, particularly on the
21 south side?

22 MR. COLBERT: Definitely. Yeah, that will become
23 part of our LEED analysis.

24 COMMISSIONER MAY: I mean, do you really get a lot
25 of benefit out of that relatively simple grid?

1 MR. COLBERT: Yeah. I think on Sheet A-14, you can
2 perceive the projection of those a little better. A-13
3 doesn't really show --

4 COMMISSIONER MAY: Oh, yeah, I know. I mean, it's
5 A-14 that sort of got me going because I'm looking at that,
6 and I'm thinking they seem like almost an unnecessary
7 ornamentation. They don't seem like they're tight enough to
8 give you substantial solar benefit, and they are really a
9 distraction, particularly on the smaller ones.

10 MR. COLBERT: Yeah. I think that in the rendering,
11 particularly if you look at A-14, when we actually detailed
12 that for the construction documents, the pieces that go
13 horizontally would be closer together, but when we were doing
14 the drawing, we had a problem with once you get them too close
15 together, they kind of all blob into like one --

16 COMMISSIONER MAY: Single block, right.

17 MR. COLBERT: -- solid thing, and so that was kind
18 of a graphic issue that we were dealing with.

19 COMMISSIONER MAY: All right. Well, I guess that
20 maybe demonstrates that there's some solar benefit. There's
21 still a lot going on with your façades, and that's with regard
22 that I would remove and simplify, but that's not an important
23 issue.

24 MR. COLBERT: Okay.

25 COMMISSIONER MAY: And I am only speaking for

1 myself, not for the Commission.

2 On the east side, Wing B, you have a very large
3 blank wall, and I know that you are anticipating that the
4 Reeves Center will be redeveloped, and that something else
5 will join up with that wall, right?

6 MR. COLBERT: That's correct.

7 COMMISSIONER MAY: Okay. In the past, when we've
8 seen things like that, we know that there might be something
9 there in the future, but the future may be some long time
10 away, and so just having that as a large flat wall, so
11 prominent in that location at this time, is not a great thing.
12 Have you looked at all at trying to introduce any kind of
13 articulation in that façade?

14 I mean, I wouldn't go so far as to say windows.
15 Certainly, some projects, they've put windows in at risk,
16 knowing that they might only be there for 10 years. I'm not
17 suggesting that you need to go that far, but did you look at
18 all in doing something there to make it less big and blank?

19 MR. COLBERT: I think that we can --

20 MR. GLASGOW: We can do that.

21 MR. COLBERT: -- probably come up with something
22 that can articulate it more than what is currently shown on
23 these drawings.

24 COMMISSIONER MAY: I think that is worthwhile
25 because, even if it's for a short time, it's worth seeing some

1 differentiation in that wall.

2 MR. COLBERT: Certainly.

3 COMMISSIONER MAY: It just seems so out of place
4 with everything else, which is in my view --

5 MR. COLBERT: No, you're right.

6 COMMISSIONER MAY: -- kind of overdone.

7 MR. COLBERT: To have a blank wall there for a long
8 time would be not good.

9 COMMISSIONER MAY: Yeah, right.

10 I also caught a reference to an option for a rooftop
11 pool. Is that an active request, and if that's a case, do we
12 have a version of what that might look like? This is for Wing
13 B.

14 MR. GLASGOW: Eric, did you have a roof plan that
15 showed the pool?

16 MR. COLBERT: I don't think that's currently in
17 these, in these drawings.

18 COMMISSIONER MAY: I didn't see that. So, if that's
19 a real option, then that's something that we ought to have in
20 the set.

21 MR. GLASGOW: We can submit that.

22 COMMISSIONER MAY: Okay.

23 Then you have the couple of remote stairways that
24 are in their own little penthouses when you come to the roof,
25 and I appreciate the fact that they are all set back from the

1 edge. Very often, people come here with that thing right on
2 the edge saying, "Oh, it's got to be there because that's
3 where the stairwell is." I assume there is some sort of
4 transfer corridor on the top floor that gets you to that.

5 MR. COLBERT: Yes.

6 COMMISSIONER MAY: All right. So, Mr. Glasgow, make
7 note of that.

8 [Laughter.]

9 COMMISSIONER MAY: For other clients who come here
10 and try to put their stairwells on the outside of the
11 building. It's possible, and I give people a hard time for
12 it.

13 MR. GLASGOW: They obviously hired the wrong
14 architect.

15 COMMISSIONER MAY: Yeah.

16 [Laughter.]

17 COMMISSIONER MAY: And I will try to put it on my
18 list of things to remind people of: "Look at this project."

19 Anyway, the last thing is I am not really fond of
20 too much variety in the rooftops. I mean, I know you have two
21 separate rooftops, so I'm just talking about each one on its
22 own.

23 I understand the remote stairway. That's a
24 necessity, and I understand the rationale for having multiple
25 heights, but I never like to have more than is really crucial.

1 In fact, I even prefer to have it all at a uniform height,
2 even if it's a taller height, but I'm not necessarily -- you
3 know, again, that's just my preference.

4 The one thing that does still trouble me about this
5 is that there seems to be one small mechanical enclosure
6 that's on Wing B, and it's all the way at the north end, and
7 it's separate from the main penthouse. Am I reading it
8 correctly that there actually is a mechanical enclosure there?
9 Because I see it in elevation. It is now showing up very well
10 in this plan, but I do see it in elevation. So is there a
11 separate mechanical enclosure to the north there?

12 MR. COLBERT: That is one of those things that I
13 think that that piece of equipment is for heating and air
14 conditioning for the corridors inside the apartment building.

15 COMMISSIONER MAY: Yeah.

16 MR. COLBERT: And our hope was that it wouldn't be
17 more than 4 feet above the adjacent roof.

18 COMMISSIONER MAY: Right. So if it's 4 feet above
19 the roof, then it's not a problem?

20 MR. COLBERT: Right.

21 COMMISSIONER MAY: If it's more than 4 feet, then it
22 should be joined with the rest of the penthouse.

23 MR. COLBERT: Okay.

24 COMMISSIONER MAY: I don't think there's any reason
25 to separate that.

1 MR. COLBERT: Certainly.

2 COMMISSIONER MAY: Let's see. I would also note
3 that we commented, set down on the LEED score at the moment
4 being calculated at 50. I assume that you are going for more
5 than 50, but, wow, 50 is low. We expect things -- everything
6 comes in here with a minimum of LEED Silver, and I know
7 that's, I guess, what you're aiming for, but even the low end
8 of LEED Silver. So I was kind of hoping that we'd see some
9 improvement in that regard, particularly after you got that
10 incredibly detailed response letter from DDOE that the Office
11 of Planning provided in their report.

12 MR. COLBERT: Yeah. I mean, obviously, we're going
13 to be complying with the new Green Area Ratio and the new
14 stormwater regulations, so that will probably help too.

15 COMMISSIONER MAY: All right. That's it for me.
16 Sorry to take so long.

17 CHAIRMAN HOOD: Okay. Vice-Chair Cohen?

18 VICE-CHAIR COHEN: Thank you, Mr. Chairman.

19 I just want to note for the record that I concur
20 with Commissioner May about the blank wall.

21 I don't concur with him about the façade. I think
22 that the overhangs make it a little bit more interesting, but
23 we often don't agree. I'm not an architect.

24 On the LEED, I hope you are doing it for both
25 buildings, trying to get Silver for both; is that correct?

1 MR. COLBERT: Well, actually, for the Wing A, we
2 were going with Green Communities. I think that was something
3 that was keyed into the financing.

4 MR. CAMPBELL: Yeah. We're assuming that we will
5 need to do Enterprise Green Communities for that, which I
6 understand is pretty equivalent to LEED Silver but just a
7 different way of scoring and getting there.

8 VICE-CHAIR COHEN: Okay. Now, the wood product that
9 you are using for decorative detail, tell me a little bit
10 about its sustainable. It weatherizes well and will last for
11 how many years?

12 MR. COLBERT: Yes. The product that we are looking
13 at, Prodema, has been used in Europe for 25 years. We have
14 looked at a buildings there that have had a history of
15 excellent maintenance with this product, and we don't
16 anticipate it having to be reconditioned or anything on any
17 kind of regular basis.

18 VICE-CHAIR COHEN: So do you buy this product in
19 Europe then? It's not available here in the United States?

20 MR. COLBERT: Yeah. Their distributor is here, but
21 it comes originally from Europe.

22 VICE-CHAIR COHEN: I have a question on the awning
23 area -- not the awning -- the cube at the top of the building
24 on the market rate building. Is that going to be a balcony
25 for somebody?

1 MR. COLBERT: No, I'm sorry.

2 VICE-CHAIR COHEN: It looks like a cube to me. It's
3 on -- if you go to page A-13, it's on the --

4 MR. COLBERT: Yeah. We do have -- you are talking
5 about the charcoal gray element --

6 VICE-CHAIR COHEN: Yes.

7 MR. COLBERT: -- that is kind of an inverted
8 U-shape. That would be a Juliet balcony on the top floor and
9 then actually on the other floors.

10 VICE-CHAIR COHEN: Okay. It replicates it. Okay.

11 Then a question for Mr. Campbell. You are talking
12 about cross-subsidy, and I think -- just in general, could you
13 for the Commission elaborate a little bit on that? Because we
14 get a lot of pushback by developers on affordable housing
15 development in general, and I would just like to know how
16 you're able to match these two projects.

17 MR. CAMPBELL: The primary component of the
18 cross-subsidy is the land value attribution for Wing A, the
19 affordable building, will be zero or close to zero. As I'm
20 sure you know and I'm sure the Commission knows, constructing
21 the financing for affordable housing is incredibly difficult
22 and usually takes tremendous gap subsidy from the District or
23 other governmental sources.

24 We are trying to do this with as little or minimal
25 governmental gap funding as possible. So by starting out with

1 free land cost for the Wing A component of the building and
2 then also a cash payment that will be made from the U Street
3 component to the affordable housing, we haven't finalized on
4 the form of that transfer. It would either be through a
5 special limited partnership arrangement or through a loan
6 channeled through a non-profit, but some way, shape, or form,
7 a cash payment that will be several millions of dollars will
8 be made to fill the gap in the financing for the 96 affordable
9 units.

10 VICE-CHAIR COHEN: And that loan will be a soft
11 loan?

12 MR. CAMPBELL: Yes. Soft, subordinate, cash flow,
13 no 40-year balloon, sort of as soft as one can get from what
14 one might get from the public sector, but public sector isn't
15 as soft anymore, as we're contemplating this loan being.

16 We originally thought it could just be a straight
17 equity transfer, but that had serious tax consequences that
18 possibly doing it through a loan structure with a non-profit
19 eliminates that tax consequence.

20 VICE-CHAIR COHEN: And you already have the approval
21 of DHCD for -- what was it? -- 2.8?

22 MR. CAMPBELL: 2.4 million, yes.

23 VICE-CHAIR COHEN: 2.4. Okay. So, basically, you
24 can move ahead.

25 MR. CAMPBELL: We have that approval. We have that

1 funding. We have submitted our application for tax-exempt
2 bonds --

3 VICE-CHAIR COHEN: I saw that.

4 MR. CAMPBELL: -- through the D.C. Housing Finance
5 Agency. Their Scoring Committee met last week and scored the
6 project. The scoring letter we received back was that it was
7 the highest score of any project they've had in committee in
8 the 5 years that all of those committee members have been on
9 the committee, so we were very encouraged by that, and they're
10 moving forward with bond inducement.

11 That's why I indicated we could be ready to start
12 construction, because that financing process and the HUD
13 process are all moving in very good straight lines.

14 VICE-CHAIR COHEN: When the tenants return to a new
15 building, how long is that contract for?

16 MR. CAMPBELL: It will be renewed for 20 years.

17 VICE-CHAIR COHEN: For 20 years, okay. Because
18 you're going to also use low-income housing tax credits too.

19 But somewhere, I read it was a 40-year affordability
20 period. So how does that all tie in?

21 MR. CAMPBELL: That's fairly typical now with a tax
22 credit aware and with the 2.4 million from DHCD that they put
23 in a 40-year income covenant or income restriction and
24 covenants on the property. So just it will be a recorded
25 covenant for that 40-year period.

1 VICE-CHAIR COHEN: Thank you for your answers, and I
2 commend you for working so closely with the tenants. I wish
3 that happened throughout the city.

4 CHAIRMAN HOOD: Okay. Mr. Miller?

5 COMMISSIONER MILLER: Thank you, Mr. Chairman.

6 Yes. I join Vice-Chair in commending you for all
7 the work with the tenants association all these years and
8 coming out with really what seems to me like a great project
9 that preserves affordable housing for all the existing tenants
10 and then doubles the amount of affordable housing in the new
11 building and providing the existing tenants -- I think you are
12 providing exactly the same mix, size of units to the
13 two-bedrooms and three-bedrooms that exist --

14 MR. CAMPBELL: That's correct.

15 COMMISSIONER MILLER: -- the 36 two-bedrooms and the
16 12 three-bedrooms.

17 So I think it's a fantastic project, and I'm really
18 pleased to see it here.

19 On the AMI levels, you have all of it -- all of the
20 affordable housing will be at or below 60 percent, you're
21 saying, for the low-income tax credit, and not less than 15
22 percent of which would be at or below 50 percent AMI.

23 But the existing tenants, you have in your Applicant
24 statement, prehearing statement, that their actual average
25 income is 24 percent of AMI. Is there a reason you're not

1 using a lower number to capture the existing tenants, the
2 lower AMI number, or is it dealing with the financing again?

3 MR. CAMPBELL: Well, on the one hand, they are
4 protected by virtue of their right to return and keep their
5 Section 8 subsidy. If one were to leave under the Section 8
6 program, 50 percent AMI would be the income limit for the
7 releasing of that unit. So we thought 50 percent was the
8 appropriate level to use, because if somebody came in with a
9 48 percent AMI, we wouldn't want to turn them away.

10 The 60 percent is the low-income housing tax credit
11 ceiling, and that's something we would want to maintain
12 throughout the whole period. If after 20 years, if that
13 Section 8 contract went away, we would still maintain that 60
14 percent AMI, except for the 15 percent set aside at 50
15 percent, just because we thought it was important to have some
16 tiering of the income.

17 COMMISSIONER MILLER: You have an agreement with the
18 tenants association. Their letter of support indicates they
19 have signed an agreement with you guaranteeing their right of
20 return.

21 MR. CAMPBELL: Yes. It is called a "Development
22 Agreement" that we executed after the assignment of their TOPA
23 rights, and in fact, their legal counsel, Eric Rome of Eisen &
24 Rome, is here with them tonight, and so they were very well
25 represented in that process of putting that to paper in a way

1 that guarantees our obligation on the relocation and the
2 return, the payment for the relocation. All of that is --

3 COMMISSIONER MILLER: In that Development Agreement?

4 MR. CAMPBELL: -- signed, sealed, and delivered.

5 COMMISSIONER MILLER: Can that be provided for the
6 record?

7 MR. CAMPBELL: Yes.

8 COMMISSIONER MILLER: I think that would be useful
9 for us to have.

10 I also agree, concur with the Vice-Chair on the
11 attractiveness of both buildings. I think the materials and
12 the colors and the elements of the balconies and the grid, I
13 think all are very attractive.

14 But I would concur with Commissioner May -- and you
15 all seem to concur with him too -- on the blank walls and on
16 trying to get beyond the minimum of LEED Silver, the 50
17 number, to get to a higher number, shoot for a higher number.

18 I think that's it, Mr. Chairman. Thank you.

19 CHAIRMAN HOOD: Mr. Turnbull, do you have any
20 questions?

21 COMMISSIONER TURNBULL: Yeah. Thank you, Mr. Chair.

22 I would agree with my colleagues' comments on the
23 affordability and housing aspect, and I want to compliment you
24 also for working with the existing association.

25 I do have some comments on the architecture and some

1 of the issues that have been brought up.

2 Going back to the west courtyard elevation, the
3 blank wall, and looking at A-16, one thought is you have a
4 possible beginnings of a solution if you look at that on the
5 east elevation on -- at the bottom of that page. You have got
6 either a scoring set up, you're trying to break up the wall.
7 One option is to maybe think about, obviously, maybe not the
8 wood panels, but, I mean, looking at that scoring, that
9 option, and maybe introducing some other color brick or
10 something to alleviate that. I think that would be at least a
11 minimal change to that wall, but it would add some variation
12 to it. I don't know what my colleagues would think, but I
13 think something in that line would be something to at least
14 think about.

15 It is a busy roof. There was a lot of stuff going
16 on up at the roof. I guess one of the things I would like, I
17 would like to see some either sections through the roof --
18 there is a play area pointed out, and they talk about a wall,
19 a barrier wall. I'd like to see exactly -- you know, I mean,
20 obviously, it's got to be at least 3-foot-6 from a safety
21 standpoint, but I'd like to see a little bit more information
22 as to really what's going on up there, maybe some blowups of
23 some of the roof areas on both the affordable side and at the
24 market rate roof, some sections, maybe some blowup elevations
25 of the façades, what's really going on up there.

1 I don't have any major questions. I'd just like to
2 see -- there are some things that I'd like to see a little bit
3 blown up to be able to review it better.

4 COMMISSIONER MAY: Can I chime in on that one?

5 I actually found, I agree, there's just not enough
6 information on the rooftops, and we usually see something that
7 shows us things like trellises in perspective view and so on.
8 So I think some further elaboration and not just plants.
9 Sections.

10 COMMISSIONER TURNBULL: Sections.

11 COMMISSIONER MAY: Perspectives would be idea.

12 COMMISSIONER TURNBULL: Yeah.

13 COMMISSIONER MAY: So we get a sense of what the
14 character of the roof is, but I am particularly interested in
15 what the trellis looks like --

16 COMMISSIONER TURNBULL: Right.

17 COMMISSIONER MAY: -- because we don't really have a
18 good view of that at all.

19 COMMISSIONER TURNBULL: I would agree.

20 MR. GLASGOW: We have on the landscape drawings, L.8
21 and L.9, some detail.

22 COMMISSIONER TURNBULL: Yeah, but I don't think --
23 it is still basically a plan, though. They are better. They
24 are getting there, I think, but I think a couple of sections
25 through there and some -- a perspective or two from several

1 areas might help us clarify what some of those things actually
2 look like.

3 MR. GLASGOW: Okay.

4 COMMISSIONER TURNBULL: Now, the two buildings
5 really are not connected, although there is --

6 MR. GLASGOW: They are connected.

7 COMMISSIONER TURNBULL: Well, on A-23, it shows a
8 doorway on the first floor plan, but I don't know if that's
9 really a link.

10 MR. GLASGOW: We have met with the Zoning
11 Administrator and met with Office of Planning to confirm that
12 that connection does satisfy the communication.

13 COMMISSIONER TURNBULL: What I am saying is, are
14 people expected to go through there then?

15 MR. GLASGOW: Yes. It is set up, so that you can go
16 from the one exercise room into the other exercise room.

17 COMMISSIONER TURNBULL: Okay.

18 Access to both green areas. There are doors showing
19 from both areas. I'm assuming that both tenants get access to
20 the green areas on that ground floor?

21 MR. GLASGOW: On the west green area.

22 COMMISSIONER TURNBULL: On the west green area.

23 MR. GLASGOW: Yes, the one on the west side, the
24 West Side Court. There are doors from both buildings that go
25 out, and then they share that space.

1 COMMISSIONER TURNBULL: So it's a shared space.

2 MR. GLASGOW: Correct.

3 COMMISSIONER TURNBULL: The area with the bocce ball
4 court, though, that green area is just for the market rate
5 units, or can that be anybody too? I mean, if people can go
6 through this space, I'm assuming they can go out onto that.

7 Right now, there is only access, I see, through
8 what's called the "Club Area."

9 MR. GLASGOW: Right. I think that the green space
10 on the west side is accessed by both buildings. The green
11 space on the east side is only accessed through the club area
12 on the southern building.

13 COMMISSIONER TURNBULL: But it's open to both
14 occupants, all tenants or everybody? I'm just curious.

15 MR. CAMPBELL: I think the intent would be that the
16 club area and Wing B would -- that people in the west would
17 not be able to enter a building wing that was not where their
18 apartment was. I believe there is some sort of design reason
19 why we couldn't have a door into the east courtyard from the
20 building, Wing A, the way the driveway works in an elevation
21 difference.

22 MR. COLBERT: Yeah. I think that on the east side
23 of the building, the area of greenery that's next to the Wing
24 A exercise room and computer room may have to be a little bit
25 elevated in order to have enough height to get the trucks

1 down.

2 COMMISSIONER TURNBULL: So that green area is not
3 level then?

4 MR. COLBERT: Yeah. It would step up between Wing A
5 and Wing B.

6 COMMISSIONER TURNBULL: Okay.

7 MR. COLBERT: Just on that one side.

8 COMMISSIONER TURNBULL: All right. But both tenants
9 get access to the west green area?

10 MR. COLBERT: Right.

11 COMMISSIONER TURNBULL: One question from a design
12 perspective, I guess, is that in the market rate areas, there
13 is a lot of lounge and community space that overlooks the park
14 area, and on the affordable units, there's two-bedroom units.
15 There's the bedroom units there, and the exercise room and the
16 computer room are on the other side. I'm just curious from a
17 design point why they weren't flipped to have a view of the
18 other park with the more action going on.

19 MR. CAMPBELL: You have identified an issue that has
20 occupied an awful lot of discussion among the development and
21 design team --

22 COMMISSIONER TURNBULL: Okay.

23 MR. CAMPBELL: -- because I think we all agree that,
24 ideally, having those public uses facing the courtyard would
25 be a better solution.

1 COMMISSIONER TURNBULL: Okay.

2 MR. CAMPBELL: However, the eastern side of that
3 corridor, where the exercise room is, the community room and
4 all that, the windows are very elevated, and as you get
5 further north, there's virtually no light coming in there. So
6 that space just does not work for residential uses, and we
7 didn't want to sacrifice having the maximum amount of
8 affordable units.

9 Really, we tried some plans there. They just were
10 not nice places for anybody to live. So it was a tradeoff
11 between having nicer units or having the community room and
12 exercise room not have the direct exposure to the courtyard,
13 which we all agree would be better, but I don't think was --
14 we did not believe was worth the tradeoff.

15 COMMISSIONER TURNBULL: Okay. Again, without
16 actually knowing what an elevation along there would look
17 like, it's hard to -- but after hearing your comments about
18 the sloping of the grade --

19 MR. COLBERT: Actually, on Sheet A-20, you can see a
20 section through there, and it helps to illustrate how the
21 windows on that side are a little bit compromised.

22 And I think the way it's shown here, the windows are
23 actually more generous than they would really be once you got
24 the thickness of the green roof and some of the other elements
25 that have to be put in there with the waterproofing and

1 insulation. I think those windows were starting to get a
2 little minimal, so I'm just kind of reinforcing what Jim was
3 saying about our decision-making process to then have the
4 units facing the other way.

5 MR. CAMPBELL: And we do have a very nice amenities
6 space in Wing A on the roof with the green spaces up there
7 that open up with large windows to that light and air.

8 COMMISSIONER TURNBULL: Okay. Yeah, it just seems a
9 shame.

10 Moving along here then, the wood panels, I am
11 getting back to Commissioner Cohen's comment. It is a thin
12 veneer wood panel?

13 MR. COLBERT: Yes. Actually --

14 COMMISSIONER TURNBULL: Is that laminated?

15 MR. COLBERT: Yeah. There is a sample of it on our
16 board that we brought up.

17 COMMISSIONER TURNBULL: Yeah, I saw the colors.
18 Yeah.

19 MR. COLBERT: Right.

20 COMMISSIONER TURNBULL: But it's got a finish on it.
21 Is it impregnated?

22 MR. COLBERT: Yes. And it has a plastic layer on
23 the outside.

24 COMMISSIONER TURNBULL: Okay. And just a caulk
25 joint then?

1 MR. COLBERT: No. This is going to be a rain
2 screen, so we wouldn't caulk it.

3 COMMISSIONER TURNBULL: Oh, it's a rain screen?

4 MR. COLBERT: Yeah.

5 COMMISSIONER TURNBULL: Oh, okay. So it will be
6 open. Okay, right.

7 MR. COLBERT: Right.

8 COMMISSIONER TURNBULL: All right, I understand.

9 I guess I would echo my concern about the LEED
10 rating, where you're going. I think I would recommend to you
11 that -- obviously, you've heard the comments we have been
12 getting, LEED Silver very easily now on most of the projects
13 that are coming before us, even higher.

14 It looks like your truck -- I was worried about the
15 truck turning radius in the garage, but your consultant has
16 provided some traffic diagrams, which show me that it does
17 work. It looks tight, but it looks like it works.

18 I think, Mr. Chair, those might be my comments.

19 CHAIRMAN HOOD: Thank you, Mr. Turnbull. You hit on
20 the radius and the turn, so I'm going to leave it alone. I
21 saw him getting ready to come to the table. Normally, I get
22 into that, but I'm not going to get into that this time.

23 Mr. Glasgow, let me just ask. In the DDOT report,
24 it talked about the time frame for the car sharing and the
25 bike sharing memberships.

1 MR. GLASGOW: Yes, the annual. Yes.

2 CHAIRMAN HOOD: You all agree with that?

3 MR. GLASGOW: We agree to an annual.

4 CHAIRMAN HOOD: Okay.

5 MR. GLASGOW: Yeah. Annual for the first tenant
6 that moves in.

7 CHAIRMAN HOOD: I am getting ready to do something,
8 and I don't want this to get out of order. But I know we do
9 have a number of the tenants that are present. If you're a
10 tenant, could you just raise your hand? I want to see.

11 [Show of hands.]

12 CHAIRMAN HOOD: Raise them high because I want to
13 make sure.

14 Let me just ask this question. How many of you ride
15 bikes? How many of you ride bicycles?

16 [Show of hands.]

17 CHAIRMAN HOOD: Okay, thank you very much. That's
18 for another time. I appreciate it.

19 I think that's important. I actually was going to
20 advocate for it, for what they ask, but if you all are already
21 in agreement, maybe you can encourage them to ride bicycles.

22 [Laughter.]

23 CHAIRMAN HOOD: One of the things that I think that
24 I am very happy about, about this case as opposed to some
25 other cases that have been in front of me recently, is the

1 relocation. My hat is off, and I know my colleagues already
2 have responded. I am not going to belabor the point. I am
3 not going to be duplicating comments that were made, but I can
4 tell you I had to duplicate that, because I agree with
5 everything I've heard about the relocation and working with
6 the community, so hat is off to you, and I will always
7 remember this case of how it can work.

8 All right. I don't have any questions.

9 VICE-CHAIR COHEN: I have one more.

10 CHAIRMAN HOOD: Vice-Chair Cohen.

11 VICE-CHAIR COHEN: Thank you, Mr. Chairman.

12 Of the residents who did not raise their hand
13 because they don't ride bicycles, what about your children?
14 Do they ride bicycles? Raise your hand.

15 [Show of hands.]

16 VICE-CHAIR COHEN: Okay, thank you.

17 CHAIRMAN HOOD: That was my question. Next time --
18 I got what I needed out of them.

19 [Laughter.]

20 CHAIRMAN HOOD: I didn't repeat any of your
21 questions. Kids always ride bikes. I know that. I have some
22 grandkids now, and actually, I try to get on their bike. I'm
23 not going to say what happens, but anyway --

24 VICE-CHAIR COHEN: And I just want to add one thing,
25 Mr. Chairman.

1 CHAIRMAN HOOD: Please don't.

2 [Laughter.]

3 VICE-CHAIR COHEN: Mr. Erwin is very famous. He
4 appeared in the Washingtonian this month, didn't you?

5 CHAIRMAN HOOD: Oh, congratulations. I didn't know.
6 She can add that one. Yeah, we appreciate it.
7 Congratulations to you.

8 Okay. Do we have anyone here from ANC-1B?

9 [No audible response.]

10 CHAIRMAN HOOD: Okay. Let's go to the Office of
11 Planning's and DDOT's report. We can do both together.

12 MR. GYOR: Good evening, Mr. Chairman and members of
13 the Commission.

14 The Office of Planning recommends approval of this
15 Planned Unit Development application and Zoning Map amendment,
16 as it conforms to the Comprehensive Plan's objectives for the
17 area and to the Generalized Land Use and Policy Maps and would
18 contribute to the redevelopment of the U Street Corridor.

19 The Applicant has worked extensively with existing
20 residents, and OP particularly supports the proposed 96
21 affordable housing units, which substantially exceeds the
22 amount of affordable housing that would be developed on that
23 site as a matter of right and at a significantly deeper
24 subsidy.

25 Thank you. I would be happy to take any questions.

1 MR. ROGERS: Good evening, Mr. Chairman and members
2 of the Commission. For the record, I am Jonathan Rogers with
3 the District Department of Transportation.

4 At this time, we would like to rest on the record
5 but happy to answer any questions you may have.

6 CHAIRMAN HOOD: Everybody seems to be moving kind of
7 fast. I wonder what's going on.

8 Okay. Any questions of the Office of Planning or
9 DDOT?

10 [No audible response.]

11 CHAIRMAN HOOD: Not seeing any, let's go to -- oh,
12 I'm sorry. Does the Applicant, Mr. Glasgow?

13 MR. GLASGOW: No questions.

14 CHAIRMAN HOOD: Okay. Do we have any other
15 government reports, other than the DDOT report? I didn't see
16 any. DOES and we also -- we've already decided on the other
17 report about the waiver. I think we did that as set-down, if
18 I'm not mistaken.

19 Do we know what exhibit number that was, the DOES?
20 Was it in the back of the OP report? I know I saw it.

21 Okay. We do have the ANC report also. I believe
22 the only thing we have is Exhibit -- with modern technology,
23 it seems like I am moving slower. Okay, Exhibit 27, the ANC
24 report from 1B, and it basically says Advisory Neighborhood
25 Commission 1B voted unanimously in support of the Applicant's

1 request for approval to consolidating Planned Unit
2 Development, Lot 208 and Square 204, and to support the
3 Applicant's request for a change of zoning from R-5-B to R-5-D
4 and CR for mixed-use residential and retail project fronting
5 on the 1400 block of U Street and V Street, N.W.

6 Actually, the vote is recorded. It was 8-zero,
7 voted to record the motion to adopt the report. It was 8 to
8 zero, and it was signed by, I think, the chairman --
9 chairperson, Mr. James A. Turner. And the person who was
10 authorized to present this report was Leila Winston. So
11 that's in order.

12 Any other questions or comments?

13 Commissioner Miller.

14 COMMISSIONER MILLER: Mr. Chairman, I may have
15 misheard, but what is attached to the OP report is a report
16 from the District Department of the Environment, not the DOES.
17 And that report is dated -- it's a memorandum from DDOE to OP
18 dated October 14th, and it makes a number of recommendations
19 on energy efficiency and green building and Silver, getting to
20 the LEED Silver strategy and water conservation.

21 I just wanted to quickly ask the Applicant if they
22 have seen that and are they prepared to positively respond to
23 those recommendations of DDOE.

24 MR. GLASGOW: Commissioner Miller, we have read
25 their report. They have essentially taken some things that we

1 have offered, and then they just jump off from there. We
2 appreciate their comments. We stand by what it is that we
3 have proposed. We think it's reasonable and taking into
4 consideration what the Commission members have asked us to
5 look at with respect to LEED Silver, but changing everything
6 around with respect to this after seeing that we have hit the
7 requirements and going above the requirements, we thought was
8 an overreach.

9 COMMISSIONER MILLER: Okay, thank you.

10 CHAIRMAN HOOD: All right. Apparently, this letter
11 was October the 14th, and you all had been working on this for
12 a while, so maybe we need to get them in a lot earlier. But I
13 appreciate you bringing that up and apologize for saying
14 "DOES."

15 VICE-CHAIR COHEN: I said it, Mr. Chairman.

16 CHAIRMAN HOOD: Oh, okay. Well, I'll take the
17 credit for that. I apologize for saying DOES because it was
18 DDOE.

19 And I would associate myself with the comments I've
20 heard. I think this Applicant has went far, and if they want
21 to weigh in, we probably need to work with DDOE, and they need
22 to get in earlier, sooner than later.

23 Anything else?

24 COMMISSIONER MAY: Yeah. I would just want to add
25 to that. Getting the report was, I think, helpful in the

1 sense that now they are chiming in on some of these things,
2 but they are not being really responsive to the sorts of
3 questions that we are trying to have answered in the process
4 of granting a PUD approval or a zoning relief, and it's not
5 very specific to the project. It was a lot of kind of
6 boilerplate reaction and, you know, sort of platitudes about
7 what they like to see and maybe like the DDOT reports of old.

8 DDOT has become much more sophisticated and much
9 more responsive to the particulars of the project, and I think
10 maybe DDOE needs to learn some of those lessons.

11 It would be nice to have their regular input on
12 these things, but something that is more specific to the
13 project and more helpful, given where we are in the process,
14 as well.

15 CHAIRMAN HOOD: I wasn't going to bring DDOT,
16 because I was here all through DDOT, and DDOT has improved. I
17 wasn't going to bring that up.

18 But I think what we need to really do is what we had
19 to do with DDOT, is bring DDOE in at one of our training
20 sessions and kind of tell them what we kind of look for. The
21 agencies kind of depend on us too. I don't want to just put
22 it on DDOE. DDOE is relatively, I guess -- I don't know how
23 long.

24 Commissioner Miller, you offered it. How long were
25 they around?

1 COMMISSIONER MAY: I think they were started in
2 2003.

3 CHAIRMAN HOOD: Okay. So they're relatively new,
4 and now they're starting to give us reports. We want to
5 encourage them, but we need the reports to be germane to what
6 we're looking for. We will not belabor that on this case, but
7 I want them to know we appreciate this. But we may need to
8 bring them in for a training session and we all have a
9 collaboration and talk about what we need, same thing we did
10 years ago with DDOT.

11 Okay. Anything else on that issue?

12 [No audible response.]

13 CHAIRMAN HOOD: Okay. Let's go to the --

14 MS. SCHELLIN: Juts so the Commissioners know, the
15 Director and I actually have a meeting with DDOE next Monday,
16 and so we can pass onto them the Commission would like to see
17 comments germane to the specific project and not general
18 comments.

19 CHAIRMAN HOOD: And if they need some assistance,
20 we'll be willing to have -- we can do a training session.

21 MS. SCHELLIN: And we can include them in --

22 CHAIRMAN HOOD: But let them know we appreciate --

23 MS. SCHELLIN: Yes, we will.

24 CHAIRMAN HOOD: We appreciate them supplying
25 anything.

1 MS. SCHELLIN: Yes.

2 CHAIRMAN HOOD: There was a time we didn't get
3 anything from nobody.

4 MS. SCHELLIN: Exactly.

5 CHAIRMAN HOOD: All right. I have a witness list
6 here of three names. Let me call Father Patrick Smith, Cheryl
7 Cort, and I'm getting ready to mess up this last name, Samia.
8 Samia said cut it. Okay, all right.

9 Anyone else who would like to testify in support?

10 MS. SCHELLIN: We need to swear her in.

11 CHAIRMAN HOOD: We're not going to swear the pastor
12 in, are we?

13 MS. SCHELLIN: Were you here? Were you sworn in
14 earlier?

15 CHAIRMAN HOOD: I get very funny when we do that,
16 but, anyway, we have to do that.

17 MS. SCHELLIN: You were not here.

18 Please raise your right hand. Do you solemnly swear
19 or affirm the testimony you give this evening will be the
20 truth, the whole truth, and nothing but the truth?

21 [Witnesses sworn en masse.]

22 MS. SCHELLIN: Thank you.

23 CHAIRMAN HOOD: Okay. Do we have anyone else who
24 would like to testify in support?

25 [No audible response.]

1 CHAIRMAN HOOD: Okay. Not seeing anyone, we will
2 begin with Ms. Cort.

3 MS. CORT: Thanks, Chairman Hood and Commissioners.
4 My name is Cheryl Cort with the Coalition for Smarter Growth,
5 and we are really pleased to be here to testify in support of
6 this project to replace an out-of-affordable housing along
7 with market rate units and ground floor retail in U and V
8 Streets, and in the context of a historic district, we
9 appreciate that this is a project that has been driven forward
10 by the tenant -- the Portner Place Tenants Association and
11 will create new homes into the long term for these families
12 and in a way that far exceeds the Inclusionary Zoning
13 requirements and will also provide new market rate residences
14 on U Street.

15 We applaud this innovative approach that is going to
16 be such an important contribution to our neighborhood of not
17 only retaining existing affordable units, but actually
18 expanding and doubling the number of affordable units.

19 I have attended many, many of the community meetings
20 to discuss and review this proposal because I live two blocks
21 away from the location, and so it has -- every meeting that I
22 have been at has had quite a number of the Portner Place
23 Tenants Association representatives to speak in support of
24 this project, so we're very excited to join with our neighbors
25 in supporting this project.

1 And I'd note that at every step of the way, that the
2 different various neighborhood associations and ANC have been
3 overwhelmingly supportive of this project, and as the
4 neighbors move forward in making this happen.

5 This is a great project because it provides better
6 housing for my existing neighbors in this location, and it
7 also expands affordable housing opportunities, and it also
8 expands housing opportunities in general in a place that is
9 well suited to welcome a lot more residents. So we think
10 that, overall, this is really a very exciting project, and we
11 are looking forward to it moving forward.

12 Thank you.

13 CHAIRMAN HOOD: Thank you.

14 Father Smith? Turn your microphone on. Make sure
15 the green light is on.

16 FR SMITH: Good evening, and thank you for the
17 opportunity to make a statement in support of this initiative
18 also and on behalf of St. Augustine Catholic Church. Our
19 campus is almost entirely on this V Street, between 14th and
20 15th Streets, N.W., including directly across from the current
21 Portner Place Apartments and whose development we're
22 discussing.

23 Again, I am Father Pat Smith, and I am from St.
24 Augustine Catholic Church. First and foremost, I want to
25 offer my support and that of our parish community to the

1 residents of Portner Place Apartments.

2 I in no way tonight speak for them but only want to
3 stand in solidarity with them for they represent what too
4 often feels like an endangered species in the District of
5 Columbia; that is, families, affordable dwellings, living in
6 the city.

7 For more than 10 years that I have served as pastor
8 of St. Augustine Catholic Church, I have lived right across
9 the street from Portner Place, and I have also witnessed, as
10 most of us have, the extraordinary and rapid development that
11 has taken place over in the last decade in the neighborhood,
12 including the building of market rate housing in the form of
13 condominiums and as well as restaurants, grocery, and
14 appliance stores and the like.

15 We at St. Augustine Church are very encouraged by
16 the plans to nearly double the affordable units at Portner
17 Place and want to offer our support to the residents of
18 Portner Place, that if we can be of any assistance to them in
19 assuring that every resident and family being relocated during
20 the construction of Portner Flats has a place to return to
21 upon its completion, then we are offering it tonight. We want
22 to be a good neighbor to them in every way that we can.

23 As a church in the neighborhood, one of our most
24 important contributions in the past 50 years on V Street has
25 been the running of a vibrant and thriving elementary and

1 junior high school that has served D.C. residents from the
2 neighborhood and throughout the city. Schools are populated
3 by children from families. Families living long distances
4 from the church where they worship on Sundays are less likely
5 to enroll their children in neighborhoods where they worship,
6 preferring to enroll their children in schools where they
7 worship, preferring to enroll children closer to where they
8 live and work.

9 If housing units for families are not being
10 constructed to accommodate families, then naturally, they will
11 be left with only the option to look elsewhere.

12 We want to be sure that families have the option to
13 live in the neighborhood. We priced our school deliberately
14 to be accessible for working class residents. This is why in
15 the ongoing housing plans for neighborhood development, two-
16 to three-bedroom apartments for workforce or middle-income
17 families and even families prepared to pay market rate, which
18 some of our parishioners represent, need to have a viable
19 option in our rapidly changing neighborhood, lets the
20 un-posted billboard at the different gateways into Ward 1 read
21 "Families Need not Apply," even those that could afford to pay
22 market rate.

23 My hope and prayer is that the process of residents
24 and developers working together continues to guide this latest
25 effort to develop housing for families that deserve to be a

1 permanent part of our neighborhood.

2 Our other hopes in relation to some of the things
3 that I will mention today is that, of course, our parking. As
4 we see a larger residential home with more residents, that,
5 hopefully, as we look at providing the parking and how it's
6 going to affect the entire neighborhood. So, again, we at St.
7 Augustine have tried to be good neighbors in opening up our
8 parking lot also to residents, but, of course, it is limited.
9 So, hopefully, again, we will keep that in mind as we move
10 forward.

11 Also, maybe it wasn't clear that some of the
12 amenities being offered at both residents, I guess both wings,
13 that they are really accessible to everyone, whether it's a
14 pool or a Laundromat on either sit.

15 Finally, that just very practically at the different
16 entrances, that I guess if it is pouring down rain and you are
17 on V Street and want to get to the U Street side, do you have
18 to walk around, or is there a way to access and go through and
19 vice versa?

20 So these are some things that, hopefully, we'll keep
21 in mind just so we can really have residences to provide --
22 that really provide all the needs to those who will be there.

23 Again, I just thank you for the opportunity for me
24 to publicly voice my support on this initiative. Thank you.

25 CHAIRMAN HOOD: Okay. I want to thank you both.

1 Let's see if we have any questions or comments. Any
2 questions?

3 VICE-CHAIR COHEN: No.

4 CHAIRMAN HOOD: I do not see any.

5 Mr. Glasgow, do you have any cross-examination?

6 MR. GLASGOW: No questions.

7 CHAIRMAN HOOD: Okay. I want to thank you both for
8 coming down and providing testimony. We appreciate it.

9 Do we have anyone here who is in opposition to this
10 case to come forward at this time?

11 [No audible response.]

12 CHAIRMAN HOOD: Not seeing anyone, I don't know how
13 much rebuttal, Mr. Glasgow, you have, but --

14 MR. GLASGOW: No rebuttal, but I have a request.

15 [Laughter.]

16 CHAIRMAN HOOD: You want us to take this up at our
17 next hearing?

18 I didn't hear that. What did you say, Mr. Glasgow?
19 You can go ahead with your closing.

20 MR. GLASGOW: All right, thank you.

21 I think that we've submitted a full record for the
22 case. There are a couple of things that I understand the
23 Commission members want. What we would like to do is we would
24 like to get preliminary action taken this evening, because
25 that will help us in a number of ways with respect to the

1 processing that we need to do, and then by the time final
2 action, all other things would be in the record that have been
3 requested.

4 I'm ready to go through the items that I understand
5 are needed for the record, if you all are.

6 CHAIRMAN HOOD: Yeah. Let's do that, and then we
7 will take it back on our hands and see how we're going to
8 proceed.

9 MR. GLASGOW: Thank you.

10 Articulation on the east wall, so a plan that shows
11 how that blank wall should be scored and that type of thing,
12 what those design options are.

13 Secondly, the pool option is to be submitted.

14 Next, Commissioner Miller had the Development
15 Agreement he submitted for the record.

16 And then the sections through the roof with blowups
17 of elevations and then a couple of perspectives of the roof.

18 And those are the items that I had to be submitted
19 for the record.

20 CHAIRMAN HOOD: Okay. Anything else? Did we leave
21 out anything, colleagues?

22 VICE-CHAIR COHEN: No.

23 CHAIRMAN HOOD: Okay. Anything else, Mr. Glasgow?

24 MR. GLASGOW: No, sir, other than, hopefully, you
25 would take a proposed action this evening.

1 CHAIRMAN HOOD: All right, thank you.

2 Commissioners, we have been asked to take proposed
3 action. Does anyone have any reservations on this evening?

4 [No audible response.]

5 CHAIRMAN HOOD: Okay. So, if not, I will do it,
6 entertain a motion.

7 COMMISSIONER MILLER: Mr. Chairman, I would move
8 that the Zoning Commission take proposed action tonight on
9 Zoning Commission Case Number 14-08, Consolidated Planned Unit
10 Development and Related Map Amendments from R-5-B to R-5-D and
11 CR for Square 204, Lot 208, Portner Place LLC, and ask for a
12 second with a caveat that we are going to get all this,
13 everything that has been requested prior to final.

14 COMMISSIONER TURNBULL: Second.

15 VICE-CHAIR COHEN: I'll second.

16 CHAIRMAN HOOD: It's been moved and properly
17 seconded.

18 All those in favor?

19 [Chorus of ayes.]

20 CHAIRMAN HOOD: Not hearing any opposition, Ms.
21 Schellin should record the vote.

22 MS. SCHELLIN: The Staff records the vote 5 to zero
23 to zero to approve proposed action Zoning Commission Case
24 Number 14-08. Commissioner Miller moving. I heard
25 Commissioner Turnbull's section first. Commissioners Cohen,

1 May, and Hood in support.

2 CHAIRMAN HOOD: I actually am sitting here thinking,
3 "Is she going to second this?"

4 MS. SCHELLIN: She did.

5 CHAIRMAN HOOD: She did. I was just curious. No,
6 it's good to have a second. I hope she second when she
7 disagreements with me sometime, but anyway --

8 VICE-CHAIR COHEN: That's what Vice-Chair people do.

9 CHAIRMAN HOOD: Oh, okay.

10 VICE-CHAIR COHEN: They second.

11 CHAIRMAN HOOD: All right. Anything else?

12 MS. SCHELLIN: Yes. I would just like to remind Mr.
13 Glasgow about the proffers and conditions that will be due
14 starting in 1 week, and if we can get a draft Findings, Facts,
15 Conclusions of Law, say, in 2 weeks, does that work for you?

16 [Laughter.]

17 MS. SCHELLIN: I see Jessica shaking her head, so
18 that would be --

19 MR. GLASGOW: My boss just told me yes.

20 MS. SCHELLIN: -- November 10th, three o'clock p.m.

21 And then let's see. So this will be on the December
22 8th agenda for final action.

23 CHAIRMAN HOOD: Okay. Do we have anything else?

24 MR. GLASGOW: You said December 8th for final?

25 Okay.

1 MS. SCHELLIN: Our last November meeting doesn't cut
2 the 30 days, so it will be December 8th.

3 MR. GLASGOW: Okay.

4 CHAIRMAN HOOD: Okay. Do we have anything else?

5 MS. SCHELLIN: No, sir.

6 CHAIRMAN HOOD: Okay. So we want to thank everyone
7 for their participation and great job in working with the
8 community and the community working with the developer.

9 With that, this hearing is adjourned.

10 [Whereupon, at 7:52 p.m., the Public Hearing of the
11 Zoning Commission was adjourned.]

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