

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA

2 Office of Planning

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8 Zoning Commission

9 Zoning Commission Case No. 14-12 (EAJ 1309 5th
10 Street, LLC - First-Stage and Consolidated PUD &
11 Related Map Amendment at Square 3591, Lot 800 -
12 1309-1329 5th Street N.E.)

13 02/11/15 Public Hearing

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17 6:33 p.m. to 9:15 p.m.

18 Wednesday, February 11, 2015

19

20 Jerrily R. Kress Memorial Hearing Room

21 Judiciary One Building

22 441 4th Street, N.W., Suite 220 South

23 Washington, D.C. 20001

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1 APPEARANCES

2

3 Board Members:

4 ANTHONY HOOD, Chairperson

5 MARCIE COHEN, Vice-Chairperson

6 ROBERT MILLER, Commissioner

7 PETER MAY, Commissioner

8 MR. TURNBULL, Commissioner

9

10 Office of Zoning:

11 SHARON SCHELLIN, Secretary

12

13 Office of Planning:

14 BRANDICE ELLIOTT

15 JENNIFER STEINGASSER

16 JOEL LAWSON

17

18 DDOT:

19 ANNA CHAMBERLIN

20 JONATHAN ROGERS

21 Other:

22 JAY WILSON, DDOE

23

24

25

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1 APPEARANCES CONTINUED

2

3 Participants:

4 JEFF UTZ

5 ROBERT SPONSELLER

6 JEFF KAUFMAN

7 GEOFF SHARPE

8 TINA LASKARIS

9 NATHANIEL ADAMS

10 DAN STEINHILBER

11 WAHID OSMAN

12 ABED ALMAALA

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1 P R O C E D I N G S

2 CHAIRPERSON HOOD: Okay. We're going to
3 reconvene this this hearing. Good evening, ladies
4 and gentlemen. This is the public hearing of the
5 Zoning Commission for the District of Columbia for
6 February 11th, 2015. My name is Anthony Hood.
7 Joining me are Vice Chair Cohen, Commissioner
8 Miller, Commissioner May, and Commissioner
9 Turnbull. We're joined by the Office of Zoning
10 Staff Ms. Sharon Schellin, Office of Planning
11 Staff, Mr. Lawson, Ms. Elliott, and the District
12 Department of the Environment, Mr. Wilson,
13 District Department of Transportation, Ms.
14 Chambers and Mr. Rogers. Did I get all that
15 right? I get that right, Ms. Elliott? Ms.
16 Elliott, I got it right this time.

17 Well, it was just -- let's see, today is
18 Wednesday, so it was just Monday. I should have
19 remembered that by now. Okay.

20 This proceeding is being recorded by a
21 court reporter, and it is also webcast live.
22 Notice of today's hearing was published in the
23 D.C. Register. The hearing will be conducted in
24 accordance with provisions of 11-DCMR-3022 as
25 follows, preliminary matters, applicant's case,

1 report of the Office of Planning, report of other
2 government agencies, report of the ANC,
3 organizations and persons in opposition,
4 organizations and persons in -- I'm sorry. In
5 support, organizations of persons in opposition,
6 rebuttal and closing by the applicant.

7 The following time limits will be
8 maintained in this meeting; the applicant, 60
9 minutes, organizations five minutes, individuals
10 three minutes. All persons appearing before the
11 Commission are to fill out these two witness
12 cards. The decision of the Commission in this
13 case must be based exclusively on the public
14 record. Please turn off all beepers and cell
15 phones at this time so not to disrupt these
16 proceedings.

17 Would all individuals wishing to testify
18 please rise to take the oath? Ms. Schellin, would
19 you please administer the oath?

20 MS. SCHELLIN: Please raise your right
21 hand.

22 (Oath administered to the participants.)

23 MS. SCHELLIN: Thank you.

24 CHAIRPERSON HOOD: Okay. First let me
25 thank my colleagues for giving up their lives to

1 come down here on Wednesday. When we said
2 Wednesday I was trying to figure out whose idea it
3 was. But anyway, I'll take the credit for it but
4 I think it might have been Commissioner May's.
5 But anyway.

6 I think we have went through the -- we
7 have went through a lot of the preliminary
8 matters, Mr. Utz, so I think what we can do is we
9 can just go straight to presentation and just pick
10 up where we left off.

11 MR. UTZ: Sounds great. Thank you.

12 Good evening and thanks again. I'm Jeff
13 Utz with Goulston and Storrs. I'm here on behalf
14 of the applicant, EAJ 1390 5th Street, LLC. for
15 Zoning Commission Case 14-07.

16 First and foremost we really wanted to
17 thank you again for first of all, expediting this
18 hearing and putting us on the schedule so quickly.
19 But secondly, setting aside yet another day of
20 your busy lives to do that. We really greatly
21 appreciate that.

22 As you know, tonight's hearing is a
23 continuation of the January 5th, 2015 hearing for
24 this case. In part, the continuance was to give
25 us more time to meet with the agencies, OP, DDOT,

1 DDOE, and to resolve some of the issues that you
2 raised on January 4th.

3 We have met regularly with the agencies
4 and done a great deal of work, which I think
5 you'll see tonight, to address the vast majority
6 of the agencies' and your open items from January
7 5th. And we also wanted to thank the D.C.
8 agencies for all the work that they've done over
9 the past month, and even before that with us on
10 this case. We met with them quite a few times
11 since the January 5th hearing, and now. So we
12 greatly appreciate that.

13 As a reminder, this application is a
14 request for consolidated PUD approval for the
15 south building and a phase 1 PUD approval for what
16 is known as the north building, both on the same
17 record lot. That's also a zoning map amendment
18 application to rezone the property from CM1 to
19 C3C.

20 There are a few other areas of
21 flexibility that we'll be detailing as well
22 throughout this presentation, and we detailed them
23 in the application as well.

24 With us today is basically the same exact
25 crew that you saw before you on January 5th. Jeff

1 Kaufman and Geoff Sharpe, and Alisa Brem of the
2 applicant are all sitting up here with me. Robert
3 Sponseller from Shalom Baranes, am I right? Dan
4 VanPelt from Gorove/Slade is down to my left. Dan
5 Duke from Bohler is all the way down. Mark Aelusi
6 from Mahan Rykiel is in the crowd, and so is
7 Maureen Dwyer from Goulston and a few other folks
8 as well.

9 Without further ado, let me turn it over
10 to Jeff Kaufman.

11 MR. KAUFMAN: Thanks, Jeff. For the
12 record my name is Jeff Kaufman. I'm with Edens.
13 I'm a representative of Edens.

14 Well, again I want to thank the
15 Commission for adding this extra night. We really
16 do appreciate it and we think it will really help
17 make this project happen. So thank you once
18 again.

19 I also want to thank OP and DDOT. You
20 guys met with us a number of times and I think we
21 made a lot of progress and we really do appreciate
22 it.

23 So, we expect a bunch of people here to
24 testify in support of the project. I don't see
25 any, so I will just keep moving, and we will try

1 to be as expedient as we can and jump right into
2 responses to the Zoning Commission's comments from
3 the 5th, and OP, DDOT, and DDOE's comments from
4 the 5th. And hopefully that will save time for
5 everyone to get a chance to speak if any
6 supporters do show up.

7 So real quick, just to remind the group,
8 the Union Market site, the site we're talking
9 about tonight is right here. That's where the
10 market is today. We've previously been in to the
11 Zoning Commission for a PUD on the Gateway
12 Building, which we expect to start construction on
13 in the next 60 days. And then we also have a PUD
14 moving through the process which we will be back
15 in March to present to you for the Shapiro
16 Building here.

17 Couple things, just to remind the Zoning
18 Commission. We have an Angelika Lease in place
19 for this building which requires us to deliver the
20 moving theater above the market September of 2016,
21 and that's not just deliver, but that's actually
22 have it open. And so that's one of the concerns
23 or the reasons why we're in such a hurry and why
24 we appreciate so much you making the time to see
25 us again tonight.

1 One of the things that we heard from the
2 business community, the neighbors as well as our
3 own tenants in the market and the neighborhood
4 itself is that they want us to keep the market
5 open throughout the process, which is the way
6 we've designed the building, the construction, and
7 what we intend to do.

8 So with that I'll turn it over to Robert
9 Sponseller to walk you through the building
10 materials.

11 MR. SPONSELLER: Thank you very much.
12 I'm going to be responding to three items that
13 were raised at the last hearing. These are
14 information about additional -- additional
15 information about the specific materials that
16 we're employing in the design of the building. We
17 have provided behind you there on the dais, two
18 panels. You can turn the lights back on to see
19 those. It might be a good idea, because they're
20 now in the dark.

21 CHAIRPERSON HOOD: That's all right.
22 We'll look at them --

23 MR. SPONSELLER: Oh, okay. Okay. Okay.
24 There's two panels behind you. One for each of
25 the two new volumes that we're adding to the Union

1 Market structure. You'll remember from our
2 concept that we have -- thank you. We have two
3 volumes which are added on to the existing
4 structure which we're keeping in place and keeping
5 operational during the construction process.

6 The middle volume is a theater volume.
7 It's a five to seven screen movie theater volume.
8 And it contains a -- it is wrapped and clad in an
9 industrial metal panel system of a white color,
10 but a series of textures. And then above it is a
11 second volume, which is new construction, which is
12 a porcelain tile volume and that is on the panel
13 to the right.

14 So to the left behind you is the metal
15 panel theater volume board, and to the right is
16 the residential office porcelain tile board behind
17 you. And so there are samples of these colors and
18 shades for each of these volumes that we're
19 wrapping the building in, directly behind you to
20 provide more information on the building skin.

21 In addition to that I'll be going through
22 some exterior details. Essentially we've just
23 detailed and rendered the building that you saw
24 last time in more depth. And so I have details
25 that go around the perimeter of the building and

1 show you setbacks, articulation, and railing
2 treatments, et cetera, for the perimeter of the
3 building.

4 The other thing I'm going to be
5 addressing is the alternate plans for residential
6 and office for the top volume, the new volume on
7 top of the theater. And finally I'm going to be
8 addressing questions about the rooftop structure
9 setbacks and heights. We've cut a series of
10 sections through the building to very clearly
11 delineate how the rooftop structures are working.

12 So to the next item this is again, this
13 is the materials samples you recall from our last
14 go-around. We have three pallets, one per volume
15 for the distinct uses that we're providing. The
16 existing market building is rendered in a brick
17 sort of a whitewashed painted brick color. That's
18 existing to remain.

19 The middle volume is an industrial panel.
20 It's an insulated long span panel. It can span up
21 to 30 feet if we want it to. We're using a
22 texture of about 15 feet and alternating that
23 texture on the theater volume. It's an eight ten
24 inch wide module, and it's going to be a white
25 color as shown on the board behind you, and it

1 will have some textural differentiation between
2 the panels. So the interest in that building will
3 be the different textures that are combining to
4 clad the theater volume.

5 On the top of that, to the right, is the
6 residential building and some of the images of
7 balconies and outdoor space that we're providing.
8 This is a porcelain tile rain screen application.
9 It will have three shades, a white, and a couple
10 of grays, and it has an eight inch by 48, up to 48
11 inch module that is rendered on a sort of a
12 punched vocabulary for the top building.

13 Okay. These are elevations that we've
14 provided. They are a larger scale than we
15 submitted last time so they do show more about the
16 building detail. And I'm going to go around the
17 building quickly. You'll see that the building is
18 really an essay in whites. It's a series of white
19 shades. There's the existing building, the
20 theater volume in the middle, and then the
21 residential and office building on the top. And
22 so each building has its own kind of unique
23 material and unique texture. A lot of windows in
24 a regular grid for the residential. A large
25 opening on the 5th Street side of the theater

1 volume where the main entry and arrival sequence
2 occurs, and then the existing market building that
3 has windows, essentially all the way across its
4 southern façade.

5 This is the south elevation, the opposite
6 elevation on the north side, in between the two
7 buildings is shown below that. So you can see the
8 event space in the center, and then the theater
9 volume and residential volume on the north side,
10 and then the two ends of the building are rendered
11 in elevation here.

12 On the 6th Street side you can see the
13 balconies for the residential and office with the
14 theater building in between that and above the
15 existing market structure. And then on the
16 opposite side there's a large aperture that we're
17 providing in the theater volume. It's an outdoor
18 porch, kind of an urban porch that provides an
19 overlook to the surrounding area, and then the
20 residential building above it.

21 Okay. These are sort of enlarged bay
22 detail elements. Oh, one more thing. Each of
23 these different conditions that are shown in this
24 elevation, we've enlarged it and detailed it. And
25 those pages are going to come. I'm going to walk

1 you through every unique kind of condition on the
2 exterior of the building as we go forward.

3 Before I do that this is just, again, a
4 larger scale rendition of the building, again with
5 the punches for the theater, for the residential
6 above. Each of these windows is essentially nine
7 feet by 12 feet in a grid pattern. There are some
8 balconies applied to the building for outdoor
9 space, whether it's office or residential. So
10 there's a lot of glass being provided for that
11 building.

12 The theater volume, again you can see
13 here the pattern. Sorry, it's a little hard to
14 read on that screen, but the vertical cadence of
15 the panels is 18 inches on center, spanning 32
16 feet with this white industrial panel system.

17 And then on the right an image of the
18 enlarged elevation at the porch as I mentioned, at
19 the second story.

20 Okay. So what I'm going to do is go from
21 the theater up. I'm going to go up vertically
22 from the ground plane and I'm going to begin with
23 the theater volume. And to illustrate that, this
24 is a little more detail on these panels that we're
25 wrapping the theater in. So on the right is an

1 image of the building rendered in this industrial
2 panel, and it's kind of white cooling. And there
3 are three different combinations of textures that
4 we're showing. Again, you can kind of look behind
5 you on that board and get a sense of the textures.
6 That it will be kind of randomly organized into
7 this pattern to give it a little bit of a dappled
8 effect, and a little bit of visual interest.

9 And these panels span, again, the 32 foot
10 height and the full perimeter of the building.
11 The building is 280 feet on one side and 120 on
12 the other.

13 And I'm going to begin by just kind of
14 showing you there's three kind of typical
15 conditions for that theater volume. One of them
16 is shown here on this page. It's pretty much a
17 solid plane of that panel with the texture that
18 we're showing here. The 18 inches with the panel
19 lengths ranging from about, you know, 20 to say 12
20 to 20 feet in length and 18 inches across in those
21 textures that are on the board behind you.

22 This is the detail through the theater
23 volume at the setback to the residential and
24 office above it. There is a terrace provided. So
25 this detail is cut on the south façade, east and

1 north facades you would apply to those three
2 frontages with the terrace actually being shown on
3 the south façade of the building.

4 And here you can see the relief from the
5 theater volume to the market below it and the
6 setback to the uses on the floor above.

7 The next detail is taken on the opposite
8 side. It's on the north side of the building
9 directly above where we have our theater entrance,
10 which is a curtain wall volume that is about 30
11 feet tall. Above that we have that same theater
12 industrial panel in the staggered pattern with the
13 different textures that I mentioned. And here's
14 the detail through it.

15 One element of interest here is that we
16 perforated part of that panel system to create
17 sort of a diaphanous glow above the moving theater
18 volume and create some visual interest and
19 transparency on the building there.

20 And then finally the last theater detail
21 I want to share with you is at the porch
22 condition, which is on 5th Street. It highlights
23 the main entry to the theater. It's a tall,
24 probably 20 foot tall volume up in the air where
25 we've pushed the glass back to create outdoor

1 space along this 5th Street frontage at the Neil
2 Place Extension on the south.

3 Okay. The next skin I'm going to go into
4 in detail is the residential and office skin.

5 This is a sort of non-hierarchical repetitive
6 industrial pattern that we think is very much in
7 keeping with the context and the neighborhood. As
8 I mentioned, each of the glass elements is about
9 nine feet by 12 feet wide. It's an ample glass
10 light. And the ceiling heights inside this volume
11 will be 11 feet, roughly, to the underside.
12 Minimum, to the underside of the slab.

13 So as a residential use this is a very
14 unusual kind of residential product type that
15 we're providing here for that use option. The 11
16 foot ceilings are kind of a loft scale for the
17 city and it's a very unusual thing. Coupled with
18 the steel construction it's going to be a building
19 topology that I think is very unusual in the city
20 and will be very compelling, especially with this
21 extensive glass expanse that we're talking about.

22 So on the right is a wall section through
23 the upper four floors. You can see the floors
24 here in section with one of the balconies shown.
25 And then we've gone into detail on what the

1 typical openings will be -- how they'll be treated
2 for the window and for the balcony itself.

3 So beginning with the window, which is
4 the most typical, we are arranging -- you can kind
5 of see a sample of that skin here in between the
6 details. It's again an alternating pattern of
7 light, white, and gray colored porcelain tiles.
8 These are installed as a rain screen so they're
9 back anchored to a girt system, which is floating
10 off of the waterproof membrane on the building.
11 That depth gives us a recess at the windows of
12 about four to five inches typically. You can see
13 that detail at the bottom of the building. So the
14 glass is pushed back about five inches from the
15 front of this surface on the rain screen. And
16 that's pretty typical for all of these openings.
17 Very repetitive, very industrial kind of simple
18 clean approach.

19 The balconies will be a glass faced
20 railing system which passes by the slab of the
21 balcony. And if you remember -- you'll recall
22 from the elevations there are balconies on each
23 side of the building, although they're done in
24 kind of an artful way. They're not symmetrical.
25 They're arranged into different -- take advantage

1 of different views from the building. Those
2 balconies will be clad in this glass railing
3 system that wraps around their perimeter.

4 Okay. The next thing I'd like to move to
5 is the floorplan alternates for the office and
6 residential use. We went ahead and demised the
7 typical residential floor which is on the left to
8 show you how that would lay out in that scenario.

9 We have a double-loaded corridor. Our
10 main circulation element is on the north side at
11 the, what we're calling the plaza in between the
12 buildings. So the elevator core affords access to
13 a double-loaded corridor system, very typical for
14 residential use. Again, this would be that tall
15 lofty space, 11 foot ceilings or so. And it lays
16 out very nicely a rectangular layout with good
17 corners and good ceiling heights. It's always a
18 plus in residential use.

19 For the office layout we've put a core
20 into the building, which would be a common core
21 for a multi-tenant scenario for the building.
22 Again, these ceiling heights are ample and will
23 provide lots of daily -- this is actually a little
24 thin for an office building. It's about 100 feet
25 deep, which is 20 feet less than our typical

1 office in Washington. So in both cases I think
2 this volume will provide a unique use type for the
3 office and the residential uses. And unusual
4 geometry and unusual configuration for both of
5 those uses. I think it's a very positive shape.

6 And the next topic I'm going to talk
7 about is the roof structures. We were asked to
8 provide more detail on the stepping and building
9 sections cutting through all of the different
10 conditions on the roof. So let me begin with --
11 let me begin actually with the mechanical -- this
12 is the actual floor plan of the roof structure
13 level. So we're above the building height here.
14 We're cutting a section through in plan, through
15 the rooftop structures.

16 So most of the rooftop structure is
17 dedicated for mechanical use. There is an open
18 mechanical well on the eastern side, and a closed
19 conditioned mechanical equipment room on the
20 western side of the plan. The core will come up
21 to the roof to provide access to the rooftop
22 terrace, which is outside of that. So there is a
23 small access lobby at the top of the building.
24 And it's primarily mechanical uses and adjacent to
25 that.

1 The setbacks are a minimum of 14 feet
2 from the edges on the east, west, and south sides.
3 On the east side we've set it back even further to
4 provide perhaps a larger gathering area, or
5 perhaps a venue for one of your tenants to have a
6 hydroponic garden up on top of the roof. But the
7 setbacks are minimum per the height of the
8 structures.

9 Now what this plan shows is sort of a
10 topography of the rooftop structure plan because
11 we are asking for a special exception on the
12 stepping. Although every roof element complies
13 with the one to one setback requirement, we don't
14 have one height for the rooftop structure. We
15 have two or three. And so we've stepped every
16 element back accordingly to the one to one
17 setbacks, and this is sort of how it works. The
18 heights of these structures vary from 10 feet on
19 the north side between the two buildings, to 14
20 feet typically for the mechanical equipment.
21 That's the majority -- that's the primary plane of
22 the rooftop structure.

23 And then for the elevator service to the
24 roof we have to go up to 17 feet. Still below the
25 18-6. We're going to 17 feet above the roof

1 structure for that. And that's the plan for the
2 rooftop structure, and we were asked to draw
3 sections through all of the conditions. And so
4 that is what this sheet shows.

5 If you look at the lower right-hand
6 corner of the sheet there are sections, three
7 sections delineated there, two north/south, one
8 east/west that capture all of the different
9 heights of the structures and indicate also on the
10 plan, we've shown the diagonal 45 degree one to
11 one setback that is requested by building code.
12 And so this plan illustrates how we fit into that
13 setback requirement.

14 So beginning with the east/west section,
15 this is just a pure, simple, cut through the
16 mechanical wells with the small portion of that
17 lobby. Everything is at least 14 feet setback, 14
18 on the west, and probably 30 on the east or so.
19 And then the two north/south sections, one cuts
20 through the elevator core showing how the lobby
21 and the elevator have been stepped back to comply
22 with the one to one. And the other is more
23 typical in the middle of that east/west bar,
24 showing the 10 foot section and then the 14 foot
25 section behind it. So there's really three

1 heights all within the setback requirements as
2 required, as envisioned in the zoning regulations.

3 I think that's it for me. Okay. I'm now
4 going to turn -- oh, anything else?

5 I'm going to now turn it over to Jeff
6 Kaufman.

7 MR. UTZ: Well, I think it's -- actually,
8 let me step back a couple slides and just give you
9 kind of the table of contents. So Alisa, could
10 you go back to the slide right before Robert's
11 section? I just want to kind of give you a status
12 of where we are. This slide is meant to summarize
13 the Zoning Commission's comments from the January
14 5th hearing. We were so eager to get to the
15 details of what we did that we jumped right into
16 one of the key parts which was what Robert just
17 discussed.

18 But this slide also summarizes some other
19 items that we're going to touch on here in a bit,
20 including the open space, the details about the
21 open space and the street scape design guidelines
22 which are towards the middle of the page there,
23 which Geoff Sharpe will talk about. The parking
24 phasing plan, which Jeff Kaufman will talk about,
25 along with the neighborhood marker on the roof.

1 And then I'll provide more information on the
2 project's benefits and amenities package. Some of
3 these comments from you all, we addressed in the
4 February 2nd filing. So we don't want to overload
5 with too much detail now since you already
6 probably reviewed it. But I can just quickly
7 touch on them.

8 We also removed the FAR range that was
9 previously proposed for the project. It's going
10 to be 6.3 FAR with no range. We remove the
11 optionality about the roof structure for your
12 request. We detailed the private easement at the
13 south of the building that dealt with the Union
14 Market Park in the February submission, and we
15 touched on the loading management plan in the
16 December 16th, 2014 submission and DDOT has since
17 indicated that they are in alignment with the
18 applicant's proposal on that.

19 So, moving on we will shift over to the
20 open space discussion and the street scape design
21 guideline discussion with Mr. Sharpe.

22 MR. SHARPE: Ladies and gentlemen, good
23 evening. Geoff Sharpe with Edens.

24 You probably recall from our last get
25 together that one of the main drivers for our

1 approach from an over design point of view on the
2 project was to break up some of the long blocks
3 present in the existing neighborhood fabric and to
4 provide some pedestrian circulation east to west
5 from 6th Street to 5th Street, which we think
6 helps the permeability of the project and ties us
7 into some of our neighbors in a nice way. But
8 also has the effect of obviously impacting the
9 massing of the buildings, breaking some of those
10 up, giving rise to some interesting architectural
11 features that Robert Sponseller just spoke to.

12 Next slide, please. So the two east/west
13 connections that we started to speak to last time,
14 to the north we've got what we're calling our
15 plaza. To the south what we're calling our park.
16 The, I think, essential nature of those two spaces
17 is that they be flexible. And by that I mean in
18 our current programming of the market we've had a
19 great deal of success programming the alley space
20 to the north, which will become the plaza, with a
21 variety of events such as tasting events, outdoor
22 concerts, movies, and things like that.

23 And to that end it's important in the
24 design of that space that it be kept relatively
25 open with things like movable furniture, movable

1 pots, and a relatively simple hard surface,
2 whether that be concrete or pavers.

3 Sorry, if you could just stay on that one
4 slide? Thanks.

5 And then similar to the south the urban
6 park which connects to our south will provide the
7 10 foot wide pedestrian clear path that DDOT had
8 requested from us, from 6th Street to 5th Street,
9 as well as flexible space for outdoor dining,
10 whether it's on tables and chairs in front of the
11 building or perhaps in the summer time on blankets
12 out in the general lawn panel that we have in
13 front, which is about 4,000 square feet.

14 Next slide. We do have a range of
15 materials that we're looking at. That was some of
16 the detail that was requested from us. That may
17 include concrete. Again, speaking to the existing
18 industrial and manufacturing character of the
19 neighborhood, perhaps some pavers, perhaps in a
20 few key locations some wooden boardwalks which we
21 have installed in other projects and think work
22 very well to sort of warm up the landscape design,
23 as well as the planted areas as well.

24 Next slide. In terms of the dimensions
25 there was a request for more detail about the

1 sizes of some of these spaces. The parcel is
2 approximately 275 feet east to west. The area to
3 the south is 25 feet wide. As I said, we'll have
4 a 10 foot wide clear path to the south as well as
5 a lawn panel.

6 The intent to the south, as I think we
7 may have touched on briefly last time, is that
8 when our neighbor, Gallaudet, to the south, takes
9 on their redevelopment with their development
10 partner, in our conversations with them they very
11 much intend to mirror what we're doing to the
12 north. So what is now being designed is
13 essentially the first half of an urban park will
14 be completed when Gallaudet completes that design.

15 And so that lawn parcel will get larger.
16 There will be additional hardscape and pedestrian
17 circulation in that space.

18 You can also see in your package some of
19 the dimensions of the plaza to the north. We have
20 essentially a 30 foot wide connection from east to
21 west. And then a larger space in the middle that
22 in the interim when we do the first phase of the
23 project, which is the consolidated PD, we'll have
24 our event space fronting on to it, and eventually
25 we'll be flanked by retail to the north. We bring

1 on the phase 2 project to the north.

2 In regards to the question about the
3 interim condition of that alley, we will be
4 maintaining, even while we're under construction
5 for the north parcel, we will be maintaining a
6 minimum 20 foot wide connection from east to west,
7 both for pedestrian and public circulation, as
8 well as for loading since that is where our
9 loading access is for the south building. And it
10 also enables us to keep enough critical mass to
11 the north such that we can maintain those
12 programmed events which is so critical to the
13 success of the market.

14 This perspective is taken of the plaza to
15 the north. This gives you a sense of what it
16 might feel like once we develop both phases of the
17 project. In this shot you're looking to the west
18 with the existing what we call dock 5 space to the
19 left. The nice thing about that event space that
20 we have there today, which will be of course
21 underneath the new project, is that in the
22 existing condition we've installed garage doors
23 which we think can allow retail use to sort of
24 colonize that space and enable that use to change
25 without really changing anything about the

1 architecture of the façade right there.

2 On the right-hand side -- sorry to go
3 back. Yeah. On the right-hand side you can see
4 some retail. Again, the intent is that that plaza
5 will be very much a retail street. Just in a sort
6 of narrow intimate way that's a little bit unusual
7 for some of our retail streets here in Washington,
8 with you know, with an office and residential
9 building above.

10 Next slide. And then these are just some
11 massing images of the park to the south showing
12 that what will eventually be a 50 foot wide
13 connection from, in this case 5th Street over to
14 6th Street, 25 feet on our side of the property
15 line, which is obviously the red line, running
16 down the middle of the lawn panel, and then 25 on
17 the south side, which is the Gallaudet side of
18 that space.

19 I'm going to move over into what was a
20 hot topic from last time, and the subject of some
21 pretty significant work with DDOT and OP since our
22 last meeting. We've been discussing in quite a
23 bit of detail, streetscape design guidelines that
24 we've proffered. We'll be spending about \$100,000
25 or more to bring on a consultant team to come up

1 with a set of design guidelines for the public
2 space in the 45 acres of the Union Market
3 District.

4 And the intent is to come up with a
5 comprehensive approach to the public realm that
6 will be open to other developers as well as
7 ourselves, to create more of a sense of a place in
8 the neighborhood.

9 We've had pretty extensive discussions
10 with DDOT, as I said. Not just about scope, but
11 about process as well. In terms of the
12 deliverables there's a list here on the screen and
13 I think in your packages as well. You know, it
14 starts with an understanding of the different
15 programmatic needs for the space and the street,
16 the public realm, whether that be for vehicular
17 traffic, on-street parking, on-street loading,
18 particularly in the interim condition when some of
19 the uses, the existing warehouse uses remain in
20 site. Or as parts of the market redevelop retail
21 shopping, entertainment, outdoor dining, and so
22 on.

23 We will be developing typical street
24 sections for all the streets in the market. We
25 will be addressing such things as interim

1 conditions, how you tie in one project with an
2 improve street scape for example, to an adjacent
3 neighbor who hasn't yet developed, or redeveloped.
4 We will have suggestions for particular materials.
5 We will be investigating things like street
6 furniture that depart, perhaps, from some of DDOT
7 standards with DDOT's ascent, I think.

8 Any intent overall is that DDOT will
9 approve sign-off and eventually adopt these
10 guidelines as kind of a set of guidelines for the
11 market that can be enforceable by public space.

12 Next slide. This is just giving you a
13 sense of some of the precedent images that we're
14 looking to right now that are steering our
15 thinking.

16 And then in terms of the process, you
17 know, in a way we've already begun to kick this
18 off with folks over in DDOT. We have started to
19 establish some design principles and we will be
20 putting together our consultant team to sort of
21 build upon the team that we have now. We'll be
22 pulling together, or putting together a vision
23 which we present to DDOT and to other
24 stakeholders. And then once I think we have some
25 confirmation from DDOT about the direction for

1 those guidelines, we will be going out to other
2 stakeholders in the market, both land owners and
3 business owners, to solicit their feedback before
4 we put together the final project, which as I
5 said, will be we hope, adopted by DDOT as a set of
6 standards.

7 And I'm going to turn it over to Jeff
8 Kaufman who is going to talk about parking.

9 MR. KAUFMAN: Thank you. Actually, could
10 you go back real quick to the dimensions of the
11 park? I just want to point out one thing. There.
12 Right there. Great.

13 So one of the things that was important
14 when we were working with DDOT was that we
15 established a 10 foot pedestrian connection on our
16 portion of the park. Now, we've discussed with
17 them that when the Gallaudet half of it comes on,
18 that might get shared between the two properties.
19 But I just wanted to point out that right now the
20 dimensions for the park are a seven foot sort of
21 dining area, a 10 foot pedestrian circulation
22 path, and then an eight foot planning area. And
23 that 10 foot connection is for pedestrians and
24 bikes. Thanks.

25 So the parking phasing has been hard to

1 describe without some visuals and so I think we'll
2 be able to simply, hopefully, put this to rest
3 tonight. So what you see right now is how the
4 market is parked currently today. We have a 225
5 space parking lot, which we rent, which we have a
6 ground lease from Gallaudet.

7 The intent or the ideal scenario is we
8 would keep that ground lease in place through the
9 duration of this project. Now, our agreement with
10 Gallaudet only provides, or only guarantees that
11 we have that space through 26, October of 2016,
12 which based on our construction timeline,
13 basically means that we'll have finished building
14 the south building but not the north building.

15 So ideally we keep the 225 space parking
16 lot from Gallaudet further beyond, you know, the
17 October date and we don't have to relocate parking
18 whatsoever. Now in the chance that we do lose the
19 Gallaudet lot at some point in our process -- go
20 to the next slide, please? What we propose to do
21 is build a 95 space parking lot on the north
22 building to accommodate the loss of the Gallaudet
23 lot. Or some or all of the Gallaudet lot.

24 The other thing to point out here is one
25 of our other -- part of our other agreements with

1 DDOT Is to do some improvements along Neil Place
2 and 5th Street, which we intend to do as part of
3 the construction of the south building, regardless
4 of whether we lose the Gallaudet lot or not. So
5 those improvements will be in place whether we use
6 the alternative lots or not.

7 And then at some point, assuming that
8 we've lost the Gallaudet lot and we're ready to
9 build the north building, we will relocate the 95
10 spaces on the north building to two parking lots
11 that we own in, you know, in close proximity, this
12 lot here and this lot here. And so that would be
13 what we have coined the interim, interim parking
14 condition.

15 And then finally when the north building
16 is built it will have a 300 to 475 space parking -
17 - below-ground parking garage that will
18 accommodate both the south building, the market
19 itself, the theater, the office or residential,
20 and then the retail and office or residential in
21 the north building.

22 Okay. Moving on, one of the things that
23 we heard from the Zoning Commission on the 5th was
24 the sort of -- that the sign on the roof of the
25 building was not sort of in -- there was not a

1 whole lot of favor either with the Office of
2 Planning or with the Zoning Commission. And we
3 wanted to -- we feel like it's a very important
4 thing, and so we wanted to sort of make our
5 argument over our presentation as to why we think
6 it's a worthwhile sign to consider, or thing to
7 consider.

8 So the Union Market, just to give you a
9 little history, the Union Market, the area, has
10 had a number of names. In 1931 it was actually
11 called the Union Terminal Market. And that was
12 the original name of the group that assembled the
13 land to replace what was the central market on the
14 mall, which was located here in 1931. And that
15 actually -- and I have some literature that we did
16 some research at the Library of Congress. And
17 that was essentially what we call the historic
18 buildings in the center and these metal sheds.
19 And it was more than just one building, it was the
20 area in general.

21 And then at some point, I can't remember
22 the date off the top of my head, I think it was in
23 the '80s. There's a picture with Mariam Berry in
24 it. It was renamed the Capitol City Market, which
25 is the name that it had for a long time.

1 The building itself was called the D.C.
2 Farmer's Market, the building that we're actually
3 talking about today. It was never called Union
4 Market, it was called the D.C. Farmer's Market.
5 And then I think since at some point in the '80s,
6 '90s, the sort of area in general had sort of
7 become known as the -- or had become known as the
8 Florida Avenue Market, which is what I think the
9 small area plan references.

10 And so I think the Union Market itself --
11 the name Union Market itself, we feel like has a
12 lot of history here. And then the other sort of
13 thing that we wanted to -- I wanted to sort of
14 point out is we tried to show you some views from
15 different vantage points. And the point here is,
16 is it's not so much that we want the building to
17 be known as Union Market. We want the area to be
18 known as Union Market, so it's an iconic sort of
19 sign that has architectural significance.

20 And, you know, the lower left is a view
21 up 6th Street. And so that's -- and what we've
22 done is we've put both signs, the sort of sign
23 that we prefer, and then the lower location. So
24 like a view -- and also remember this area has a
25 lot of topography. So you're moving up hill to

1 sort of high point -- this is one of the high
2 points in the city.

3 So when you look up 6th Street from --
4 that's Florida Avenue right there. So you would
5 be able to see the Union Market sign on top of the
6 building. This is the sort of similar view. I
7 think it's a little closer. This is on, you know,
8 on the inside of Florida Avenue, up 5th Street
9 there. And then if you go to the next slide.

10 This, which is really sort of maybe the
11 most important one is from approximately the
12 platform of the NoMa-Gallaudet Metro Station, and
13 that would be the sign that you see. And then
14 this is a view down Neil Place, the existing Neil
15 Place. These are the historic buildings, this
16 sort of that you're familiar with. And then you
17 see the Union Market building as it exists. And
18 then this is the sort of sign location that we do
19 not prefer. And that's the sign location that we
20 prefer.

21 So really what we're trying to do is sort
22 of -- we've spoken to a number of other
23 businesses, other property owners, other
24 developers, and there's sort of a consensus among
25 the group that the Union Market as an identifier

1 of the neighborhood is something that there's
2 support for, and so we would really sort of ask
3 the Commission to look at that as an architectural
4 embellishment and neighborhood demarcation and
5 consider it from that perspective.

6 The last slide, and you know, we think
7 that it's similar to you know, the NoMa
8 neighborhood sign and the Brookland neighborhood
9 sign.

10 And then with that I'll turn it back over
11 to Jeff.

12 MR. UTZ: Thank you. Next slide. I
13 wanted to say a few words about the benefits and
14 amenities package now. This slide shows a summary
15 of the benefits and amenities package in its
16 totality. It's a snapshot of everything. Many of
17 the items on this slide have already been
18 described today, but definitely in the files that
19 are in the record, including the provision of the
20 open space, the maintenance of the open space, and
21 the improvement of it, maintaining the market and
22 operation during construction, the street scape
23 design guidelines effort, the improvements to Neil
24 Place and 5th Street that Jeff covered, Jeff
25 Kaufman covered, the Angelika Theater itself being

1 the first theater in Ward 5, the Adopt a Block
2 Program, and the interim 5th Street loading
3 management plan that was submitted into the
4 record.

5 Additionally the applicant has agreed to
6 a First Source Agreement, which is new since the
7 last time we were here, and has been provided into
8 the record. And also a way-finding signage to the
9 Union Market District from New York Avenue.

10 I wanted to provide a little bit more
11 information regarding some of the items that were
12 flagged as requiring more detail from you all and
13 from the Office of Planning. The first is the
14 Affordable Housing and let me just give a quick
15 synopsis although it's on this slide.

16 The project is residential. The
17 affordable housing set-aside would be eight
18 percent of the residential component. And of that
19 GFA, two units would be 50 percent AMI. And the
20 rest would be 80 percent AMI.

21 The two units at 50 percent are new,
22 since our last time here in working with the
23 Office of Planning we entered those into the
24 record on the 2nd of February.

25 Let me go to the next slide as well since

1 we're kind of running out of time. I want to make
2 sure we cover everything. The enhanced security
3 commitment, there are two slides in the
4 presentation and these are also in the February
5 2nd submission that detail exactly what this
6 public benefit is.

7 The first slide shows the patrol routes
8 of the current security services for the market
9 building, the actual PUD site that are currently
10 in existence. So you can see that it's 6th Street
11 and 5th Street, and then from what we're calling
12 the Union Market Park up to Penn Street.

13 The proffer is, next slide, showing
14 basically the full extent of extending the
15 security patrol throughout the public streets in
16 the Union Market District. What this will do is
17 essentially increase the cost for the security to
18 about an estimate of about \$400,000, which is
19 about \$250,000 beyond the current security cost
20 for the operation of the market. So that would be
21 for a period of five years after the certificate
22 of occupancy is issued, to give it some more
23 clarity, which is something that you all asked for
24 and something that the Office of Planning was
25 interested in learning more about as well. And we

1 detailed that a bit in the February 2nd, filing as
2 well.

3 Moving on to another element of the
4 benefits and amenities package that you and the
5 Office of Planning asked for information about.
6 We submitted some additional information in the
7 February 2nd filing on the educational programs
8 and exactly what that entails. Further
9 information is shown on this slide and actually
10 some additional concepts are shown on this slide
11 to give a bit of a more kind of full understanding
12 of what exactly we're talking about.

13 The first item is the monthly educational
14 program and tours, which would invite local public
15 elementary or middle schools to the market and
16 teach them a variety of subjects from
17 entrepreneurship to other things such as health
18 eating, urban farming, budgeting, things like
19 this. This exists currently with the Wheatley
20 School, and we would intend to continue with the
21 Wheatley School or a similar school in the area.
22 Further information was submitted in the February
23 2nd packet. But essentially it's a monthly
24 program that would deal with between 10 and 30
25 students and cycle through a range of curriculum

1 that would be put on, organized, and essentially
2 implemented by the applicants' staff in concert
3 with the school staff.

4 The second element of this public benefit
5 is the high school internship program, which is
6 new. It was submitted -- the concept was
7 submitted in the February 2nd submission, but
8 essentially it's currently a partnership with
9 Urban Alliance and it provides a program for a
10 high school age student to learn job skills and
11 kind of get deeper into the operation of the
12 market. And that is currently rolling out.

13 And then the third concept that is
14 related to the educational program is individual
15 education sessions on health eating and budgeting
16 that are directed towards some of the schools in
17 the area. Wheatley, Two Rivers, and J.O. Wilson
18 being some of them.

19 It's not possible to assign a specific
20 dollar value to these. These are kind of
21 qualitative public benefits, but we do think that
22 they are significant for this immediately
23 neighborhood.

24 We'd actually like to show -- sorry.
25 We'd like to show a quick video if that's okay

1 with you all, giving a little more detail on these
2 programs.

3 (Thereupon, the video was played for the
4 Commission.)

5 MR. UTZ: Great. Thank you. So we want
6 to move on to the next slide that deals with the
7 community events aspect of the public benefits and
8 amenities package. This deals with the event
9 space that will be set aside, either given at a
10 discounted cost or free to community groups. And
11 a value of \$30,000 a year for five years.

12 In the February 2nd filing there was some
13 language in there that said, this will be offered
14 as long as the event space exists, but we are
15 removing that concept. This event space will be
16 offered in the project for five years without that
17 caveat.

18 And I think that brings us to the end of
19 the clarifications to the amenities package. I
20 wanted to say a few words about the Office of
21 Planning report that was filed on December 29th,
22 and then also amended and modified on February
23 9th. Many of these concepts we've already talked
24 about but this slide provides a snapshot of what
25 we pulled out of the numbered items from the

1 December 29th filing of the Office of Planning.

2 We addressed most of these in the
3 presentation, we believe, and in the filings that
4 are in the record. But we wanted to touch on a
5 few more. The DDOE responses we haven't mentioned
6 yet. We will detail those in the next phase,
7 which hopefully we'll hit after the OP report
8 response.

9 Bicycle parking, I'll talk about that in
10 a couple minutes and kind of the full package of
11 what the project is offering there. And then the
12 District Energy System we'll also discuss later.

13 We did bring some images with us to
14 address a comment that actually the Commission had
15 last time we were here and the Office of Planning
16 pointed it out regarding the approach to the
17 construction during the operational period of the
18 market. We have some interesting slides that we
19 are submitting into the record today.

20 Did we have a sense of what page those
21 are, or can we raise them here? Okay. We won't
22 be handing those out right now, but they basically
23 show how the construction will take place with the
24 market being open at the same time.

25 This slide details the bike parking that

1 was requested to be detailed by the Office of
2 Planning. It is a snapshot of kind of all the
3 bike parking in the project. The first concept
4 that this expresses is the temporary bike parking.
5 There's temporary bike parking, which is the bike
6 parking that's outside in bike racks, and then
7 there's the permitted bike parking which is kind
8 of the locked up storage bike parking inside the
9 building.

10 The temporary bike parking for the south
11 building will be comprised of 54 spaces that are
12 shown on this slide outside of the market. And
13 similarly later for the north building there will
14 be a compliant number of temporary spaces provided
15 outside of the north building.

16 The long-term spaces, the spaces inside
17 the buildings, will be provided in a bit of a kind
18 of chopped up fashion, but I believe we got there
19 with the Office of Planning and DDOT for the new
20 office -- oh, I'm sorry. For the office and
21 residential element that's going to be constructed
22 at the top of the south building, the compliant
23 number of bike parking spaces will be provided on
24 the lowest floor of that component. So, 47 to 50
25 bike parking spaces will be provided in the

1 storage room on the first floor of the office, 11
2 bike storage spaces would be provided on the first
3 floor to the residential.

4 For the new retail theater uses in the
5 south building eight bike parking spaces would be
6 provided in the north building when it comes
7 online. So we would actually need relief as part
8 of the flexibility we're asking for in the
9 application; need relief for that temporary
10 period, but then also locating those bike parking
11 spaces in the north building. And also we would
12 need relief for locating the office and
13 residential bike parking spaces in the south
14 building on the lowest floor of that component,
15 rather than the first floor of the garage or
16 building itself.

17 And then the north building itself will
18 provide a compliant number of long-term spaces
19 inside the building.

20 Great. Another point that we just wanted
21 to make -- we mentioned this last time, but the
22 LED sign has been removed from the project, that
23 the office of planning report had a couple of
24 notes about that. So we just wanted to make sure
25 that it is on the record that that's been removed

1 from the project.

2 Moving on to the DDOT report, we
3 established weekly meeting process with the
4 District Department of Transportation and really
5 appreciate the amount of work and time that they
6 put into it, and the Office of Planning has been
7 at every one of them as well, so we really again,
8 appreciate that.

9 So many of these items upon the slide,
10 this is another snapshot showing the summary of
11 the DDOT items from their December reports, have
12 been addressed either in the Agency meetings or in
13 the filings, particularly the December 16th and
14 February 2nd filings. But we wanted to turn it
15 over to Dan VanPelt to give a quick overview of
16 the TDM plan.

17 MR. VANPELT: Good evening,
18 Commissioners, Dan VanPelt with Gorove/Sade.

19 Yeah, the TDM plan and the transportation
20 management plan came out of the extensive
21 coordination we had with DDOT and it's been
22 amended since what was originally proposed for the
23 project. It's going to include two real-time
24 transit screens. There will be one of the theater
25 lobby and then one in the office/residential

1 lobby.

2 Bike parking, which Jeff just spoke to
3 you about, there was a lot of time spent on that
4 because it's a bit unique for this project, given
5 the uniqueness of the project.

6 Car sharing, there would be at least two
7 car sharing spaces providing should a car sharing
8 company have interest in providing that at the
9 site.

10 Incentives. Each worker will be provided
11 access to a bike share membership up to a maximum
12 cap of \$15,000 for the project. Each new
13 residential tenant will be provided a car share or
14 bike share membership up to a max of \$10,000 for
15 the project. We believe that these incentives are
16 appropriate and happy to discuss that a little bit
17 further with you if you'd like.

18 Web links, there will be links to the
19 commuter connections and Go-DC-Go on the developer
20 and property manager websites. Parking pricing,
21 all parking on the site will be priced at market
22 rates at a minimum, and then the residential
23 parking would be unbundled from the cost of the
24 units.

25 And then lastly a TDM coordinator would

1 be designated as the point of contact for DDOT and
2 be the person responsible for organizing and
3 marketing the TDM plan.

4 MR. UTZ: Great. Thank you, Dan. Now we
5 wanted to move on to the DDOE report and the
6 response to that as well. We met with the
7 Department of the Environment as well and we
8 believe we reached agreement on both of the issues
9 as I think was conveyed in the DDOE report from
10 February 2nd. I want to turn it over to Geoff
11 Sharpe to give a bit of an overview about LEED
12 specifically, and then address some of the other
13 concepts in that report as well.

14 MR. SHARPE: So we had the advantage of
15 having a very productive meeting with Mr. Wilson
16 at DDOE to discuss our plans, our environmental
17 plans for the project in general, and also
18 specifically some thoughts about the LEED writing
19 for the project. We've currently proffered
20 silver, and Mr. Wilson was very helpful in
21 suggesting some points that might get us to gold.

22 In thinking through those specific
23 suggestions from Mr. Wilson, we took a pretty hard
24 look at them because I think it's fair to say that
25 while we're committing to silver, we're very

1 interested in getting to gold if we can. It's
2 just we don't feel right now that we can commit to
3 that.

4 So speaking specifically to some of the
5 points that he suggested, the one/four tenant
6 green guidelines, we could certain take on that
7 one additional point if we're in the core and
8 shell program. However, if we're in a residential
9 building and we're doing LEED new construction,
10 that point doesn't exist. So that's a sort of
11 maybe point right there.

12 In terms of -- sorry, let me just check
13 my notes. In terms of the innovation design
14 credits, Mr. Wilson also suggested very helpfully
15 that, you know, it is possible to get up to six
16 credits. That's quite true. We were already
17 assuming that we were getting three, I believe, in
18 our scorecard. So there might be an advantage to
19 get one or two additional points there. So maybe
20 we're at, you know, 52 or 53 points, where we
21 would need to get to 60 to achieve gold.

22 Really, the only place -- and I spoke a
23 little bit last time about the challenges for this
24 particular project in the LEED program, one being
25 that because, you know, there's an existing

1 building underneath of us that we'd love to take
2 advantage of in terms of LEED points, but that
3 would require shutting down the building,
4 upgrading all the systems in the building. That's
5 kind of challenging given that our main point is
6 trying to keep the Union Market open during
7 construction.

8 So there's a number of points we can't
9 take advantage of there. The nuance of mixing a
10 theater into a mixed use project makes some other
11 points that one could normally get in a typical
12 downtown D.C. core and shell project such as
13 enhanced daylighting, increased ventilation.
14 Those points are essentially impossible to get if
15 you've got a dark theater box with few windows and
16 very high ventilation requirements. So that
17 particular mix of uses makes it very challenging
18 to find places to get additional points to get to
19 the 60 points in a gold scenario.

20 What that means is really the only place
21 one can go to get a lot of extra points is in the
22 energy efficiency category under energy and
23 atmosphere. We're currently taking advantage of
24 nine points on that score card, which represents a
25 28 percent increase over the ash rate baseline.

1 And given the mechanical systems that we've
2 currently designed into the building, and again,
3 keep in mind we've got a slightly unusual mix of
4 uses that ties our hands a little bit about
5 mechanical systems we can select, it would force
6 us to change to a very expensive and very
7 difficult mechanical system to include in the
8 project if we were to go and look for an
9 additional six or seven or eight points in that
10 particular category of LEED points.

11 So yeah, that's the story on LEED.

12 MR. UTZ: Thanks. We also included a
13 sustainability measure slide that is in your
14 packet, so I think since we're running out of time
15 we won't belabor that point. But this is intended
16 to summarize kind of all the sustainable measures
17 that are being undertaken as part of this project.
18 And we just wanted to end with another video if
19 you would indulge us in this, that we'll hopefully
20 not run over our time.

21 (Thereupon, the video recording was
22 played for the Commission.)

23 MR. UTZ: We planned it that way. That's
24 it. We're available for any questions you might
25 have. Thank you.

1 CHAIRPERSON HOOD: Okay. Thank you very
2 much. You made a lot of us up here hungry towards
3 the end. So, anyway, let's open it up for
4 questions.

5 Colleagues, who would like to start us
6 off? Or we want to go in the usual order?
7 Commissioner May, the usual order.

8 MR. MAY: I just have a couple of
9 questions. With regard to the building and the SA
10 in white, I think you called it.

11 MS. COHEN: I like that name.

12 MR. MAY: It's yeah, very -- I saw it and
13 I touched it before the hearing started. So the
14 thing that still is a bit of an issue for me, and
15 this is really a minor issue, but you're going to
16 some trouble to try to create these additional
17 textures and it's all being rendered in white, and
18 it's these very large facades that are distant
19 from people will see them. And you don't have any
20 sharp shadow lines in them except where there are
21 separations between the metal panels.

22 So I'm not sure what you're getting at of
23 texturing. I mean, you really think that from
24 that distance that people are going to see a
25 difference in the texture? Is there something

1 about that that I'm missing? Because it just
2 looks like, to me it's just going to look all
3 white.

4 MR. SPONSELLER: I think that the
5 textures are subtle. They're on the panel behind
6 you.

7 MR. MAY: Yes.

8 MR. SPONSELLER: And, you know, we spent
9 a lot of time talking and looking at color as a
10 team, and this is the preferred rendition.

11 MR. MAY: Okay.

12 MR. SPONSELLER: And it is an essay in
13 white.

14 MR. MAY: So did you -- I mean, when you
15 say you spent a lot of time talking and looking at
16 them, are you doing it like I'm doing it, or did
17 you put them 30 feet in the air and look at them
18 with the different panels? I mean, because if you
19 saw a difference from 30 feet in the air I'll say,
20 okay.

21 MR. SPONSELLER: Yeah. No, I think -- I
22 mean, I think that's a fair question and I think
23 we did a building similar in another jurisdiction.
24 And really, it does have -- the execution has to
25 be -- a lot of the execution, the perfection of it

1 has to be done in the field because it is about
2 getting that subtle variation and texture. And so
3 for example, in the building that we did this in,
4 it was in Fairfax County in Virginia, you know, we
5 saw how the general contractor was assembling the
6 panels and it was not getting the sort of subtle
7 variation, you know, that we were looking for.

8 So like, literally in the field we had to
9 go up there and move the different textures and
10 subtle colors around to create that effect. And
11 so that when the light does hit it, it does sort
12 of have a very unique sparkly changing feel to it.
13 But it requires, you know -- you need to execute
14 that in the field, and frankly, you know, you
15 can't sort of show you how great that can be on a
16 flat image on a screen. And that's sort of one of
17 the things we're struggling with.

18 MR. MAY: No, I know. I understand that.
19 But that's why I'm asking if you've actually, you
20 know, looked at it from a distance.

21 I mean, I've been involved in many
22 projects like this and done many, you know, site
23 samples and looked at things from a distance and
24 hung things up in the air to look at them. And,
25 you know, this is how you can tell what they

1 really look like. I mean, it's really a minor
2 point. I mean, I just think you're going to some
3 trouble to add some interest, some visual interest
4 to it, and I just feel like, you know, you're not
5 going to get it because it's going to be too far
6 away and it's going to be too similar in color.
7 But it's really your choice.

8 I mean, when we see things like this in
9 other cases where people are trying to add
10 texture, you know, it's done with materials where
11 you actually can see some of the subtlety of the
12 texture from a distance, and the way the light
13 hits it, and the angle of the building, frankly.
14 I mean, this is the biggest expanse of this is
15 just going to be south facing. And until the
16 Gallaudet building is built it's just going to be
17 this very bright white. I'm not sure you're going
18 to see the benefit you'd like to see.

19 But I'm not suggesting that you have to
20 change it on my account. You know, it's going to
21 be a big, mostly white box, but you know, if you
22 want to continue to tweak it I wouldn't have a
23 problem with that either.

24 Talk a little bit about the -- well, I
25 appreciate all of the extra effort that you've

1 gone into in explaining some of the things that
2 were not clear last time around. I mean, this is
3 what we really needed the first time around.
4 Everything from the detail in the drawings to the
5 detail on the benefits and amenities package and
6 so on.

7 So this is what we, you know, we wanted
8 first time around and I'm glad we now have it. I
9 only have one small question and I'm sure there
10 are going to be a number of other questions on the
11 benefits and amenities package. And that has to
12 do with the availability for events and the
13 sponsorship events.

14 If I understand it correctly you're
15 putting up -- you're going to spent \$30,000 on
16 some sort of community events, and then in
17 addition make it available for another 10 events.
18 And you say no more than 10 events.

19 Is there demand now for you to get -- I'm
20 sorry, not no more than 10. At a minimum of 10
21 events.

22 So, are you sure that for the next five
23 years you're going to be able to essentially
24 document you're getting --

25 MR. SPONSELLER: Yeah, this was --

1 MR. MAY: -- 10 events?

2 MR. SPONSELLER: Yeah. Appreciate that.

3 No, and you know, we actually have -- we are
4 running more than 10 events a year right now. I
5 mean, we have weekly events, we have yoga.

6 MR. MAY: Right.

7 MR. SPONSELLER: That is a community
8 event. That's a weekly event. We have, we call
9 it boogie babes, every week. So there are already
10 a number of events that will continue to happen.

11 MR. MAY: So do they make use of the
12 entirety of that event space, or portions of it?

13 MR. SPONSELLER: No, some of them are
14 actually in the Market. Some of them, like the
15 yoga is in the event space.

16 MR. MAY: Right.

17 MR. SPONSELLER: The Boogie Babes
18 actually is in a -- we section of a portion of the
19 Market. So those 10 events will continue to
20 happen every year. And they will morph. I'm sure
21 there will be things that we haven't even thought
22 of yet.

23 MR. MAY: Okay. And so what you're
24 proffering here is 10 events in the event space,
25 or overall within the project?

1 MR. SPONSELLER: So I think it's -- and
2 not trying to be confusing. I think there's two
3 parts to it. I think the first part is, is that
4 we're proffering to have these 10 events. And
5 they may be in the event space. They may be
6 outside. They may be in, whatever. And then I
7 think in addition to that we're proffering that we
8 will sort of contribute \$30,000 a year worth of
9 the actual events space, either in terms of the
10 use of the space, or the services that go with it,
11 like the design and the catering and those kinds
12 of things.

13 So, those are two sort of separate
14 things.

15 MR. MAY: Okay. So I mean, I think as we
16 get to the final stages of this we might need to
17 spell that out in a very particular manner, in a
18 way that could be documented because I think one
19 of the things that we'll look for in the stage two
20 for the north building is how are you doing, you
21 know, so far on these things. Of course I'm
22 probably going to be coming in for that before
23 you're actually finished. But there's no reason
24 why, you know, if you have the event space and the
25 Market itself is going to continue to operate, you

1 know, when is your five years going to start,
2 right?

3 So, is it five years start when the whole
4 project is finished, or does is start, you know,
5 sooner than that. So these things have to be
6 figured out and will have to be documented.

7 MR. SPONSELLER: I understand, and we're
8 fine with that. And frankly, you know, I think
9 you'll hear from some of the community tonight. I
10 mean, we sort of -- we are very active and
11 involved in the community and we constantly have -

12 -

13 MR. MAY: Right.

14 MR. SPONSELLER: -- things there. So I'm
15 sure we can document it to --

16 MR. MAY: Sure.

17 MR. SPONSELLER: -- you know --

18 MR. MAY: So I would make one other
19 suggestion, which is that if you already have a
20 number of these events that have been occurring,
21 if we could get a list of what those are. You
22 know, what have you done in the last two years or
23 something like that. That might be helpful for us
24 to understand those sorts of things.

25 I am still very much concerned about the

1 identifier as you call it. And we'll see what
2 other folks have to say, but you know, some of the
3 reasons that you cite for the reasons why you want
4 to do it are exactly the reasons why I don't think
5 that we should be doing it.

6 I think there's a difference between
7 having some sort of iconic marker, like a, you
8 know, towers, domes, and steeples, right? Those
9 are the things that are called out in the height
10 act. And having an identifier like that can make
11 sense.

12 Even having a big sign on the side of the
13 building like the Brooklyn sign that you cited,
14 those things are okay as side identifiers. What I
15 think I'm concerned about is that we -- what we
16 don't want to have is large signage on tops of
17 buildings that are going to eventually turn
18 portions of the District into you know, like
19 Roslyn, with you know, we're going to have the
20 Bowing market or the Coca-Cola section or
21 something like that. And that's the sort of thing
22 that I'm mostly concerned about.

23 Not to mention the fact that I agree with
24 the Office of Planning that the visibility of that
25 sign is actually greater and more important when

1 you get closer to street level. So I think it
2 actually works better, lower. Now where it has to
3 be, I don't know that it necessarily has to be
4 emblazoned on the side of the theater, written
5 across the essay in white. Maybe it actually
6 needs to -- you know, would actually be above that
7 so that, you know, when you're -- you know, I
8 don't know what the -- I forget what the detail is
9 with those housing units that might be behind it,
10 the apartments that would be on the first floor
11 above the theater. If you have the sign up there
12 -- and I mean, that might actually be kind of
13 cool. You know, you're looking out of your
14 apartment and you know, you're behind the, you
15 know, the O and you know, it might be a fun thing
16 to look at. I mean, it gives you that sort of,
17 you know, urban city warehousey kind of feel.

18 So, plus, you know, whoever lives behind
19 the O can say, "I live up there behind the O."
20 Those are my thoughts on that one.

21 I don't have a lot of other questions at
22 this point so, thank you.

23 CHAIRPERSON HOOD: Thank you. Vice Chair
24 Cohen?

25 MS. COHEN: Thank you, Mr. Chairman. The

1 only concern that I had and I think the white is
2 very interesting, but is there going to be like a
3 glare when the sun shines on it. Sort of like
4 that's what I remember about when you're in
5 certain parts of the country, like Florida. You
6 have to put your sunglasses on when you look at a
7 building. Is it going to be that type of glare
8 that you witness, because it's all white and the
9 sun is on it and you just want to put your
10 sunglasses on?

11 MR. SPONSELLER: Well, it is a metallic
12 finish on the theater volume.

13 MS. COHEN: Okay.

14 MR. SPONSELLER: The porcelain is a matte
15 finish, you know, and I actually think the
16 texturing on the panels will help defray the
17 glare. The glare that's really problematic is
18 glass glare, or shiny metal glare. And I don't
19 think you're going to have that issue.

20 MS. COHEN: You don't think, or you know?

21 MR. SPONSELLER: Sort of -- well, I don't
22 think. I don't think you'll have that issue.

23 White is definitely more reflective than --

24 MS. COHEN: Yeah.

25 MR. SPONSELLER: -- gray. That is a true

1 statement. But the real glare issues that you
2 think about in architectural urban settings are
3 from glass or shiny metals.

4 MS. COHEN: No, it --

5 MR. SPONSELLER: That's historically the
6 --

7 MS. COHEN: I think you need to just
8 confirm that because that could be a horrible
9 thing. They never did that, if you can recall
10 there is this building in London that, you know,
11 melts cars. So.

12 MR. SPONSELLER: There have been a few of
13 those. And their shape and geometry is different.

14 MS. COHEN: Yeah. Yeah, but I think
15 again --

16 MR. SPONSELLER: But I know what you're
17 talking about, yeah.

18 MS. COHEN: Okay. I personally like,
19 actually, the signage. Historically you always
20 see the Union Market sign without the N, but I
21 think it just does add to the identification. And
22 as I said, it was a historic market and I think
23 you're just replacing it with another historic
24 marker. So I know that my colleague is not
25 listening right now, but I disagree with him on

1 that issue.

2 CHAIRPERSON HOOD: Well, it wasn't me
3 because I didn't say anything yet, so it must have
4 been Commissioner May.

5 MS. COHEN: What is going to be the
6 determinant for you, whether you go office or
7 residential, because that's very important for the
8 city to know exactly what you're doing.

9 MR. KAUFMAN: Sure. So part of the
10 reason why the optionality exists is because we
11 don't want to build just the theater above the
12 market. And I said, I think, in the last hearing,
13 our preference is office; was to do office because
14 we think the daytime population, daytime pop,
15 right, for the vendors in the Market is an
16 important thing.

17 Now, I will say that in the -- we're
18 interested in a very specific kind of office
19 tenant. This is not -- and I got myself in
20 trouble with this last time, but we're not looking
21 for the lawyer, K Street crowd. This is a
22 technology, this is an incubator, this is you
23 know, a start-up kind of alternative office user.
24 And if you look at the landscape right now, of the
25 office market, both in the city and the greater

1 metro area, there is a ton of vacancy in those
2 uses.

3 And so any office -- we were with pension
4 fund money and so we will not spec-build office
5 space. So when you look at the landscape out
6 there and really you understand that you're
7 competing -- that what you're competing with is
8 free rent, right. We're competing with, you know,
9 Vornado doing free rent in Crystal City and the
10 Intelsat Building that 800,000 square feet in
11 Vaness that essentially they're giving the space
12 away for free.

13 So the office deal is razor thin right
14 now. And so we were at with conversations with
15 OP, talking about how to deal with being able to
16 build the movie theater and not lose the ability
17 to build that density above. And one of the
18 suggestions was you should look at residential.

19 Now we knew that there was a strong
20 interest in doing residential in the area in
21 general. What we were really surprised about was
22 when we started to speak with some of the
23 residential developers was that they didn't even
24 want to change the dimension of the building
25 because it's a steel building, it has these great

1 spans, it's like a typical residential building,
2 you know, private building, condo building
3 footprint as you know, 65, 70 feet wide. It's got
4 a corridor down the center and units on either
5 side. This is 100 feet wide.

6 But because the glass on that part of the
7 building as it was designed as an office was so,
8 you know, generous, and because the floor to
9 ceiling heights are so large because it's a steel
10 building, not a concrete building, we're not
11 trying to jam, you know, an extra floor in there,
12 the residential or particularly the for sale
13 residential community was very hot on the idea.

14 So right now, you know, we have -- we're
15 in ongoing negotiations with office tenants. And,
16 you know, fortunately we have a north stage one
17 building that could go office. But we're also
18 very far along in conversations with a for sale
19 condo developer. And so, you know, it could go
20 either way and that's why we don't want to give up
21 the optionality. We've actually spent about
22 \$250,000 to design the building, the steel package
23 so that when we make the decision in 30, 60, 90
24 days so that we can order either depending on
25 which way it goes, who we get to the finish line

1 first.

2 MS. COHEN: So you're looking to prelease
3 the office because capital markets are pretty --
4 like pension funds are pretty conservative and
5 they want standardization. And your building is
6 not a standard office building. And yes, you're
7 looking at a little bit of a nontraditional
8 tenant.

9 So I think that -- I guess my next
10 question would be then, all of the housing then
11 would be pushed to the phase two building. Is
12 that correct?

13 MR. KAUFMAN: Well, we would --

14 MS. COHEN: You are --

15 MR. KAUFMAN: You mean the north
16 building?

17 MS. COHEN: The north building, yes,
18 because --

19 MR. KAUFMAN: Yeah. I mean, we would
20 look to keep the optionality open. The other
21 reason why I think we're sort of -- and I don't
22 want to -- you know, it could go either way. But
23 the other reason why I think, you know, this
24 actually might be residential in this phase is
25 because -- in the south building, is because it's

1 actually a much more appropriate size for a
2 residential building, where as the north building
3 is about 270,000 square feet of office or retail
4 or residential, excuse me. And so I think that
5 you know, you're looking at another apartment
6 building. And you know, we're building close to
7 500 units in the PUD I mentioned on the next block
8 over, and we are building 200, you know, 185 to
9 200 apartments on the corner of 4th and Florida.
10 And I think that we have a strong preference,
11 particularly for the amount of dollars we've
12 invested just in general there to see
13 homeownership.

14 And so, you know, this south building, as
15 it sort of has played out, sort of has become one
16 of the good opportunity to get homeownership there
17 early.

18 MS. COHEN: It's in a loft like --

19 MR. KAUFMAN: Correct. Yeah.

20 MS. COHEN: Yeah.

21 MR. KAUFMAN: Not in a single-family, but
22 in a multi-family version, but yeah.

23 MS. COHEN: On the two units that you are
24 now putting forward as an amenity, proffered as an
25 amenity, which I think is like a scrap, your

1 \$700,000 I don't get it. I mean, just off the top
2 of my head and I don't know your assumptions so
3 can you provide us with the assumptions because I
4 don't get the 700,000.

5 I mean, you don't have to discuss it now
6 because I don't have my calculator. I just
7 wanted, you know, it's just my gut reaction to it
8 wasn't very favorable. You know, but I don't know
9 what your assumptions are, so.

10 MR. KAUFMAN: I definitely can't do math
11 in my head, so I will keep it sort of simple. And
12 I appreciate the question.

13 So right now it's about 110,000 square
14 feet if you don't do an occupiable penthouse,
15 which right now we're not proposing. We think
16 it's about 112 units is what the residential
17 building would look like in the south building
18 that's approximately. And so --

19 MS. COHEN: Is that where you're putting
20 the two units?

21 MR. KAUFMAN: Right. So the two units --
22 well, so of those 112 the eight percent is what?
23 Is it 10?

24 MR. UTZ: Yeah.

25 MR. KAUFMAN: So it's about 10 units.

1 So, you know, two units at 50 percent within the
2 affordable portion is 20 percent of the affordable
3 units are at 50. And there are some, and we had a
4 lot of conversation with OP about this, you know,
5 and there's particular sensitivity to this on the
6 for sale side, because of the buyer's ability to
7 qualify for mortgages and so on. So some of that
8 is playing into sort of the number of units there.
9 And I know that doesn't fully answer your
10 question, but that's --

11 MS. COHEN: Not at all. But what about
12 putting them into the north building then? And
13 that's a rental building, correct?

14 MR. KAUFMAN: Well, the north building
15 could be office or it could be residential.

16 MS. COHEN: Oh, that's right.

17 MR. KAUFMAN: But yes. But it would also
18 have its own -- it would have a separate
19 affordable housing component.

20 MS. COHEN: But basically, I think, what
21 I'm asking for is your assumptions because I don't
22 know if it's a studio you're proffering, is it two
23 bedrooms? So I can't do that math.

24 And in addition if you're concerned
25 about, you know, the fact that it is for sale,

1 what you could consider then if you provide the
2 assumptions, is maybe some down payment assistance
3 to make it more within reach. And then of course,
4 you know, you're going to have condo fees, which
5 is the problem with inclusionary zoning, the
6 inability to you know, meet additional condo fees.
7 So I think you need to think this through more
8 thoroughly and not just throw out a number that,
9 you know, I don't think my colleagues or myself
10 are comfortable with, without having that backup.
11 It's just a number that, you know, we have no
12 idea. Is this for two-bedrooms, which is more
13 satisfactory than a studio?

14 So those are the kinds of, you know,
15 things I'm looking for.

16 I have one other question with regarding
17 the 10 foot -- I think this is what you said. Ten
18 feet of pedestrian and bike on one of the open
19 space areas that they're sharing. How is that
20 going to work? Are you going to actually
21 designate where the bikes go and where the
22 pedestrians go, because I personally find that to
23 be very challenging.

24 Now of course I noticed all of your
25 figures were young people, and maybe they can jump

1 out faster than I can. But anyway, I kind of
2 don't understand how you're going to, you know,
3 set that up.

4 MR. SHARPE: I'll take a crack at
5 answering that question.

6 So there is a dedicated cycle way on 6th
7 Street which serves as part of the sort of more
8 regional bike infrastructure going north and south
9 through the Market. There is also one that we've
10 committed to on the separate PUD going up 4th
11 Street and then behind our Shapiro project.

12 So there are some more regional bike
13 networks that will serve some of that more high-
14 speed bike traffic. I think the way we envision
15 the park, that's to the south of the Union Market
16 Building, you may have noticed that when Jeff Utz
17 was showing the slide about the bike parking,
18 there's essentially bike parking in terms of bike
19 racks at the west end of that project, or that
20 space, and at the east end of that space.

21 And if we're only as successful in the
22 future as we are today, you know, that space, the
23 park, will be packed with people pretty much every
24 single day unless it's pouring with rain. And
25 that's a great thing, right?

1 And so, you know, being a biker myself if
2 I'm coming to the space on my bike, I'm going to
3 get off the bike because it's full of people. And
4 it's sort of a natural response and a natural way
5 that gets used where people will just -- I mean,
6 you know, think about it. If you've got a crowded
7 sidewalk on Connecticut Avenue downtown, which is
8 about the same density of people, people don't
9 generally ride a bike directly through the crowds
10 of people.

11 MS. COHEN: You and I are on different
12 streets, obviously.

13 Anyway, I want to thank you. I think
14 this is a very exciting project and I really
15 appreciated all the responses you made to the
16 comments of OP, DDOT, and the Office of
17 Environment. Thank you.

18 MR. SHARPE: Thank you.

19 CHAIRPERSON HOOD: Okay. Mr. Turnbull.

20 MR. TURNBULL: Thank you, Mr. Chair. I
21 would echo my colleagues' comments and thank you
22 for a presentation which I wish we had last month.
23 But I think you've really come back and hit a lot
24 of the questions that we had, and I want to thank
25 you for your presentation.

1 That being said I still have some
2 comments.

3 I'm still puzzled by the balconies and it
4 just seems like it's in one way, if it's an office
5 building, which considering that the market is, as
6 you say, it's very tight right now, we have a lot
7 of market space available for offices, and this
8 thing could go either way. But it looks like an
9 architectural -- I mean, you could have drawn 20
10 other perspectives or elevations moving these
11 balconies around in different -- and see whatever
12 looks best graphically on it.

13 If it's a residential building and you're
14 selling these to potential buyers or -- are you
15 going to come back and have a whole bunch more
16 balconies now, as a modification? Because I just
17 see that this whole thing of putting balconies in
18 funny little place that -- again, it's a -- right
19 now it's not a spec, but it is spec, because
20 you're speculating on these balconies. So I'm
21 just questioning, what do these balconies really
22 mean? Why don't we -- they're like ideas. It's a
23 concept. Since you don't have a foot -- you have
24 a footprint of a floor plate, but you don't have a
25 tenant. You may have a tenant. And I have a

1 feeling that you're going to be coming back with
2 changes.

3 MR. SPONSELLER: That is a possibility,
4 but this is the plan that we are presenting to
5 you. We have done both of these product types
6 many times; most of these project types, office
7 and residential. We've located -- there is kind
8 of a method to the scheme. We wanted to --

9 MR. TURNBULL: Even if it's residential?

10 MR. SPONSELLER: This is a pattern of
11 balconies that works for residential as well.

12 MR. TURNBULL: Okay.

13 MR. SPONSELLER: We've located the
14 balconies near the corners. Some of your more
15 valuable units are typically at the corners.
16 You'll notice that there are no balconies on the
17 north side of the building.

18 MR. TURNBULL: Okay.

19 MR. SPONSELLER: Balconies on the north
20 side don't make a lot of sense. They're in shade.
21 They're not as interesting. So, we've placed
22 them, you know, architecturally to emphasize the
23 different sides and different aspects of the
24 project so they're a-symmetrical, you know, when
25 we have the big urban balcony or the urban porch

1 on 5th Street in the theater. For example, we
2 have very little in terms of articulation above
3 that. So to weight that we put the balconies on
4 the other side. However there are some southern
5 balconies for the uses in all cases. So they'll
6 work just fine for residential.

7 And I think for office what we're seeing
8 is that a lot of office tenants actually want to
9 be able to go outside.

10 MR. TURNBULL: Okay.

11 MR. SPONSELLER: And get some fresh air.
12 So they actually work for both as designed.

13 MR. TURNBULL: Now, you've talked about
14 guidelines for streetscape and everything. And
15 you've been working with the Department of
16 transportation on this, although department of
17 transportation made it very clear in their
18 supplemental report that at some point if you
19 can't reach an agreement their guidelines are
20 going to override. So you understand that?

21 MR. KAUFMAN: We understand that. We
22 hope we don't get to that point, but we understand
23 it.

24 MR. TURNBULL: All right. Parking. You
25 said you had an agreement through 2016, although

1 one drawing said October 1st of 2015, and the
2 other one says 2016. What really is it? Is it
3 2016?

4 MR. KAUFMAN: Yes. If there was
5 something that said 2015 then that's just a
6 mistake, yes.

7 MR. TURNBULL: There's one drawing that
8 sort of points, and if you could read it, it says
9 2015.

10 MR. KAUFMAN: Okay. Yeah.

11 MR. TURNBULL: And the other, there was
12 another drawing that says 2016.

13 MR. KAUFMAN: Sixteen. Yeah, it is. So,
14 we have an absolute right to use the lot until
15 October of 2016. And you know, I'm hoping,
16 depending on their, you know, they have a
17 development partner and a plan and so, but we're
18 hoping that you know, we actually end up being
19 able to use that lot beyond 2016.

20 MR. TURNBULL: Right.

21 MR. KAUFMAN: But there's no guarantee.

22 MR. TURNBULL: Okay. On the affordable
23 housing, and you didn't really touch on the Office
24 of Planning's comment in their supplemental
25 report, although I think you're going along. They

1 talk about a square footage. And you've come back
2 with a response. Are you in sync now? Am I
3 reading this right?

4 MR. UTZ: I believe we are. We'll let
5 the Office of Planning confirm that and I believe
6 that addresses part of Commissioner Cohen's
7 concerns. We are confirming that there is a
8 square footage that will be allowed. It will be
9 20 percent, which it equates to a hard coded
10 number of 1792 gross square feet. It will be 50
11 percent AMI. So they won't get jammed down into
12 studios.

13 MR. TURNBULL: OP is 1,772. It's 20
14 feet, I mean --

15 MR. UTZ: Okay.

16 MR. TURNBULL: But, okay.

17 MR. UTZ: Yeah.

18 MR. TURNBULL: So you're in agreement,
19 then. You're on sync with that?

20 MR. UTZ: Yes. Right.

21 MR. TURNBULL: Okay. I guess the bike
22 parking, you went through a lot of different stuff
23 and when I got through I'm like, well are you --
24 I'm not going to say I was falling asleep, but
25 looking at the drawing here, reading it, what are

1 we getting and what are you short on? You sounded
2 like you needed relief but you're -- so, could you
3 simplify it very --

4 MR. UTZ: Sure. So, the --

5 MR. TURNBULL: I'm sorry. And I don't
6 mean to beat you down on this, but it just went on
7 and on. I'm like, I was more confused when you
8 got finished.

9 MR. UTZ: Yeah, I was worried about that.

10 So the areas that we require relief for
11 are regarding the long-term parking, the permanent
12 parking.

13 MR. TURNBULL: In the south building.

14 MR. UTZ: Yes. Yes. South building
15 only, for two elements of it. One is the new
16 retail and theater, which will be parked in the
17 north building, so it won't come online until the
18 north building is completed.

19 MR. TURNBULL: Okay.

20 MR. UTZ: And that will be eight bike
21 parking spaces, permanent bike parking spaces that
22 will be housed in that building.

23 MR. TURNBULL: In the north building.

24 MR. UTZ: Right. In a compliant manner,
25 first floor or first level of the parking garage.

1 MR. TURNBULL: Okay.

2 MR. UTZ: And then the second element
3 that we need relief on is the permanent bike
4 parking, bike storage, for the residential or
5 office in the south building, which will be
6 provided on the lowest floor of that use. So
7 basically right above the theater. And the
8 element of that relief is that we're not able to
9 provide it on the first floor itself, because the
10 market exists and it's already programmed.

11 MR. TURNBULL: Right.

12 MR. UTZ: So there's no place --

13 MR. TURNBULL: But you're still providing
14 it.

15 MR. UTZ: Yes.

16 MR. TURNBULL: Okay.

17 MR. UTZ: We're providing it up in the
18 air so that's --

19 MR. TURNBULL: Up in the air.

20 MR. UTZ: Yeah. That's the technical
21 aspect of that.

22 MR. TURNBULL: Oh, okay. Okay.

23 MR. UTZ: That's really -- yes.

24 MR. TURNBULL: Well, and I want to thank
25 you for agreeing to the first source agreement. I

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1 think that was a critical one that we needed.

2 I guess I would echo the comments of
3 Commissioner May about the sign on the roof. And
4 we talk about from the historical context, I think
5 it makes more sense to keep it at that same level.
6 I think people are used to seeing it at that
7 level. I think you need to keep it at that same
8 level. I think putting it all on the roof you may
9 talk about it as an icon, but I really don't read
10 it as an icon. I think the icon belongs at the
11 level where it is and people associate it with the
12 Market.

13 I think the Market is the key thing and I
14 think it needs to be seen near that area where the
15 Market is. So, I can't agree that, to the rooftop
16 on that. And I think, Mr. Chair, those are my
17 comments for now.

18 CHAIRPERSON HOOD: Thank you.

19 Commissioner Miller?

20 MR. MILLER: Thank you, Mr. Chairman. As
21 I said last time, this is a really exciting
22 project and the union market as it exists today is
23 very exciting in just transforming that whole
24 area. And the theater will be fantastic. And I
25 appreciate all the echoing again, everybody else's

1 comments so far. I appreciate all the work that
2 you did to address Office of Planning, DDOT, and
3 DDOE's concerns, as well as Zoning Commission
4 concerns or questions from last time and all the
5 additional information and renderings that you've
6 provided.

7 And I appreciate -- I do appreciate the
8 1,772 square feet. I'll take whatever I can get,
9 and Vice Chair, I'm sure you will too, at 50
10 percent AMI, so I appreciate that you did increase
11 that -- our proffering 20 percent of the
12 affordable housing requirement at a lower level
13 than is required, and I think that's important.
14 And to the extent it can be increased, that's
15 always great.

16 Did you have a response to DDOT's comment
17 about the -- that the caps that you have on the
18 financial incentives for bike share and I guess, I
19 don't know if it's bike share and car share, but
20 that the caps needed to be -- did you see their
21 report? And if you could give a -- you have a
22 response that I think they said, the 15,000 cap
23 needed to be increased to 35,000, I think. And
24 that the 10,000 cap needed to be increased to
25 14,000.

1 MR. UTZ: Yes. So I think this boils
2 down to ultimately just differing assumptions
3 about what the user of that space is going to be.
4 DDOT is using an assumption of 225 square feet per
5 employee, and I think we think that's high based
6 on who is -- I'm sorry, low, based on who we know
7 is coming in and who is interested in this space.
8 We think it's probably double that. You know,
9 these folks are going to have kind of open space,
10 you know, not cubicle. They're not cubicle farms.
11 They're not, you know, things like that.

12 So we think that 15,000 is likely to
13 really provide the \$50 -- the free \$50 bike share
14 membership for each person for a significant
15 period of time; three years or something like
16 this.

17 For the \$10,000 proffer for the -- for
18 the \$10,000 cap for the residential we actually
19 tied those to the numbers that we expect to happen
20 as well and think that really would satisfy kind
21 of everybody's need for a bike share there, but we
22 are willing -- this isn't represented anywhere in
23 the record. We are willing to bump it up to
24 DDOT's number, the 14,000 there from 10,000.

25 MR. MILLER: Okay.

1 MR. UTZ: To meet them.

2 MR. MILLER: Okay. Thank you. On the
3 sign, I said last time that I didn't have a
4 problem with it being up on the roof as an
5 architectural embellishment. I think it does look
6 great. I thought last time that if it was moved
7 down to the theater, the lower part of the theater
8 façade, it would identify where the Union Market
9 is, but you've provided information as to that
10 you're branding the entire area as the Union
11 Market, and not just market as Union Market.

12 So I don't have a -- I thought last time
13 that it would be more visible from the street if
14 it were on the theater façade. But I see your
15 renderings that show how the other -- how the
16 higher -- I see what you're trying to accomplish.
17 And, Commissioner May, I'm not sure if I was in a
18 -- spending all the money on a residential unit
19 I'd want my southern view blocked by a letter, but
20 that's the difference between people. I guess the
21 O will get you more --

22 MR. MAY: Yeah, the O would be better
23 than the M, I imagine, right?

24 MR. MILLER: Right.

25 UNIDENTIFIED SPEAKER: Not if your name

1 is Marcy.

2 MR. MAY: There you go.

3 MR. MILLER: So --

4 MR. KAUFMAN: I actually like the idea of
5 owning a unit that looked through the O, so even
6 though this is hurting my argument, I agree that
7 it would be cool to look through the --

8 MR. MAY: See, we're connecting.

9 MR. MILLER: Yeah. Okay. Well, maybe
10 you've made some progress there, then.

11 I really have no other questions at this
12 time, Mr. Chairman.

13 CHAIRPERSON HOOD: Okay. Thank you.

14 Help me understand this issue with the
15 theater. I know you mentioned it before. You
16 have to have something done by a certain time.
17 Just repeat that for me. Everything runs
18 together. We're only down here two or three
19 nights a week, so.

20 MR. KAUFMAN: Sure. So we have a signed
21 lease with Angelika, which is a great movie
22 theater, art house movie theater. Part of our
23 deal with them is we have to deliver -- we have to
24 open them by September of 2016, which is a very
25 expedited construction timeline, et cetera.

1 And so, you know, one thing is we can't
2 stop our process to find our office or residential
3 tenant. We have to keep moving, so that's hence
4 the optionality there. And also has required us
5 to advance our, for example, there's a steel
6 building with these massive trusses, right, that
7 the movie theater actually sits inside of that
8 span the building, which is why we can keep the
9 building open. And so we actually have had to
10 design two options of our steel because the steel
11 has such a long lead time that we have to be able
12 to order it in March.

13 So, you know, we're you know, we're
14 expediting our process as much as we can, and also
15 frankly that's why we appreciated you getting us
16 back on the schedule.

17 CHAIRPERSON HOOD: Okay. Mr. Utz, you
18 mentioned that -- I think in your comments you
19 said this would be the first movie theater in Ward
20 5.

21 MR. UTZ: Yeah.

22 CHAIRPERSON HOOD: Did you say that?

23 MR. UTZ: Yes, I did.

24 CHAIRPERSON HOOD: This will be the first
25 movie theater in Ward 5?

1 MR. KAUFMAN: First new movie theater in
2 Ward 5.

3 CHAIRPERSON HOOD: Thank you very much
4 because that leads into my next question.

5 Identifier. You know, we call it the 6th Street
6 Market, the Florida Avenue Market, and that goes
7 back to you, history. History gets lost when
8 people, we start changing things. And I know now
9 Union Market, I've been down there. But let me
10 ask you this, has the neighborhood agreed to
11 changing that to Union Market, other than, you
12 know, everybody coming down here calling it --
13 what does the neighborhood say?

14 MR. KAUFMAN: So I don't want to misspeak
15 or misrepresent. The conversations that I've had,
16 and they're anecdotal, and I think there are some
17 people hopefully here who can lend their opinion
18 on that answer, right, are in support of the idea
19 of calling it Union Market.

20 CHAIRPERSON HOOD: And that's just,
21 that's where I am because a lot of times people
22 come in who don't know the history, start changing
23 names. I'm going to pick on Mr. Utz since he said
24 it. The only movie theater in Ward 5. Tell him
25 to go back to 12th Street. It's now CVS, but that

1 was in the '70s. You probably weren't even born
2 in the '70s, so but I'm not trying to insult you,
3 I'm just saying.

4 MR. UTZ: I appreciate that.

5 CHAIRPERSON HOOD: But what I'm trying to
6 say is that, you know, sometimes we lose the past
7 because we want to come in and change the present.
8 So we don't know what the history is. So that
9 identifier is an issue for me. I'm just curious
10 what the neighborhood would say about that, and I
11 mean, I know we have a few down here tonight, but
12 I know it's more than -- this neighborhood is more
13 representative than what we have here tonight.

14 The event space, how is that going to
15 work? I mean, I know we've got to fine-tune some
16 and I heard the conversation you had with
17 Commissioner May about the event space. I mean,
18 who is going to run it? Is the ANC going to run
19 it? I mean, how is that going to work?

20 MR. KAUFMAN: No, I mean, it's our event
21 space. I mean, we run events out of there
22 regularly, right? And so what we've -- you know,
23 what we've sort of ended up doing, I mean, just
24 for example, we'll get a request from you know,
25 Petigay (phonetic), one of the ANC commissioners

1 not here tonight I don't believe, but like there
2 was a bike event and she said, hey, you know, we
3 need a little space to gather and to have
4 refreshments and you know, can we use your event
5 space?

6 And we said, you know, we said well,
7 we've got to check the calendar, right? And we
8 checked the calendar. We said, well, we have a
9 conflict but you can use a part of the market, you
10 know, that we'll set aside for you. Or, you know,
11 you can use, if you want to do it outside, maybe
12 you want to use the alley outside of the event
13 space. And so I mean, part of it is, you know, I
14 feel like we sort of are constantly doing these
15 things and I really feel like we're part of the
16 community. And so, but it's sort of hard to --
17 you know, it sort of catches as catch can. You
18 know, we do as best we can because we want to be -
19 - you know, we want the community to be a part of
20 the place.

21 CHAIRPERSON HOOD: I guess what I'm
22 trying to -- because we've had issues in the past.
23 Not in Ward 5, but in other areas, where
24 communities say, well, we were promised this. And
25 no, somebody says we were promised this. So I

1 just want to know what the tool is or what the
2 mechanism is for different community groups. I
3 mean, is it the ANCs, is it the Civic Association,
4 or can just anybody walk up and do it?

5 MR. KAUFMAN: I mean, I think -- and
6 again, I don't want to get myself in trouble, but
7 we are building an ANC community room as part of
8 Gateway. And so in my mind that's the ANC's to
9 use as it sees fit, right to have their meetings
10 and so on. This is more of when the people, the
11 ANC or other -- you know, we do a lot with the
12 Trinidad Neighborhood for example. So like, when
13 they come and say, hey, we want to do this event
14 here, can you do this? You know, sometimes we
15 can, sometimes we can't. Sometimes we can find an
16 alternative. Sometimes we can't give them the
17 space, but we can, you know, do something else for
18 them, and so that's how I see that working.

19 CHAIRPERSON HOOD: So ANC 5D, I believe
20 it is now, that's their room?

21 MR. KAUFMAN: That's their room, yes.

22 CHAIRPERSON HOOD: That's their room.

23 Okay.

24 MR. KAUFMAN: In the other PUD. You're
25 talking about in the --

1 CHAIRPERSON HOOD: The --

2 UNIDENTIFIED SPEAKER: 340 Florida.

3 MR. KAUFMAN: Yeah, 340 -- yes.

4 CHAIRPERSON HOOD: It's the ANC room that
5 you're talking about; that's ANC 5D, right?

6 MR. KAUFMAN: Yes, correct. Yes.

7 CHAIRPERSON HOOD: Can any other ANC use
8 it?

9 MR. KAUFMAN: Sure. I mean, I don't have
10 a problem with that.

11 CHAIRPERSON HOOD: Okay. Because six
12 used to be --

13 MR. KAUFMAN: They would need to
14 coordinate it with five.

15 CHAIRPERSON HOOD: -- across the street.

16 MR. KAUFMAN: It is. Yes.

17 CHAIRPERSON HOOD: 6A, or I can't think
18 of what --

19 MR. UTZ: 6D now.

20 MR. KAUFMAN: Well, I also don't want to
21 get myself in trouble, but --

22 CHAIRPERSON HOOD: Why not? I do all the
23 time.

24 MR. KAUFMAN: Okay. You know, six has
25 pretty close by and nice event space. Or sorry,

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1 not even space. Meeting space. So I feel like,
2 you know, right now I believe you know, 5D is
3 meeting at the police station on Bladensburg Road.
4 So, for them I feel like it's, you know, there's a
5 lot of value in that for them.

6 CHAIRPERSON HOOD: I just think for -- my
7 experience, I just think it's good for us to maybe
8 nail things down so to be specific. Especially in
9 10 years. Or, well, it's less than 10 now when
10 they do the redistricting, things may change again
11 because at one time I only had three ANCs and
12 we're five. But I'm not going to belabor that.
13 But it's just good. I think it goes along with
14 what Commissioner May said about nailing some of
15 this down.

16 I don't have a whole lot of questions.
17 The identifier. I'm trying to think. I know that
18 that was an issue for us on National Stadium and
19 I'm going to be frank and honest, I'm glad that I
20 listened to Mr. Parsons because it was a lot
21 bigger and I don't know if anyone else was up here
22 then. It was a lot bigger than what it was, and I
23 think -- and every time I go to the National
24 Stadium I'll look and say, "Thank goodness we
25 didn't go with the size that it was at first."

1 I'm not really sure where I am, but I'm
2 more in tuned to bringing it down some because I
3 will tell you, this commission was exactly correct
4 with National Stadium in the views because I
5 think, Mr. Turnbull, you can help me remember. I
6 think it was a lot larger and I think it was
7 actually --

8 MR. TURNBULL: It was much larger.

9 CHAIRPERSON HOOD: Yeah. And this
10 Commission -- that's one time we got something
11 right I think, and I would lean to the same thing
12 here in this case. I realize that what you're
13 trying to do. That's why I went back to identify
14 the neighborhood. Make sure the community wants
15 to start calling that Union Market. I know it's
16 there. I know it's there, you know, that's what
17 potentially it's what it's being called now. But
18 that's how we lose some of the history because
19 when I was coming up it was the 6th Street Market.
20 It was the Florida Avenue Market.

21 MR. KAUFMAN: I came across Florida
22 Avenue, not 6th Street.

23 CHAIRPERSON HOOD: You didn't come across
24 6th Street. Okay. Okay.

25 MR. KAUFMAN: Actually I'll share this

1 with you after, if you're interested.

2 CHAIRPERSON HOOD: Turn your microphone
3 on. Yeah, I'm interested because I really like
4 that history.

5 MR. KAUFMAN: We did a bunch of research
6 down at the National Archives and like there's
7 some really cool stuff in here. One of the
8 things, just which is not really part of the
9 Market, but they called NoMa, Swamp Poodle. That
10 was the name of the NoMa Neighborhood back in the
11 earliest residents, in the 1859.

12 CHAIRPERSON HOOD: Oh, that was a little
13 before my time. So anyway, that's interesting.

14 MR. KAUFMAN: So anyways, we'd be happy
15 to share this.

16 CHAIRPERSON HOOD: Okay. That will be
17 good. Okay.

18 One of the other things, how many second
19 stage -- how many PUDs do you have coming in front
20 of us?

21 MR. KAUFMAN: So we have this
22 consolidated PUD on the south building, we have
23 the stage one on the north building, and then we
24 have the Shapiro Building which is on 4th Street,
25 one block over, which has a consolidated PUD on

1 the major portion and then we added a -- there's
2 some complexity there, but we added a road cut-
3 through which then sort of required us to add a
4 north parcel as a stage one.

5 So those are the only two that are
6 actively in front of you right now. We finished
7 the -- the Gateway is an approved PUD. We have
8 one or two more, though, that we -- in this
9 immediate area that we know we'll be bringing in
10 front of you in the near future.

11 CHAIRPERSON HOOD: As you move forward,
12 some of the existing businesses, will they be
13 coming back or how are you working that out? And
14 I know I'm probably jumping ahead.

15 MR. KAUFMAN: Yeah. No, it's a good
16 question. It's something that we've been very
17 focused on. I believe some of the -- I don't know
18 who is here tonight. We had more, you know -- we
19 have some of the original vendors from D.C.
20 Farmer's Market that are still in Union Market and
21 our market, that are here, and you know, the thing
22 that makes this place so great is the sort of
23 uniqueness, right? I mean, and I've said this I
24 think before. But like, you know, I don't even
25 know if people know this, but like there's a

1 Bulgaki restaurant like right next to Gateway in
2 this little tiny house. It's like the best
3 Bulgaki in all the city. And like nobody -- and,
4 you know, you'd be a little maybe afraid to go in
5 from the outside, but you know, there's those
6 kinds of gems here. There's Lateri's (phonetic),
7 there's all these things.

8 And we have no intention of displace --
9 you know, we need to keep that to make this place
10 great. And so, you know, yeah, there are -- when
11 you talk to some of the larger wholesale
12 businesses, you know, what you -- and this is
13 again, anecdotal. But what you learn is, is that
14 the cost of operations have gone up. The Walmarts
15 and the Costcos have really eaten into their
16 businesses in the distribution in the City. And
17 there's a strong desire by particularly the larger
18 ones to move out because it just doesn't make
19 sense for them to be there. The rents are too
20 high, the operation costs are too high.

21 So I think that there is a difference
22 between those kinds of users and then a smaller,
23 you know, guise there that there's a Hulloll
24 (phonetic), the Hulloll market. I mean, a new
25 Caribbean Market, a butcher just opened up. That

1 has nothing to do with us, across the street from
2 us that's just, you know, doing great. They're a
3 great partner there. They've animated their
4 portion of the sidewalk. That part of the
5 sidewalk is actually starting to feel like, you
6 know, the old market. And so it's, you know, that
7 kind of stuff we think is great, is very exciting
8 and we're going to do everything we can to keep
9 that character. But I don't, you know, I don't
10 know if that --

11 CHAIRPERSON HOOD: No, that's fine.

12 MR. KAUFMAN: -- fully answers you.

13 CHAIRPERSON HOOD: That's' fine. Yeah.
14 That's fine. I just wanted to find out where we
15 were with the existing businesses.

16 My last question is -- and I'm not trying
17 to knock anything on amenities, not trying to take
18 anything what the community is doing, but with all
19 this you're going -- I know of one community in
20 this city with all the PUDs that came, and it was
21 in Southwest. With all the PUDs, they got a group
22 together to come up with an amenities package that
23 would sustain the life of what was going on in
24 that area. And with all this going on instead of
25 this project, that project, that may be something

1 -- and I don't know if the community is aware of
2 that. You know, and I don't know if you're
3 willing to do that, but that might help you cut
4 back and there may be more in it for the
5 community, and then less you have to go around and
6 do all this different -- something more
7 sustainable that's going to last the life of the
8 project. That may sound crazy but that's a lot of
9 stuff, 50 years. This will probably be 50 years.
10 Give that community something that's going to be
11 around 50 years.

12 Yeah, I see the 12,500 -- which I think
13 is a great problem -- or program for the kids.
14 I'm not knocking that; do that. But something
15 that's going to last the life of the project. You
16 know, and with all these PUDs you have, you know,
17 you would have to have community input, you would
18 have to be willing, it's going to take some work.
19 But that's something you may want to -- I'm just
20 making that suggestion. I'm not saying you have
21 to do it. I'm just making that suggestion. Okay.

22 And I'm also saying that for those who
23 are looking because they may approach you with
24 that. Something that's going to last, the life of
25 the project because there's a lot that's going on,

1 instead of amenities here, amenities here,
2 amenities here. Who knows, you may give them an
3 office building. But anyway, I just said that so
4 let's take that for some thought. Okay? I'm not
5 saying you have to do it because somebody will
6 tweet and say this Commissioner is asking for
7 this. I'm not asking anything. I'm just saying
8 that work with the neighborhood because they may
9 not be aware that this has been done in this city
10 previously. Okay?

11 Other than that, I really appreciate you
12 all being responsive. This was not a waste of us
13 coming down here on Wednesday night. I really
14 appreciate it. We have some things we have to
15 tweak and look at, especially the sign identifier.
16 But I appreciate your responsiveness, and I also
17 saw an Office of Planning, DDOE, and DDOT's report
18 that you all have been working real hard. So we
19 appreciate that.

20 Any other questions up here? Okay.

21 MR. TURNBULL: Yeah, Mr. Chair. I just
22 have one. And on the plaza, which is scheduled to
23 be 30 feet wide for the most part, I mean, other
24 than the part that gets somewhat bigger. But
25 right now it's going to be 20 feet. So I'm just

1 wondering, when you start construction on the
2 north building, what's going to be there? There's
3 going to be a big fence? Or how are you going to
4 try to transition to keep that plaza operational
5 because at some point you're going to move it back
6 and make it all open.

7 So what's the sense of what -- what's
8 this plaza really going to be like with the 20
9 feet with either a sign or it's going to be
10 parking for a while. Where are we really going to
11 see there?

12 MR. SHARPE: So the plans are, in the
13 interim, I mean, I think both Jeff and Robert and
14 Jeff have all spoken about the phasing. But in
15 the moment, or in the time period when the north
16 building is under construction, indeed there will
17 be an excavation there obviously because we've got
18 to build a large underground parking garage. We
19 need a certain amount of space there just for
20 access and normal construction operations.

21 So, you know, in our minds we think of
22 this very much like a street even though it is,
23 you know, private property.

24 MR. TURNBULL: Right.

25 MR. SHARPE: And we are convinced that

1 the success of all the programming we do in that
2 space is really contingent upon keeping it open,
3 keeping it not feel like a construction zone. So
4 yes, there will be some kind of fencing there.
5 Who knows what kind. But that gives the public
6 who is using that space in the interim when the
7 phase two building is under construction, a sense
8 that they're in a sort of still urbane comfortable
9 space that can be programmed with, you know,
10 whether it's the Friday night movie in the plaza,
11 or it's the artisanal food market that's
12 associated with some of the James Beard Award
13 programming we do, or whatever it is, we do need
14 to be very sensitive to those mix of uses. And
15 there will be, for a while, you know, that
16 adjacency of the construction operations and the -
17 -

18 MR. TURNBULL: So will the street scape,
19 the finished material on the street be the final
20 material?

21 MR. SHARPE: In the plaza?

22 MR. TURNBULL: In the plaza for this
23 first phase.

24 MR. SHARPE: So in the plaza of the first
25 phase we will be replacing -- and if you've been

1 out there, it's kind of ratty.

2 MR. TURNBULL: Yeah, right.

3 MR. SHARPE: We will be putting down
4 concrete for the time being.

5 MR. TURNBULL: So you won't do the finish
6 material until you actually open up the whole
7 street?

8 MR. SHARPE: I think that would be
9 imprudent to put it down.

10 MR. TURNBULL: I guess that's one of the
11 questions I was getting at is that --

12 MR. SHARPE: Uh-huh.

13 MR. TURNBULL: -- so there is an interim
14 paving material that goes down in this phase.

15 MR. SHARPE: Correct. That would be the
16 concrete.

17 MR. TURNBULL: Right. Okay. Thank you.

18 CHAIRPERSON HOOD: Okay. Vice Chair
19 Cohen?

20 MS. COHEN: Thank you, Mr. Chairman.

21 When the chair was talking about, you know, long-
22 term benefits for the entire area and it jogged my
23 memory with regard to the discussion about the
24 District Energy System for the entire market area,
25 and I omitted that in my questions, but I'd like

1 to know about it.

2 MR. UTZ: Go ahead and then I'll --

3 MR. SHARPE: Sure. So that was another
4 thing that we had some very productive
5 conversations with Mr. Wilson over at DDOE about,
6 and we definitely appreciated hearing from the
7 District side what some of the plans are for
8 issuing RFPs, for various studies and
9 investigations towards District Energy. We're
10 also very excited about District Energy. It's
11 something we're exploring, not just in this
12 project, not just in D.C., but also across our
13 portfolio around the country. We think it's a
14 great idea.

15 I think, as everyone knows, the challenge
16 here in D.C. is the existing franchise with that
17 particular electric utility who works locally.
18 And I think until some of the legal issues that go
19 along with --

20 MS. COHEN: Or does it work?

21 MR. SHARPE: No comment. Until that's
22 resolved I think it's a little bit hard to say
23 anything more than we're very much in support of
24 it. We're designing our buildings so that when a
25 District Energy system is put in place we can tie

1 in, we have the right sections to switch gear, et
2 cetera, so that there is an easy, you know, kind
3 of switchover to tie into those facilities.

4 It's a little bit hard to say anything
5 more than that because no one really knows what it
6 is yet.

7 Jeff, did you want to add to that?

8 MR. UTZ: No, you did a great job.

9 MR. SHARPE: Thank you.

10 CHAIRPERSON HOOD: Okay. Any other
11 questions up here?

12 MS. COHEN: No.

13 CHAIRPERSON HOOD: Okay. Do we have
14 Chairperson Cathy Henderson? I don't see here, or
15 any representative from 5D for any cross? Okay.

16 Let's go to the Office of Planning, the
17 District Department of the Environment, and the
18 District Department of Transportation. Ms.
19 Elliott.

20 MS. ELLIOTT: Thank you. Good evening,
21 Mr. Chairman and members of the Commission.

22 I think that OP's support for this
23 project is fairly well documented. We've
24 mentioned it at previous hearings and also in the
25 reports that have been filed. The development,

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1 the PUD would build on the success of Union
2 Market. It does realize essential elements in the
3 small area plan. And as a catalytic development
4 we expect it will bring additional high quality
5 development to this area.

6 We have recommended approval of this PUD
7 with two conditions. The applicant has touched on
8 both of them. The first is related to the
9 affordable housing component where we have
10 suggested that the applicant assign a square foot
11 area to the affordable units that would be
12 available at 50 percent AMI, just so that that's
13 consistent with our application of the zoning
14 regulations.

15 The floor area we came up with was 1,772
16 square feet. I crunched the number and I came up
17 with the same figure, but we'll take the extra 20
18 square feet if you want to give it. So, we'll
19 work that detail out, I suppose.

20 The other condition that we have
21 mentioned or that we have provided in the report
22 is that the Union Market's sign remain at its
23 current location. You know, for the reasons
24 stated in the report we would -- we attach that
25 condition, and also for the reasons noted by the

1 Zoning Commission tonight. I think there could
2 perhaps be some flexibility with the location of
3 the sign, and still you know, still kind of meet -
4 - I guess meet our greater idea of it kind of
5 being a part of a greater whole.

6 Perhaps the applicant would be willing to
7 provide some perspectives from grade showing, you
8 know, what the sign looks like from different
9 locations. I don't think we actually have some
10 from grade. We have some from other right of
11 ways, but not actually in front of the Union
12 Market building. So the Zoning Commission could
13 decide, you know, whether or not that's
14 appropriate.

15 But other than that I believe that that
16 includes our report. I'd be happy to answer any
17 questions you may have.

18 CHAIRPERSON HOOD: Okay. We'll go, Mr.
19 Wilson.

20 MR. WILSON: Thank you, Commissioner
21 Hood. And good evening.

22 So I wanted to echo the applicant's
23 statement that we had a very productive meeting
24 and we very much -- I am, I'll get closer.

25 So we very much appreciate the applicant

1 coming in to meet with us, and we did have a
2 productive meeting. And I appreciate the progress
3 that made on the LEED checklist.

4 I think where we differ a little bit is
5 on the benefit and amenity of the sustainable
6 design elements that are part of the project. And
7 I think that one of the presentation ended on a
8 quote that we have one opportunity to shape
9 places, after that these places will shape our
10 communities for generations.

11 So, looking at District Energy and LEED
12 Gold and really strengthens commitments to
13 sustainability is one way that we can do that. On
14 the LEED checklist the nine points for the
15 optimized energy performance is the minimum
16 required by our building code in D.C. And so, you
17 know, looking to really strengthen the energy
18 efficiency of the building through that mechanism.
19 And then adding additional renewable energy to the
20 roof or fuel cells would give the project an
21 opportunity to really tie into a District Energy
22 system later on down the road; much stronger
23 chance of really benefitting that system and
24 benefitting the greater neighborhood.

25 So I think I would pose those two options

1 as statements where the applicant could possibly
2 strengthen their commitment to sustainability and
3 strengthen that benefit. And I'm here to answer
4 questions. Thank you.

5 CHAIRPERSON HOOD: Okay. We'll go to
6 DDOT. Mr. Rogers.

7 MR. ROGERS: Good evening. I'm Jonathan
8 Rogers with the District Department of
9 Transportation. The applicant has coordinated
10 closely with the District Department of
11 Transportation to address issues identified in our
12 January 5th, 2015 report. The applicant has met
13 with DDOT on a weekly basis over the last five
14 weeks, and substantial progress has been made.

15 The applicant and DDOT are in agreement
16 on the majority of issues identified in DDOT's
17 initial report now.

18 DDOT wishes to highlight just a couple of
19 elements. One is the streetscape guidelines. The
20 applicant and DDOT continue to work towards
21 establishing street scape guidelines for the area.
22 The applicant and DDOT are generally in agreement
23 on some big ticket items like the distribution of
24 the right of way space among roadway, landscaping,
25 and sidewalk uses. And through the street scape

1 guidelines development process the applicant and
2 DDOT will finalize the big ticket items, as well
3 as address small but important details such as
4 drainage, street furnishings, and paving
5 materials.

6 DDOT remains committed to working jointly
7 with the applicant on the development of the
8 street scape guidelines through the public space
9 permitting process.

10 And I'd just like to spend a little bit
11 of time speaking about the financial incentive
12 that DDOT has requested. I'm happy to hear that
13 the applicant has decided to increase the
14 incentive to \$14,000, and that is according to our
15 analysis, sufficient to provide an incentive for
16 the project if it were to go residential, either
17 condo or apartment. However, because the
18 intensity of use for office is so much higher than
19 it is for residential, in other words we expect a
20 lot more people to be in the project if it goes
21 office, than it would go residential. It is
22 anticipated that a much higher incentive amount
23 would be required in order to meet the demand if
24 the project were to go office. So we had
25 requested \$35,000 as a cap in order to offer the

1 financial incentive to the office employees. And
2 that was using a very conservative estimate of 225
3 square feet per employee.

4 And as the applicant indicated they
5 anticipated that there will actually be more
6 employees in the office component if the project
7 were to go office. So DDOT's position is that the
8 \$35,000 cap for the office component is
9 appropriate to enable -- in order to provide a
10 financial incentive, either Capitol Bike Share
11 membership or car share membership for the office
12 employees.

13 And with that I'll be happy to answer any
14 questions you may have.

15 CHAIRPERSON HOOD: Okay. Colleagues, any
16 questions of either one of our agencies? Any
17 questions, Vice Chair Cohen?

18 MS. COHEN: Thank you, Mr. Chairman.
19 This is for DDOT. The street scape design
20 guidelines, obviously you will participate in
21 that. And it's subject to approval down the road,
22 is that correct?

23 MR. ROGERS: Correct. So the idea is
24 that the applicant and DDOT would work jointly on
25 the development of those guidelines. DDOT would

1 have approval authority over the scope of work
2 that would be released to potential respondents,
3 and also ultimately DDOT would have to adopt the
4 street scape guidelines in order for them to take
5 effect. And those assurances, I think, are
6 sufficient to allow the street scape guidelines to
7 be something that are actually implementable and
8 that DDOT can approve public space plans based on.

9 MS. COHEN: Thank you. And for Mr.
10 Wilson, DDOE, you're suggesting two additional
11 possibilities for points. And it sounded like the
12 applicant did review all of the proposals that you
13 made. Are these two additional points very costly
14 to the applicant to take on? Do you know?

15 MR. WILSON: So I reviewed the checklist
16 and I think that there are a couple of low cost
17 points that they could still pursue. And I think
18 that, you know, all of the points that I have --
19 that think would be good for the project and low
20 cost, would also provide energy efficiency and
21 energy benefits for the project. So, you know,
22 there would also be a return on that investment.
23 And so there's also a possibility that because of
24 the different uses of the project that the project
25 could pursue LEED certification under a different

1 path, a more creative path. But that would take a
2 little bit more work.

3 If it went residential then you could
4 decouple the residential piece with the theater
5 and that might make LEED certification a little
6 bit easier.

7 MS. COHEN: Thank you. And I just have a
8 suggestion for the Office of Planning. I am now
9 getting a little, let's say overwhelmed and
10 confused about these different PUDs, and you know,
11 my thinking always is very silo, the project
12 that's in front of me. It would be helpful when
13 other PUDs come up in this area, or other areas of
14 the city when there's numerous ones coming down
15 the road, to actually visualize them as a whole.

16 I don't know how you could do that, but
17 maybe you can do it. And that, you know, would be
18 very helpful because as I said, I don't want to
19 look at a neighborhood has a silo. And I think
20 that you probably don't, but it's hard for us to
21 not have access to all that documentation. So
22 thank you.

23 MS. ELLIOTT: We can get you a context
24 map of both the Market and what we see coming up
25 from NoMa and New York Avenue coming down.

1 CHAIRPERSON HOOD: Yeah, maybe that will
2 help us get to our 100 page report that we are --
3 strike that from the record. I shouldn't have
4 said that. Okay. Let's go to the ANC.

5 MR. TURNBULL: Mr. Chair, I wonder if I
6 could --

7 CHAIRPERSON HOOD: Oh.

8 MR. TURNBULL: You didn't look down at
9 me.

10 CHAIRPERSON HOOD: Oh, sorry. Go right
11 ahead. I was thinking about the 100 pages I'm
12 looking for.

13 MR. TURNBULL: No. I guess my only one -
14 - I thought for the Office of Planning, I think,
15 Ms. Elliott. For some reason I thought, this time
16 I thought we were going to be getting some kind of
17 ground floor perspective of a new -- of an option
18 for a sign that would reflect the current type of
19 sign at a lower level. And since we didn't get
20 it.

21 But I would echo that yes, I think we do
22 want to see some ground level perspectives of the
23 sign. And I think you've got a good point. We
24 could have some flexibility on where that could be
25 located at that lower level. So, but, I think

1 you're absolutely right. I think we do need some
2 perspectives of that sign at some ground floor,
3 with the lower level sign. So thank you for
4 bringing that up.

5 MR. UTZ: Can we make a point that we did
6 bury that in the plans that we submitted? So we
7 apologize for that, but it is page A25 of Exhibit
8 A to the February 2nd file.

9 MR. TURNBULL: You've got to be joking.
10 That's a tiny -- that's like a thumbprint. If you
11 want to sell a sign you're going to sell a sign
12 with adequate perspectives that its' going to be a
13 view from a human being, looking at street level,
14 looking down, and looking at it, and what it can
15 see.

16 MR. UTZ: Sure.

17 MR. TURNBULL: Not something back two
18 blocks with a postage stamp on it. Do it for
19 real.

20 MR. UTZ: Sure. We're happy to --

21 MR. TURNBULL: Do something that if I'm
22 looking at it I'm going to say hey, I like that.

23 MR. UTZ: Sure.

24 MR. TURNBULL: That's going to go. Not
25 something like this. If you want to bury it and

1 say, oh, it's going to look like this, this is
2 what you really want, this giant sign on top, no.
3 It's to going to fly.

4 MR. UTZ: Sure. We'll do it. We just
5 didn't want you to think we were hiding it from
6 you.

7 MR. TURNBULL: No. I know, I saw that.
8 But it's still hiding it. I want something
9 better. I want to see just like Ms. Elliott said,
10 something from street level that people can look
11 up and say, hey, that's the iconic sign I want to
12 look at.

13 MR. UTZ: We'll do it.

14 CHAIRPERSON HOOD: There any other
15 questions? Okay, again -- well, does the
16 applicant have any cross of either one of the
17 agencies?

18 MR. UTZ: No thanks.

19 CHAIRPERSON HOOD: Okay. And not seeing
20 anyone here from the ANC, next I'll go to -- and I
21 think we've covered all the government agency
22 reports.

23 We do have a letter from a council member
24 from Ward 5 in support of this application. And
25 that's Exhibit -- well, anyway, we do have a

1 letter of support from the council member of Ward
2 5.

3 Next, that report of the ANC, we have
4 three letters of support. From the full ANC, from
5 Chairperson Henderson, Exhibit 21. Also from
6 Commissioner Lewis and Commissioner Hooper, which
7 is Exhibit 11 and 23, all letters in support.

8 Okay. Let me go to the -- looks like
9 everyone on this list that I have is in support.
10 Is everyone here tonight in support? Anyone here
11 in opposition?

12 Okay. I'm going to do my best. I
13 actually can name the -- it looks like Martin
14 Kaufman, Harvey's Market. Is representative from
15 Harvey's Market here? Yeah, if we can step back
16 we're going to look at it. Okay. Dan
17 Steinhilber. Come forward. Nathaniel Adams, I
18 believe. Goshen. John Money.

19 MR. MOONEY: Mooney.

20 CHAIRPERSON HOOD: Mooney. John Mooney.

21 Okay. Wahid Osman.

22 MR. OSMAN: Yes.

23 CHAIRPERSON HOOD: Okay. Wahid. Okay.
24 Akosa McFigeon.

25 UNIDENTIFIED SPEAKER: She's not here.

1 CHAIRPERSON HOOD: Oh, she's not? Well,
2 I must have got her name right, you recognized.
3 Amanda Martin. Winston Lloyd. Okay.
4 Saint Choi. Tina Laskaris. That's somebody I
5 know so hopefully I didn't mess her name up.
6 Yvonne Buggs. Troy Preswool or Presswood. And
7 this last one I'm sorry.

8 MS. SCHELLIN: It's the same gentleman.

9 CHAIRPERSON HOOD: Oh. Oh, you signed in
10 twice. Okay. All right. Okay. Anybody else
11 that want to just come on up? Anybody else who is
12 here to support?

13 Okay. We're going to start with you
14 Tina. Ms. Laskaris.

15 MS. LASKARIS: Button.

16 CHAIRPERSON HOOD: Is it lit? Okay.

17 MS. LASKARIS: Okay. So for those of you
18 who don't know me I am a former ANC commissioner
19 with 5D. This is my first time being here not as
20 a commissioner. But what I wanted to say is that,
21 you know, I've lived in the neighborhood for 14
22 years and I live on Florida Avenue, just blocks
23 away from this development.

24 And for years we watched and waited for
25 development of any sort. And we saw it all come,

1 but we saw it come on H Street, and we saw it all
2 come south of Trinidad and of the neighboring
3 area.

4 That is until Edens showed up. And quite
5 frankly before that, the Florida Avenue Market was
6 a little creepy, it was a little scary. Nobody
7 wanted to go there. In fact one of my neighbors,
8 a former ANC commissioner used to give tours there
9 to try to get people to show up over there. And I
10 will say that since Edens has been there it has
11 brought a lot more business to a lot of the other
12 businesses that still are there. I mean, I have
13 neighbors that go there and they buy great big
14 buckets of tofu from places that they didn't even
15 realize existed before.

16 So I think that Edens has been great for
17 our neighborhood. They've become a part of our
18 lives there. We go there to meet, we go there to
19 eat, we go there to buy groceries, we go there to
20 have coffee. We go there to watch movies. We go
21 there to listen to music. We go there to buy
22 things for our homes. It's become intrinsically
23 part of our lives. When I need milk I run over
24 there because I know I can get quality stuff.
25 Right?

1 And so it's just become extremely
2 important. And you were talking about what events
3 do they have. I started trying to think about all
4 the events that I went to last year. And just to
5 give you an idea, I went to Thread Emporium,
6 Crafty Bastards, D.C. Scoop, New Year's Eve, the
7 Union barbecue, drive-in movies, Breweries on the
8 Block, Mess Hall Holiday Pop-up, Sunday Supper,
9 and I have plenty of neighborhoods that go to
10 Boogie Babes, like regularly. So that's just what
11 I can remember off the top of my head.

12 I'll also tell you that I am one of the
13 organizers of an event we have in Trinidad called
14 Art in the Alley. And I don't know if any of you
15 have heard of it, but we've had it now for about
16 three years. And gradually it's gotten bigger and
17 bigger, but I will tell you that last year when we
18 had this event, Union Market was one of our
19 sponsors. It's the first time we sought
20 sponsorship. We just kind of paid for it out of
21 our pockets and all the neighbors pitched in and
22 did it. Happens in the alley between the 1200
23 blocks of Moore Street and Florida Avenue.

24 And Union Market sponsored us, and I
25 can't even tell you what kind of street cred that

1 gave us. Our event got so much bigger, and it was
2 such a big help to actually have some sponsorship.
3 We were able to make it a much better, much bigger
4 event.

5 So I will tell you that as an ANC
6 commissioner they were always there for us. They
7 were always willing to do community clean-ups.
8 Wheatley was in my SMD and they've made a huge
9 impression on Wheatley and in really working with
10 the kids. And I personally know that we can
11 always count on them as a great community partner.
12 And respectfully, although I know you guys, it's
13 your job to worry about whether we call green
14 space, whatever, and what size the sign is, but
15 seeing that big sign there on the top of that
16 building, quite frankly gives me comfort and a lot
17 of hope for my neighborhood.

18 So I hope that you'll push this forward
19 so they can meet their deadlines and keep moving
20 forward with all the great stuff they've done for
21 us. Thank you.

22 CHAIRPERSON HOOD: Okay. Thank you.

23 Next.

24 MR. ADAMS: Union Market is a college of
25 --

1 CHAIRPERSON HOOD: You need to identify
2 yourself. Now I know I mentioned Tina's name but
3 everybody needs to identify themselves.

4 MR. ADAMS: Good evening. My name is
5 Nathaniel Adams. Myself and my wife own Goshen.
6 Goshen is located in Union Market and we've been
7 in Union Market since 2012.

8 Thus far it's been my experience that
9 Union Market is a college of artisans. The
10 difference in the artisanal experience is that you
11 actually have that passion that's providing
12 excellent customer service and generally a
13 superior knowledge of the product, how it was
14 cultivated and how it's marketed.

15 Goshen specializes in super food commonly
16 known as raw food, which doesn't include any
17 animal cholesterol. And initially a private chef
18 or professional athletes. But since 2012 we've
19 been at Union Market and have grown considerably
20 in our customer service experiences and just
21 learning also from the public.

22 I support Eden's quest to continue to
23 invest indelible contributions in the lives of
24 Washingtonians and also their guests in the
25 future. Thank you.

1 CHAIRPERSON HOOD: Okay. Thank you.

2 Next?

3 MR. STEINHILBER: Good evening. My name
4 is Dan Steinhilber. Good evening, my name is Dan
5 Steinhilber. I'm a resident of Washington, D.C.
6 I lived and worked in D.C. since I moved here in
7 the year 2000.

8 I work as a visual artist in this
9 community full time creating new sculpture and
10 installation works that are shown locally in
11 Washington D.C. and other cities nationally. I'm
12 here to show my support for Edens' current project
13 going forward. I've gotten to know Edens over the
14 past few years and I have been impressed with
15 their creative development choices thus far, and
16 their sensitivity and inclusion of the community
17 in the process.

18 Just to give a couple personal examples,
19 about three years ago Edens approached the local
20 art gallery that represents my work, set up a
21 meeting, and introduced me to a local D.C. high
22 school student who had an aspiration to become an
23 artist, a sculptor. Edens initiated and sponsored
24 an internship, apprenticeship for student artist,
25 Miles Thompson to assist me in my studio on a

1 special project. Edens gave me a creative freedom
2 to produce a new work of art that took on the
3 sculptural form of a chandelier. The finished
4 work still hangs proudly on display inside Union
5 Market.

6 Having student artist Miles Thompson come
7 to assist me on this project from start to finish
8 was a rewarding experience for us both. Thanks to
9 Edens for this friendship, for building community,
10 supporting the creation and exhibition of art.
11 Miles moved on to accept a full scholarship to
12 study art in college at Cooper Union, New York
13 City.

14 Then about two and a half years ago Edens
15 offered to me and several other artists, a portion
16 of one of their properties to use as studio art
17 fabrications base. This building behind Union
18 Market was an area traditionally for food business
19 wholesaling, not visual art and cultural
20 manufacturing. But there we were, several artist
21 and I conceiving new ideas, fabricating sculpture,
22 making paintings and installation concepts in a
23 large warehouse size studio.

24 Edens' creative vision to allow an empty
25 old warehouse to become artist studio space has

1 enriched many, many D.C. resident's lives as the
2 work born in that studio space went out into the
3 community in the form of public exhibitions within
4 both galleries and museum contexts and several
5 public art installations, both sculptures and
6 murals installed in a variety of public spaces.

7 Edens can be proud of these contributions
8 to the arts, and many more as well. Their
9 imaginative use and repurposing of space is
10 important for us. Right now they have a new
11 creative idea brewing that builds on top of this
12 success. Let's help them go for it.

13 CHAIRPERSON HOOD: Okay. Great. Thank
14 you. Next.

15 MR. OSMAN: Hi. My name is Wahid. I'm
16 the regional manager for Dolcezza. A little info
17 about Dolcezza. We started in 2004. We're local
18 to D.C. We do things in season, we make gelato
19 and coffee, we work with local farmers, we
20 collaborate. So our philosophy really does mesh
21 with Edens.

22 And we have our production facility right
23 near Union Market off Penn Street, and the truth
24 is like when I kind of like reflect about what we
25 do there and the whole space, I mean, it's just

1 something that doesn't exist. You know. It's
2 something that's amazing that it does exist. It's
3 really hard to find developers that kind of
4 encourage creativity. The little guy, if you
5 will. And Union Market is that space. It builds
6 jobs. It creates businesses because it gives
7 people a place to kind of do their thing without
8 the encumbrance of a huge overhead. So it allows
9 them to do what they want, and it allows them to
10 be creative and fun.

11 Us, for example, in our production
12 facility, we used to make the gelato in the
13 basement of Georgetown Facility. It was like 200
14 square feet. Now we have 4,000 square feet to
15 work with. We have a gelato tasting room where we
16 make gelato fresh. And it's something you really
17 can't get anywhere else in the country.

18 We have a coffee lab with Stump Town.
19 They're one of the best specialty roasters in the
20 country. There's only one or two of these in the
21 country and we have one in our factory.

22 You can come and get fresh gelato
23 straight from the machine. We do pop-ups where
24 people come in, small businesses without a
25 physical space. They come in to our space, they

1 do an event, it helps them grow. We've done that
2 with four or five businesses right now and they've
3 been off the charts amazing. Mason Dixie, Bad
4 Saints, these are people that wouldn't have an
5 avenue to kind of communicate and sell themselves
6 to the public. And they have that in our space.

7 And that's just kind of like the story of
8 that area. That's why it needs to keep growing.
9 It needs to happen because it's something that's
10 just so hard to find. And when you do find it you
11 want it to just kick ass. And so, I mean, here at
12 Dolcezza, everyone wants this to go forward.
13 They've been great partners with us. They've
14 helped us grow, and that's why we can now produce
15 for 44 Whole Foods for the Mid-Atlantic Region.
16 It's because we have that space, that home where
17 we can collaborate, do what makes us unique,
18 without having to compromise.

19 So we want to see this go right ahead.
20 Thank you.

21 CHAIRPERSON HOOD: Okay. Thank you.
22 Next.

23 MR. ALMAALA: My name is Abed. I'm a
24 farm owner. I am from the old market -- since
25 1996 in the old D.C. Farmer Market.

1 D.C. Farmer Market, it was disaster. It
2 was you know, guys they treat the people a long
3 time, it's very badly. Especially the one colored
4 people. And I was upset and disgusting. Big rat.
5 Big like that. It's not small rat, not mice, big
6 rat.

7 People, when coming overseas, this is
8 Washington, D.C., international capitol. I mean,
9 it's the nation's capital. It's the great
10 national capitol. When the people coming
11 overseas, long time to the market, I'm in the
12 market, I'm in the first door, people when they
13 open the door they put their hand here like that.
14 They go back.

15 In 2014, and Eden, after Eden come over
16 here, we have just me, I met five or six overseas
17 delegation from all the world. The people
18 surprise. People surprise. This is big, big
19 difference. From all those coming to visit they
20 surprised. Oh, this nice market. This is a very
21 nice market. The old market, it was disaster.
22 People eat spoiled food, spoiled meat, spoiled
23 eggs, spoiled vegetables. It was disaster.

24 And I blame, me, I blame the D.C.
25 Government. Blind their eyes. They are blind

1 their eyes.

2 People, many people eat spoiled food.

3 People be in the cooler. Cooler temperature more
4 than 50 degree. Should be 35. Fifty degree. I
5 mean, you are late, guys. Really. Really. And
6 thank you for Eden.

7 For the donations, this is just this
8 year, this Eden they have team. This is the best
9 team I ever seen. Team. Many manager, every
10 single day I see them in the market. Almaala,
11 some church call us, we need donations of
12 watermelons from your farm. Then I give them
13 plenty of watermelons. This letter from the
14 church, donations. You know, and they give it to
15 you to see it.

16 CHAIRPERSON HOOD: If you give that to us
17 we're probably going to have to keep it so you
18 might want to hold -- okay. Well, it's ours now.

19 MR. ALMAALA: And other things, you know,
20 this year, you know, like for Mariam Kitchens,
21 donations, weekly. For just to cook for the
22 homeless. Everybody share from the market. And
23 this has never been before.

24 And this year, about givings charity,
25 people ride bicycle, come over my stand. We give

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1 them vegetables free. These are things never been
2 before.

3 Other things very important, you know.
4 Me, I'm also, all the colored people coming,
5 black, white, brown, Asian, all the colors.
6 Lesbian, gay, all the people coming, you know, the
7 market. I see them every single day. Me, I
8 support the low-income, you know, people on like
9 WIC programs. Every single summer, they come in
10 and hand them to me. So this is very important
11 for low-income people.

12 The other things, security. Long time
13 the market. People, we close like 5:00, 4:00 in
14 the afternoon. People scared. Now people stay
15 until 8:00. People scared before just many, many
16 people killed over there, you know. Across the
17 market, two people. The owner of the
18 (indiscernible) over there, with his son. Done.

19 Now, now you talk about the parking. He
20 was to see about the parking. Eden, he provide us
21 with parking. They have vision. They have
22 vision. And if you go tomorrow to the old market
23 for the vegetable over there, how many trucks will
24 there be? Many trucks. People that can't --
25 walking, no parking. The old market now exist, I

1 don't know why you do not check transportation to
2 the market over there. Every single day, many
3 trucks, wholesale area like messy. Big rat.
4 Mice. I just don't know why the Government D.C.
5 late for this problems. I thank you very much.

6 CHAIRPERSON HOOD: Okay. Thank you. I
7 do remember that market. I do.

8 Let me ask you a question about pop-ups.
9 That seems to be a word down here. You mentioned
10 pop-up. What were you referring? What is that?
11 That's a different angle I have on pop-ups from
12 what you mentioned.

13 MR. OSMAN: So a pop-up is, it's like a
14 concept. You have a concept and you kind of want
15 to test it. And so we work with -- these are
16 people that maybe like they're chefs or they're
17 bakers, they're whatever their background is and
18 they want to kind of like sell this concept or
19 just play it out and see what happens. So our
20 factory offers them a space. We have a kitchen.
21 That's how we do all of our production there.
22 When we close down the retail so that they can do
23 the pop-up at that time. And you just have people
24 come in. There's usually a ticket or something
25 involved. And people -- I mean, if the Mason

1 Dixie, the Bad Saints, the line was like 150, 200
2 deep for people that are just so excited.

3 And I mean, the truth is, it's awesome
4 food. But it's just food, right? But people just
5 want to support local businesses. They want to
6 support these like weird things that are
7 happening. And they love it. And they just eat
8 it up. And these are not just like D.C. people.
9 You know, that's the cool thing about Union Market
10 is it kind of brings the whole D.C., Maryland,
11 Virginia to safe space for all three of those to
12 kind of converge and see all these unique things.
13 See what artisans are doing, what people like that
14 really care about their product are doing in one
15 shared space.

16 So I don't know if I answered your
17 question about the pop-up but --

18 CHAIRPERSON HOOD: Oh, no, believe me, I
19 just wanted to make sure it was another
20 definition. But I appreciate that.

21 MR. OSMAN: Okay. Cool.

22 CHAIRPERSON HOOD: Thank you.

23 MR. OSMAN: Well, were we on the same
24 page on that?

25 CHAIRPERSON HOOD: We are.

1 MR. OSMAN: Fantastic.

2 CHAIRPERSON HOOD: I'm just glad to know.

3 Thank you very much.

4 MR. OSMAN: Cool.

5 CHAIRPERSON HOOD: Any other questions up
6 here, Commissioners?

7 Okay. So we have to come back tomorrow
8 night. One of our colleagues is hungry. There's
9 something to eat.

10 Any other questions? Okay. Does the
11 applicant have any cross?

12 MR. UTZ: No, we don't.

13 CHAIRPERSON HOOD: Okay. Again, no one
14 is here from the ANC. Okay. Thank you all very
15 much. We appreciate your testimony.

16 Mr. Utz, if you want to come up and I
17 don't know if you have any rebuttal. If you want
18 to come up and do some closing. You may have some
19 rebuttal, I'm not sure.

20 MR. UTZ: No, we don't. No rebuttal,
21 thank you.

22 CHAIRPERSON HOOD: So we can do some --
23 we'll do a closing and see how we're going to move
24 from here.

25 MR. UTZ: Sure. Sounds good. Thank you.

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1 Thank you very much again for letting us
2 come in tonight, for expediting the hearing, and
3 giving us another date. On the agenda and
4 additional night. Also thank you to OP, DDOE,
5 DDOT for spending all the time with us. Again, it
6 was really truly appreciated.

7 We hear some of the open items and are
8 happy to address these concepts in post-hearing
9 submission and I think we have a good handle on
10 some of the remaining kind of details to submit.
11 One of them is obviously detailing some of the
12 identifier concepts specifically about the Union
13 Market District and if the neighborhood is on
14 board with that concept.

15 And additional perspectives and some
16 concept details.

17 MR. MAY: Yeah, I would just want to add,
18 I'd like to see it in some other locations because
19 I, you know, I'm really not sold on it being that
20 -- I mean, I don't mind the idea of the sign.
21 It's that it's on the top of the building and I
22 don't think that there's a lot of precedent for
23 that and I'm very concerned because we don't want
24 to have, you know, essentially building
25 advertising on top of buildings across the city.

1 So alternatives that we could look at
2 would be helpful from my perspective.

3 MR. UTZ: Uh-huh. Okay. Thank you,
4 that's helpful. We'll also document how we got to
5 the value of the affordable housing. We're happy
6 to do that. And also document the financial
7 incentive calculations that we made to get to the
8 cap for the office. But we do agree to the
9 increase in the cap to 14,000 for the residential
10 financial incentive cap. And then we also heard
11 that the request to add a bit more detail in how
12 some of these benefits and amenities are actually
13 going to work, and detailing what has been done
14 the last several years by way of the community
15 events. So we're happy to make those additions on
16 the record.

17 We also just wanted to note that as part
18 of this, I believe we mentioned this before, we
19 removed the optionality regarding the use of the
20 roof structure, whether it's occupiable or not,
21 the occupiable concept was removed. But should
22 the Commission find it a concept that you will
23 approve in Zoning Commission case 14-13, we would
24 likely be coming back to you for the modification
25 should you approve that concept in the final order

1 of that case.

2 MR. MAY: Okay.

3 MR. UTZ: And with that I believe -- do
4 you have anything else to add?

5 MR. KAUFMAN: No, again, just really
6 appreciate you guys meeting us on a Wednesday
7 night.

8 CHAIRPERSON HOOD: Okay.

9 MR. UTZ: We would request a bench
10 decision should you find it approvable in that
11 condition. Thank you.

12 CHAIRPERSON HOOD: Okay. Colleagues --
13 and thank you very much for your closing. I think
14 the issues that are outstanding -- and I'll open
15 it up for comments -- are not necessarily to the
16 point where we could not take proposed action
17 tonight. We have request for a bench decision and
18 I was going to recommend that anyway because we
19 can do a bench and we can always stay on the bench
20 if things are not like we want to move in final.

21 But I think this is ready. I appreciate
22 all the work that everyone has done, but I would
23 be inclined to support -- I mean, making a bench
24 decision tonight. Let me open it up for any
25 comments.

1 MR. TURNBULL: I'm concerned about the
2 sign. I just want to say, I'm very concerned
3 about the sign. I don't like it. I don't think
4 it's appropriate.

5 We have zoning regulations for a reason
6 and I --

7 MR. MAY: But we could resolve that
8 before final, right?

9 CHAIRPERSON HOOD: Or --

10 MR. TURNBULL: We can resolve it before
11 final, but it's got to be resolved.

12 CHAIRPERSON HOOD: It's got to be --
13 right. And I would agree, Mr. Turnbull. We have
14 not voted on things at final until they got it
15 right. But the proposed sends a strong signal.
16 But the stronger signal will be if we don't take
17 final action. So you know, you heard the concerns
18 of some of us on the sign. Some of us are okay
19 with it, some of us aren't. I know it's hard to
20 do, but come back with it right. You know, two or
21 three of us say one thing, two or three -- I hate
22 to be in that position sometimes. You know, but
23 anyway, I'm sure you can find a way to make it
24 work. Okay?

25 MR. KAUFMAN: We will do our best.

1 CHAIRPERSON HOOD: Okay. That's all we
2 can ask for.

3 MS. SCHELLIN: Do you want to go over the
4 list of items?

5 CHAIRPERSON HOOD: Let's do the list
6 first and then we will -- well, let me see about
7 moving forward, and I want to hear from my
8 colleagues.

9 MS. SCHELLIN: Yeah, okay.

10 CHAIRPERSON HOOD: Commissioner May?

11 MR. MAY: I'm okay with moving forward.

12 I'm with Mr. Turnbull on, you know, I can't agree
13 with the sign as it is proposed. But I don't mind
14 taking proposed action this moment, but I can tell
15 you I'm not going to vote for it at final if the
16 sign is in the place where it's at. I don't
17 believe that I can be convinced by arguments about
18 how appropriate it is. I think it's something
19 that we should not approve. So I just, you know -
20 - for me it's a matter of looking at what the
21 other locations are and whether we can come to
22 some agreement on a good location that's lower
23 than where it is.

24 CHAIRPERSON HOOD: Okay. Commissioner
25 Miller.

1 MR. MILLER: Mr. Chairman, I'm prepared
2 to move forward tonight and I think we can get the
3 different rendering, the different perspectives of
4 the sign at different locations and from across
5 the street how it looks at different -- and I'm
6 fine with it on the roof. I mean, it doesn't say
7 Edens. It doesn't say Goulston Storrs. I mean,
8 it's not really a commercialization and but
9 they're going to consult with the ANC and come
10 back on what the sign actually -- you know,
11 whether the neighborhood is supportive of the
12 actual brand as you talk about it.

13 CHAIRPERSON HOOD: Yeah, yeah. Thank
14 you. We need to add that to it. Yeah, we need to
15 add that to it.

16 MR. MILLER: So, but I'm prepared to move
17 forward --

18 CHAIRPERSON HOOD: Okay.

19 MR. MILLER: -- at the appropriate time.

20 CHAIRPERSON HOOD: I really think,
21 though, there's a strong message. I know I agree
22 with both Commissioner May and Commissioner
23 Turnbull about the sign. So I can tell you right
24 now, I can count. Okay. So I'm just -- I can
25 count.

1 MR. KAUFMAN: I'm not good at math
2 either, but I can count that too.

3 CHAIRPERSON HOOD: Well, you want to take
4 a quick lesson because we don't want it to be the
5 other way because I think this project is too
6 important to go the other way.

7 Okay. Any other comments up here?

8 Let's do this, let's see what we need
9 first and then we will make a motion.

10 MS. SCHELLIN: Okay.

11 CHAIRPERSON HOOD: That way if anybody is
12 hesitant.

13 MS. SCHELLIN: All right. Commissioner
14 May asked that they spell out the details for the
15 event space, you know, and when the term -- I
16 believe it is when the term will start.

17 Commissioner May asked also that they provide a
18 list of the events that have occurred maybe over
19 the last three years and what's ongoing.

20 Commissioner May, Turnbull, and Hood
21 still don't like the signage on top of the
22 building; believe it belongs at the level where
23 the market is, and can't agree to the rooftop
24 level.

25 Commissioner Cohen asked that they

1 confirm that the white color of the building is
2 not going to be reflective. Commissioner Cohen
3 asked that they provide the assumptions used for
4 the 700,000. Commissioner Hood asked that they
5 make sure the neighborhood wants to call the area
6 Union Market. Commissioner Hood asked that they
7 provide the historical information that was
8 discussed this evening. Commissioner Hood stated
9 that they may want to look at amenities that will
10 last the life of the project. Commissioner --

11 CHAIRPERSON HOOD: Actually, that's
12 something for the whole piece. Let's make this --
13 tie this to this particular PUD.

14 MS. SCHELLIN: Okay. For the area.
15 Commissioner Turnbull asked for perspectives of
16 the sign at the street level that the page A25 was
17 just too small. Commissioner May asked for
18 perspectives of alternatives of the signs.

19 Anything else?

20 MR. MAY: Well, I mean, perspectives can
21 be helpful but I mean, the point is just to see it
22 in some different locations, right?

23 MS. SCHELLIN: Different locations.

24 Okay. Anything else?

25 MS. COHEN: Yes, I just would like the

1 applicant to address the last two points that were
2 made by the Department of the Environment with
3 regard to increasing the points for the LEED
4 certification.

5 MS. SCHELLIN: Okay.

6 CHAIRPERSON HOOD: Okay. We have
7 anything else?

8 Okay. Colleagues, I will move approval
9 of the first stage and consolidated PUD as a map
10 amendment in Square 3591 and ask for a second.

11 MR. MILLER: Second.

12 CHAIRPERSON HOOD: It's been moved and
13 properly seconded. And again, that's case number
14 14-12, moved and properly seconded. Any further
15 discussion?

16 All those in favor? Aye.

17 ALL: Aye.

18 CHAIRPERSON HOOD: Any opposition? Not
19 hearing any, Ms. Schellin, would you please record
20 the vote?

21 MS. SCHELLIN: Yes, staff records the
22 vote five to zero to zero to approve proposed
23 action Zoning Commission Case No. 14-12,
24 Commissioner Hood moving, Commissioner Miller
25 seconding, Commissioners Cohen, May, and Turnbull

1 in support.

2 CHAIRPERSON HOOD: Ms. Schellin, do we
3 have anything else?

4 MS. SCHELLIN: Yes. I'd ask the
5 applicant if they could provide a draft findings
6 of facts and conclusions of law, and these
7 additional documents by -- let's see. We'll take
8 final action won't occur until March 30. If we
9 could have these items by March 2nd, 3:00 p.m.,
10 that would be great.

11 And also you know to abide by -- you need
12 to provide the information in 2403.15 through 21.
13 Okay?

14 MR. UTZ: Sure. Thank you.

15 MS. SCHELLIN: First filing due in seven
16 days.

17 MR. UTZ: Yes. Thank you.

18 MS. SCHELLIN: Thank you.

19 CHAIRPERSON HOOD: Okay. Are we all on
20 the same page?

21 I want to thank everybody for all the
22 work they put in to this, and also for coming in
23 on Wednesday night. And with that, this meeting
24 is adjourned.

25 (Hearing adjourned at 9:15 p.m.)