

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA  
2 Office of Zoning  
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9 PUBLIC HEARING OF THE OFFICE OF ZONING  
10 CASE 14-21  
11  
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13 6:42 P.M. to 8:41 P.M.  
14 Monday, May 21, 2015  
15

16 441 4th Street, N.W.  
17 Jerrily R. Kress Memorial Room  
18 Second Floor Hearing Room, Suite 220-South  
19 Washington, D.C. 20001  
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22  
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2 Board Members:

3 ANTHONY HOOD, Chairman

4 MARCIE COHEN

5 PETER MAY

6 ROBERT MILLER

7 MICHAEL TURNBULL

8

9 Office of Planning:

10 JENNIFER STEINGASSER

11 MAXINE BROWN-ROBERTS

12

13 District Department of Transportation

14 ANNA CHAMBERLIN

15 JONATHAN ROGERS

16

17 Office of Zoning

18 SHARON SCHELLIN, Secretary to the Board

19

20 Other

21 Leila Batties

22 Anthony Freeman

23 Maybelle Bennett

24

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## C O N T E N T S

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## P R O C E E D I N G S

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CHAIRPERSON HOOD: Good evening, ladies and gentlemen. This is a public hearing of the Zoning Commission for the District of Columbia. Today's date is Thursday, May 21, 2015. My name is Anthony Hood. Joining me are Vice Chair Marcie Cohen, Commissioners Miller, Commissioner May, and Commissioner Turnbull.

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We are also joined by the Office of Zoning staff, Ms. Sharon Schellin, and the Office of Planning staff, Ms Steingasser, Ms. Brown-Roberts, the District Department of Transportation, Ms. Chamberlin and Mr. Rogers.

18

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This proceeding is being recorded by a court reporter and is also Webcast live.

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Accordingly, we must ask you to refrain from any disruptive noise or actions in the hearing room. Notice of today's hearing was published in the D.C. Register, and copies of that announcement are available to my left on the wall

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1 near the door.

2           The hearing will be conducted in  
3 accordance with Provisions of 11 DCMR 3022 as  
4 follows: preliminary matters to applicant's case,  
5 report of the Office of Planning, reports of other  
6 government agencies, if any, reports of the ANC,  
7 organizations and persons in support,  
8 organizations and persons in opposition, rebuttal  
9 and closing by the applicant.

10           The following time constraints will be  
11 maintained in this meeting. The applicant has up  
12 to 60 minutes, organizations 5 minutes, and  
13 individuals 3 minutes.

14           The Commission intends to adhere to the  
15 time limits as strictly as possible in order to  
16 hear the case in a reasonable period of time. The  
17 Commission reserves the right to change the time  
18 limits for presentations, if necessary, and notes  
19 that no time shall be seated.

20           All persons appearing before the  
21 Commission are to fill out two witness cards.  
22 These cards are located to my left on the table  
23 near the door. Upon coming forward to speak to  
24 the Commission, please give both cards to the

1 reporter sitting to my right before taking a seat  
2 at the table. When presenting information to the  
3 Commission, please turn the speaker to the  
4 microphone, first stating your name and home  
5 address. When you are finished speaking, please  
6 turn your microphone off so that your microphone  
7 is no longer picking up sound or background noise.

8  
9           The decision of the Commission in this  
10 case must be based exclusively on the public  
11 record. To avoid any appearance to the contrary,  
12 the Commission requests that persons present not  
13 engage the members of the Commission in  
14 conversation during any recess or at any time.  
15 The staff will be available throughout the hearing  
16 to discuss procedural questions.

17           Please turn off all beepers and cell  
18 phones at this time so as not to disrupt these  
19 proceedings.           Would all individuals  
20 wishing to testify please rise and take the oath.  
21 Ms. Schellin, would you please administer the  
22 oath.

23           MS. SCHELLIN: Yes, please raise your  
24 right hand. Do you solemnly swear and affirm the

1 testimony you will give this evening will be the  
2 truth, the whole truth, and nothing but the truth?

3 Thank you.

4 CHAIRMAN HOOD: Again, I would ask, for  
5 the record, that the introductory remarks from the  
6 first case be incorporated in this case, and that  
7 is the introductions only. At this time, the  
8 Commission will consider any preliminary matters.

9 Does he staff have any preliminary matters?

10 MS. SCHELLING: Yes, sir, we do. The  
11 Applicant posted the property 6 days late, and  
12 they have asked for -- they have submitted a  
13 waiver, a request asking for a waiver of the rules  
14 to allow for the late posting, so we have that as  
15 a preliminary matter. We have one expert witness  
16 that needs to be considered, and other than that,  
17 I have nothing further.

18 CHAIRMAN HOOD: Okay. Any objections to  
19 the waiver, colleagues?

20 VICE CHAIR COHEN: Mr. Chairman, I don't  
21 have any objections. I think the Applicant has  
22 done an excellent job of reaching out to the  
23 community; so 6 days, I don't opposed lacking of  
24 posting - I don't think it's a problem.

1           COMMISSIONER MILLER: I would agree with  
2 Vice Chair.

3           CHAIRMAN HOOD: Okay. Alright, no  
4 objections, I don't believe, in granting of the  
5 waiver. Okay, Ms. Batties, who are we bringing as  
6 an expert?

7           MS. BATTIES: Mr. Steve Gresham, the  
8 architect for this project. He is with Niles  
9 Bolton Associates.

10          CHAIRMAN HOOD: Okay.

11          COMMISSIONER MAY: I'm sorry, I missed his  
12 resume in the submission. Can you tell me what  
13 submission it is in?

14          MS. BATTIES: Actually, I don't believe we  
15 proffered him or intended to proffer him as an  
16 expert. He is the architect of record and is  
17 prepared to testify on behalf of the project this  
18 evening.

19          CHAIRMAN HOOD: Okay, if we're not going  
20 to proffer him as an expert, we'll just move right  
21 on by that. We'll just listen to his testimony.  
22 Anything else? Any other preliminary matters?  
23 Okay, not hearing any, Ms. Batties, you may begin.

24          MS. BATTIES: The only other preliminary

1 matter I would ask is for the Zoning Commission to  
2 accept into the record the list of proposed  
3 conditions, the IZ Matrix, and the letter from the  
4 Housing Authority that I submitted to Ms. Schellin  
5 at the start of this hearing.

6 I would also like to introduce to my right  
7 - actually I'm going to start with my left. Mr.  
8 Charles Frazier, who is the Developer  
9 Representative for this project, and then to my  
10 right, Mr. Steve Gresham, the architect with Niles  
11 Bolton Associates. Our Project Traffic  
12 Consultation, Jami Milanovich will be here to  
13 answer any questions, and we also have available  
14 for questions, Mr. Freeman and Mrs. Bennett from  
15 Howard University. And, as noted, Mrs. Bennett  
16 really guided us through our Community Outreach  
17 efforts for both the Campus Master Plan as well as  
18 this case.

19 I would like to focus my opening remarks  
20 really on the Proposed Conditions that we have  
21 proffered. They were generated by our Benefits  
22 and Amenities Package for the project, and I think  
23 in just going through the 9 conditions that we  
24 have submitted into the record this evening, I

1 think we can address at least the non-design  
2 related issues raised by the Office of Planning in  
3 their report.

4           So, with that, I am just going to quickly  
5 - I won't read them as presented on the paper, but  
6 I will summarize and highlight some important  
7 things from those conditions.

8           The first condition relates to  
9 Inclusionary Zoning. The Office of Planning  
10 report states that the required IZ units will be  
11 in place for a period of 30 years. Actually, the  
12 required IZ units will be in place for the life of  
13 the project, as required by the IZ Regulations and  
14 DHCD; but, I do want to point out that the  
15 Applicant has proffered a deeper level of  
16 affordability; 60% AMI for all of the 2-bedroom  
17 units that are identified as IZ units. That was  
18 in direct response to some of the concerns raised  
19 by the community about having housing available  
20 for families.

21           The second condition relates to the  
22 affordable units for Howard faculty staff and  
23 graduate students. In addition to the 50 units  
24 that have been set aside for Howard, in addition

1 the Inclusionary Zoning units required under the  
2 Zoning Regulations, the Applicant will set aside 9  
3 units, affordable units, for Howard faculty and  
4 staff. They will be just like our IZ units. The  
5 2-bedroom units will be at 60% AMI, the balance  
6 will be at 80% AMI, and the Applicant will submit  
7 a separate covenant to identify those units and  
8 reserve them for Howard for the life of the  
9 project.

10 The third condition relates to the housing  
11 for Howard faculty and staff as we already  
12 discussed. Those will be 50 units. The developer  
13 and the University have entered into a private  
14 agreement whereby they will set up a system to  
15 have a database of Howard people interested in  
16 those units and then getting them into the 50  
17 units that will be set aside and available for  
18 Howard at all times throughout the life of the  
19 project.

20 And, if I can just back up for 1 moment,  
21 we also submitted, at the start of the hearing, an  
22 IZ Matrix, Inclusionary Zoning Matrix. It  
23 includes the breakdown of the Inclusionary Zoning  
24 units, the Howard affordable units, as well as the

1 market-rate units, and at the back of that Matrix  
2 there are 2 plans. One is for the IZ units, the  
3 distribution of the IZ units, and the second is  
4 for the distribution of the Howard affordable  
5 units.

6           The fourth condition relates to the Job  
7 Training Scholarships that the Applicant has  
8 agreed to support over a 5-year period, starting  
9 in June 2017. They will - in lieu of entering  
10 into a CBE agreement, the Applicant has agreed to  
11 provide up to 50 scholarships for people that live  
12 within a mile and a half radius of the property to  
13 get HVAC training. They are working right now -  
14 they have not finalized an agreement, but they are  
15 working, talking to an organization that would be  
16 responsible for identifying the applicants,  
17 eligible applicants, and then processing the  
18 applications for the scholarships.

19           The fifth condition relates to the  
20 improvements to the community recreation spaces in  
21 both the LeDroit Park Senior apartment building as  
22 well as the Garfield Terrace apartment buildings.  
23 These are located - Garfield Terrace is directly  
24 across the street from the PUD site. LeDroit Park

1 Senior Apartments are with the single-member  
2 District for the project, and the Applicant has  
3 worked out an arrangement with the Housing  
4 Authority, as reflected in the letter that we  
5 submitted at the start of the hearing. The  
6 Applicant will either donate \$110,000 to the  
7 Housing Authority, or arrange with the Housing  
8 Authority to come in where the developer would  
9 come in and make those improvements itself. The  
10 improvements include, not only improvements to the  
11 base buildings, but also new furniture, fixtures,  
12 exercise equipment to these spaces, and really the  
13 plans that are attached to the this letter are  
14 really the result of their numerous conversations  
15 with the people, the residents of both the LeDroit  
16 Park Apartments as well as Garfield Terrace  
17 Apartments.

18           The sixth condition states that the  
19 property will be certified Gold.

20           The seventh condition is that the property  
21 will have a green roof, as shown on the plans.

22           The eight and ninth conditions relate to  
23 transportation demand measures and traffic and  
24 pedestrian improvements as recommended by DDOT.

19 Finally, I would just say there are 3  
20 minor areas of flexibility relating to loading,  
21 lot occupancy, and roof structures. Again, they  
22 are minor, especially when you consider the  
23 project and the nature of the Benefits and  
24 Amenities Package.

1           With that, I'm going to conclude my  
2 opening remarks and Charles Frazier is going to  
3 testify briefly. Thank you.

4           MR. FRAZIER: Good evening, Commissioners,  
5 my name is Charles Frazier. I am with the  
6 Development Team, Barry Place Partners. That team  
7 consists of Ambling University Development Group,  
8 Gateway Investment Partners, as well as the  
9 Refrigeration Supply Company that existed in the  
10 refrigeration supply building there before.

11           By way of background, our development team  
12 has developed an approximately Nationwide, about  
13 28 states, and in excess of 30,000 units.

14           We initially approached the project  
15 approximately 10 years ago, the site, and sought  
16 to develop only the 907 Barry Place parcel with  
17 the vision and guidance of OP as well as the  
18 University and real estate executives. We  
19 recognized the broader opportunity of redeveloping  
20 the kind of gateway to Howard University as well  
21 as that lower Sherman Avenue. With that, we  
22 proceeded to create the project that you guys see  
23 before you. Thank you for the opportunity to be  
24 here.

1           MR. GRESHAM: Good evening, my name is  
2 Steve Gresham, I'm with Niles Bolton Associates  
3 Architects. You had asked for addresses; 3222  
4 Davenport Street NW, D.C., 20008. I am going to  
5 get right into the slide show we've got here.  
6 Thank you. Okay, now I'm going to have a hard  
7 time reading my notes.

8           CHAIRMAN HOOD: There is actually a light  
9 - well, there used to be a light. Thank you.

10          MR. GRESHAM: Ok, thank you. This is the  
11 project as it is proposed. It sits at the corner  
12 of Sherman Avenue and Barry Place. In this  
13 illustration, Howard Plaza Towers is to the right,  
14 Garfield Terrace is here to the left. You can see  
15 Banneker Recreation Center beyond. The slide of  
16 trees is where Georgia Avenue is, and beyond that  
17 is the main campus of Howard University.

18          The building, as you can see, is formed  
19 like a square donut around a central courtyard  
20 that is at the second level, because there is some  
21 slope, depending on where you start at, it could  
22 be considered the 3rd level. As you can see here,  
23 there is an extensive green roof of approximately  
24 29,000 square feet. One of the things that you

1 can see in this illustration, we'll talk about  
2 later. There are 3 roof structures, an elevator  
3 right here, an elevator over right there, and then  
4 a stair up to the roof at this location. We will  
5 talk about that a bit more later.

6 We are located, as I mentioned, just west  
7 of the Banneker Recreation Center within about a  
8 third of a mile of the U Street Metro Station.  
9 All but a tiny finger right up here of the Howard  
10 University Campus is within a half-mile walk.

11 Part of the land, as we have talked about,  
12 falls within the Howard Campus Master Plan and  
13 part does not. That obviously may change very  
14 soon.

15 These metric drawings show the building  
16 mass in context to the adjacent buildings. Our  
17 building is 80 feet in height, as measured along  
18 Sherman Avenue. It is effectively - Garfield  
19 Terrace, which is across the street over here, is  
20 effectively 4 or 5 stories taller because it is  
21 almost 20 feet higher to its basement level, then  
22 the building is 9 stories plus the basement.  
23 Howard Towers, which is just across the street to  
24 the south, is about 11 stories. So, we're not,

1 this is not a case of where we're coming in and  
2 building larger than the neighborhood. We're  
3 actually building a little smaller than the  
4 neighborhood, but also, unlike some of the other  
5 buildings there, we are building up to the street  
6 front, starting to catch up with the urban edge  
7 that is developing further south along Florida  
8 Avenue, the JBJ parcels, and down there.

9           Site circulation. The big take away from  
10 here is the entrance at the northeast corner of  
11 the building off of 9th Street, where we have all  
12 vehicular entrances into the building; loading  
13 dock, automobiles, access down to the parking  
14 garage and lower level - it all comes in there,  
15 trash trucks, the whole 9 yards. All the loading  
16 is off the street.

17           At set down, there was a question raised  
18 about access from the loading dock at this  
19 location over the retail uses, which are on the  
20 left side of the building. You can follow this  
21 orange line that comes down here. We have not  
22 been able to actually put the loading dock  
23 immediately adjacent to them because the area  
24 right above this is where the courtyard is above,

1 and we need the depth of structure to be able to  
2 provide the rainwater treatment system and the  
3 swimming pools in that area. It would wreak havoc  
4 with our plans if we had to get a 14-foot high  
5 clearance into this area. But, we have set a  
6 system of ramps in a direct line so that you can  
7 use hand trucks and dollies to get from the loading  
8 dock to the retail area. There is a very  
9 elaborate transportation management plan section  
10 that deals with loading that we can talk about  
11 later if we need to.

12           Following the way the building comes up,  
13 because of the slope of the site – you know, the  
14 front of the building at this lower part is out of  
15 grade, and the back of the building is not. We  
16 have resident entry in this lower left hand  
17 corner, residential units, these are 1-story units  
18 facing onto Barry Place, and then 2-story units  
19 facing onto 9th Street. At the upper level, which  
20 is where the retail is, at the 2nd level, we start  
21 to provide amenities for the residents in this  
22 corner above their lobby. We have 3 retail levels  
23 of approximately 12,000 square feet; the upper  
24 level stories of these units along 9th Street and

1 then the 2nd story of units facing onto Barry  
2 Place.

3 Moving up one level to the courtyard  
4 level, we come up with more of the orange-colored  
5 amenities; yoga, stretching, Pilates room, a  
6 regular fitness center here; there is about 750  
7 square feet and about 1500 square feet. At this  
8 area, we've got a mezzanine that provides about  
9 between 650 and 700 square feet of a business  
10 center for the residents, and then a space over  
11 here on the courtyard side that is 1250 square  
12 feet, which will include a demonstration kitchen,  
13 sort of a chef's kitchen, as well as seating and  
14 hangout areas, and an indoor space that opens up  
15 into the courtyard area. The remainder of that  
16 floor is residential units that face into the  
17 courtyard or out onto the street.

18           As we move up into levels 3, 4, and 5.  
19   You have residential units facing the courtyard  
20   and residential units on the exterior facing out.

21

22           When we get up to the 6th level, you start  
23 to find one of our other resident amenities. We  
24 have a sky terrace along with a green

1 wall/hydroponic garden up there.

2           When you go up one more floor to the  
3 street level, there is a mezzanine above the sky  
4 terrace that lets you get yet another level up to  
5 get views out. These dots you see here on the  
6 green roof are the condensers for the heat pumps.

7 We have a - this one elevator over right up here,  
8 we're going to talk about in more detail as we get  
9 further down - that is the one that OP raised a  
10 question about, as did the Zoning Commission at  
11 set down.

12           This building section gives you a sense of  
13 how the building is organized from the lower  
14 parking to the upper parking level. The thickness  
15 of the structure in here is why we had to hold the  
16 trucks back away from the back of the retail. We  
17 are providing about 10 feet underneath there, but  
18 putting 14 feet would be really deleterious to the  
19 project. I will show you this elevator right over  
20 here in greater detail in a minute.

21           Some of the building features we're  
22 showing here are examples of the types of spaces  
23 being designed into the community. We've got the  
24 courtyard, sky terrace, and some of the interior

1 amenities that are shown around here. These all  
2 comes from projects we have designed.

3           Now, to get to the one area where there  
4 was a question about a roof structure proximate to  
5 the exterior wall, it is still not maybe blown up  
6 as much as you would like to see it here, but it  
7 should be incorporated in the PUD submitted on  
8 page 45. As you can see, the 45-degree step back  
9 when we are back 6 feet 3 inches and we are 5 feet  
10 5 inches taller than this sort of eyebrow feature  
11 on the face of the building, the edge of the  
12 structure falls under that. We feel that it  
13 complies with the Zoning Requirements.

14           This is a layout of the courtyard area.  
15 The doors you see here are where we have access  
16 from the interior, rainwater treatment, swimming  
17 pool, lounges, and other places for the residents  
18 to enjoy their space sunning and so forth.

19           During the set down, there was a question  
20 raised about some of the colors and number of  
21 colors and the darkness of the colors of the  
22 building. Left, as before, this is what you  
23 received at set down, we have gone back and we  
24 looked at it. This grid now that covered 3

1 stories is now 2 stories tall. It is facing the  
2 balconies so that you're not looking at just plain  
3 handrail balconies everywhere across the building.

4 We're trying to give the building a little mass.

5 We have cut the colors back to much lighter  
6 colors here. On the south façade, I'm very  
7 pleased these are much lighter here. This band  
8 right here has become lighter by a shade, and we  
9 had some of the wood-colored siding back in this  
10 area has now become a lighter color. Then, you  
11 see that end over there a little better in this  
12 next view, which is from the corner of 9th Street  
13 and Barry Place than what you previously had -  
14 we've taken it back lighter. It is somewhat hard  
15 to see here, but we've taken the main façade of  
16 this building that is back on the face of it and  
17 taken that down from a dark gray to a medium gray.

18 Specifically, going through the elevations  
19 and some of the materials we're looking at, this  
20 is the west elevation facing onto Sherman Avenue.

21 You have precast concrete unit, masonry units  
22 here. These are larger than a concrete block, not  
23 even those proportions are like a concrete block,  
24 they're much larger, and it is a precast, and I've

1 got the material samples we can go over. Retail  
2 with storefront metal awnings. Storefront along  
3 the second - actually curtain wall along this area  
4 where all the amenities are, and then going back  
5 to a Nichiha siding material, where you have the  
6 residential units.

7 As you turn around the corner onto Barry  
8 Place, you see the curtain wall continues. The  
9 wood panel siding is a little bit more prominent  
10 here. I am running out of time, so I'm going to  
11 go quickly.

12 The east elevation along 9th Street, you  
13 can see how the same thing - we've got the precast  
14 concrete below this layer here, and then Nichiha  
15 paneling above. On the north side...

16 CHAIRMAN HOOD: Excuse me, you're not  
17 running out of time, so take your time.

18 MR. GRESHAM: Okay. I just saw 38  
19 seconds. I will slow down a little bit. Okay.  
20 On the north elevation, we are returning to  
21 precast concrete base around the building at the  
22 corner here and then turning over to a  
23 cementitious siding product, the Nichiha, that is  
24 designed to look like architectural block. Same

1 thing on this side where we are bringing the  
2 precast around the corner a good distance.

3 This is a look at some of the materials,  
4 sort of as they would be photographed in catalogs.  
5 I have a sample, a material board over here that  
6 I will bring out when the lights are back on, and  
7 we can talk about that. That's just a photograph  
8 of it.

9 Okay, our streetscape plans. We've got 3  
10 plans showing here. The top one is Sherman  
11 Avenue. That is the widest of the sidewalks.  
12 Reflective of the way that Sherman Avenue and  
13 Florida and so forth are developing north off the  
14 U Street corridor, a double row of trees, a  
15 regular line of street trees, and another line of  
16 flowering trees, with a substantial number of  
17 planters, you know, between the main walking path  
18 and the retail area, while still allowing access  
19 to the retail and also leaving some space for  
20 outdoor seating and dining.

21 The resident's entry is down in this area.  
22 We have transformer vaults below the sidewalk in  
23 this area. So there is no misunderstanding, there  
24 is a stair here, and there is a pedestrian path

1 across there, but it is only for emergency egress.  
2 It is not an entrance to the building. It will  
3 be locked off other than when people need it to  
4 exit in an emergency.

5 The lower level plan shows the streetscape  
6 along Barry Place. We've got a very narrow  
7 sidewalk, very narrow space between the curb line  
8 and the property line there - it's like 7 feet 4  
9 inches, with several street lights along there.  
10 We tried - we worked with the architecture, and  
11 I'll show you this in some sections in a minute,  
12 to make this feel wider than it actually is.

13 Along 9th Street, we have a row of street  
14 trees and planters, and in both cases, along  
15 Sherman Avenue and along 9th Street, these  
16 planters are going to be low-impact discharge  
17 planters, so they are going to actually add to the  
18 green characteristics of the building.

19 Some sections that start to show how the  
20 street works. This is Sherman Avenue, and this is  
21 the resident entrance - this is the southern end  
22 of Sherman Avenue where there is an overhang so  
23 that as you enter the building, you are under  
24 cover, and you've got amenity space above that

1 that comes out and looks out over the streetscape  
2 there.

3 At the north end where you have retail in  
4 the building, the sidewalk and the retail spaces  
5 are maintained levels so that people can flow in  
6 and out of the space. But, again, we have  
7 maintained the set backs in the first floor of the  
8 building to increase the amount of public space.

9 This section is cut just to the east of  
10 the southwest corner of the building where the  
11 resident's entry is around the corner there. But,  
12 this shows you kind of a section through Barry  
13 Place, the sidewalk, and you can see how we have  
14 held the face of the building back an additional  
15 4-5 feet, depending on the exact location, to  
16 increase the apparent width of the sidewalk, so  
17 you're not feeling quite so cramped. If you walk  
18 there right now, it's not the best feeling in the  
19 world, but you've got a brick wall that is  
20 literally right against the sidewalks. So, we're  
21 trying to improve that part of it.

22 Along 9th Street, we have a series of  
23 units. Because the sidewalk slopes up, you start  
24 out at the corner of 9th and Barry where the

1 street and the sidewalk are level with the first  
2 unit, but the sidewalk and the street are climbing  
3 reasonably rapidly, and it moves up. This is  
4 taken about a third of the way up, so after a  
5 couple of units, you are having to walk down a few  
6 steps to get to the entrance on the first floor of  
7 the unit. As you get further north on 9th Street,  
8 the units change and become like an English  
9 basement at the bottom, and you take stairs up to  
10 the main entrance on the 2nd floor of the units.

11 We're back at the corner of Sherman Avenue  
12 and Barry Place. You can see the entrance for the  
13 residents here, and this will give you a sense of  
14 the scope of the landscaping that we're planning  
15 to have along Sherman Avenue. We have not  
16 selected all the plant materials yet, so the idea  
17 here is it's just hardscape/softscape, kind of  
18 ratio that you would pick up from this. The other  
19 thing you start to see here is right now there is  
20 a fairly well-known mural painted on the side of  
21 the Refrigeration Supply Club building. We can't  
22 save that. I mean, it's literally painted on a  
23 block wall that is going to be demolished. What  
24 we can do though is recreate that and make that

1 the main lobby wall in the resident's lobby.

2           Okay, this starts to give you a better  
3 sense of the character along Sherman Avenue and  
4 Barry Place. The resident's entry, the 2 floors  
5 of amenities above the resident entry, and the  
6 yoga room/fitness room area, all of the  
7 residential units above that, and the  
8 streetscaping that we are planning along Sherman  
9 Avenue. This is the same one you saw before in  
10 the before and after, it is just a little larger  
11 and a little easier to follow here.

12           Off the community room and business  
13 center, we've got a balcony that comes out so that  
14 you've got an ability to get outside and see down  
15 the street. Similarly, off the sky terrace, it is  
16 a green wall hydroponic garden area here. We've  
17 got a lot of openness, and then we have a  
18 mezzanine up here that allows people to get up  
19 another level. It increases the variety of spaces  
20 available for the residents there.

21           We have now moved east along Barry Place,  
22 so this is Barry Place running over here on the  
23 left side, and 9th Street running up to the right.  
24 This façade is pulled out to sort of express

1   itself as being more than just a thin façade of a  
2   building. We've actually made it about 16 inches  
3   thick so that it gives the building a little bit  
4   of mass without it being too overwhelming. An  
5   open area of metal handrail balconies with the  
6   wood siding behind that transitioning to some of  
7   the closed balconies, where you've got the balcony  
8   rail is made up of siding. Street trees along 9th  
9   Street and the 2-story units that start out on  
10   grade and then later become where you enter in at  
11   these upper levels to the second level of the  
12   unit, and you have sort of a lower level English  
13   basement part of that unit.

14           Now, also at the set down, there was a  
15   question raised about what the entrance to the  
16   parking garage is going to look like. So, this is  
17   taken looking at the northeast corner, and this is  
18   the entrance to the garage. We are turning the  
19   finishes into the garage, but it will not have a  
20   garage door at the face of it. With 140 parking  
21   spaces and – a few more than that, 145 parking  
22   spaces, and trucks and everything coming in, we  
23   felt like it needed to be accessible 24/7. In  
24   fact, we have some car-sharing spots planned in

1 there. The general public needs to be able to get  
2 to those so that it's not just a resident of the  
3 building that uses the Zipcar or whichever use  
4 they have, Enterprise is really interested in  
5 these areas now. So, that answers the question  
6 about what that will look like.

7 Coming back to the main entry, you see the  
8 streetscape, the resident's entry, and then we'll  
9 step back a little bit from that. This is really  
10 the front door of the building here, and that's  
11 what I've got as far as prepared remarks. Thank  
12 you.

13 MS. BATTIES: That will conclude our  
14 initial presentation to the Zoning Commission,  
15 and, of course, we're happy to answer any  
16 questions that you have.

17 CHAIRMAN HOOD: Okay, thank you for your  
18 presentation. Let's see if we have any questions  
19 up here. Vice Chair Cohen.

20 VICE CHAIR COHEN: Thank you, Mr.  
21 Chairman. First of all, I would like to hear from  
22 Jami - I can't pronounce your last name -  
23 Milanovich, about why we can't improve the Barry...

24 MS. MILANOVICH: Sure, you're speaking of

1 the sidewalk?

2 VICE CHAIR COHEN: Yea.

3 MS. MILANOVICH: For the record, Jami  
4 Milanovich, with Wiles and Associates.

5 VICE CHAIR COHEN: Milanovich, okay, I'll  
6 learn it.

7 MS. MILANOVICH: You did well. You were  
8 very close. Transportation consultation for the  
9 project. I guess first let me orient you as to  
10 where the sidewalk in question is. It is actually  
11 located - I don't know how well you can see - but  
12 it's on Barry Place on the north side at its  
13 intersection with 8th Street, so it's a block east  
14 of our site. So, the sidewalk in question is  
15 right about there. The issue we're having is  
16 trying to figure out how to accommodate a sidewalk  
17 in that area. So, I've got a picture here.

18 MS. BATTIES: Excuse me, Sharon, can you  
19 lower the lights just a bit more? Thank you.

20 MS. MILANOVICH: So, this shows a picture  
21 of where the sidewalk is missing, and our concern  
22 is that we have an inlet here, an inlet on this  
23 side, and you can see we've got a couple of  
24 manholes in the street there, and then a light

1 post. I actually went out to the site today to  
2 look at this issue in particular, and from the  
3 foundation of this light post to the back corner  
4 of this inlet, is about 2 feet 4 inches, and so,  
5 we don't see any way, and I've talked to DDOT, and  
6 they thought there was a way to maybe get a  
7 sidewalk in kind of behind that inlet, but my fear  
8 is that the light post is in the way. So, we  
9 don't see a way to get a sidewalk in there without  
10 relocating those inlets and this manhole, and then  
11 obviously the below-grade work that is associated  
12 with that. Then, we've also got a very steep  
13 slope up this embankment, so we're talking about  
14 having to add retaining walls and that kind of  
15 thing. So, when we looked at it and we had our  
16 civil engineer look at it, it really just seemed  
17 very cost prohibitive in terms of the utilities,  
18 and frankly, at this point, we don't know what  
19 other below-grade utilities might be there. We  
20 have not had the opportunity to investigate that,  
21 but that may also contribute as well.

22 VICE CHAIR COHEN: So, how do people get  
23 from one side to the other? I mean, do they walk  
24 in the street?

1           MS. MILANOVICH: Well, it's interesting  
2 because on a typical street, this curb line would  
3 extend along here, and then that would either be  
4 sidewalk or grass, but what has actually happened,  
5 and I don't know the history of how happened, but  
6 you can see the curb kind of wraps around almost  
7 like a curb cut, and then they've got some asphalt  
8 put down. So, when you're walking along here, and  
9 there were actually kids out there walking when we  
10 were out there, you simply walk along this extra  
11 paved area. You step down off of the curb and  
12 walk along this paved area, and then step back up  
13 the curb on the sidewalk. So, you're not actually  
14 walking in the street - you're walking on asphalt,  
15 but it is out of the street.

16           VICE CHAIR COHEN: Is there some way to  
17 delineate that so - I mean, is it safe? Is it  
18 something that people are habitually doing just  
19 by, you know, natural, this is how I get from here  
20 to there? Is there anything that will make that  
21 look better?

22           MS. MILANOVICH: I mean, certainly we  
23 could talk to DDOT to see what could be done. I  
24 mean, perhaps there is some type of pavement

1 markings or striping on the asphalt that could be  
2 put down to sort of delineate that as a pedestrian  
3 path as opposed to part of the street, I mean,  
4 that might be something that we could talk with  
5 DDOT about and see if they were open to that.

6 VICE CHAIR COHEN: Yeah, I don't know,  
7 maybe my colleagues have some comments on that  
8 too, but I just wanted to hear from you what the  
9 problem was. I understand it better.

10 First of all, I do want to at least  
11 compliment the developer for providing greater  
12 affordability above and beyond the IZ units. And  
13 also, your proposal to go LEED Gold. I think  
14 that's really important. I had a couple of  
15 questions with regard to - I did not understand  
16 the loading issue and what that does to the  
17 building. I'm not an architect, so I cannot make  
18 those leaps. So, if you can go a little slower,  
19 maybe I can pick up on it.

20 MR. GRESHAM: I'd be happy to. I don't  
21 have the time pressure I was feeling before. Yes,  
22 let me run back to. Well, actually before we get  
23 there, you know when we have the courtyard that is  
24 above that parking level right now, what we want

1 to do is have it so that all of the units,  
2 residential units and amenity areas that are  
3 around that courtyard are at the same elevation as  
4 the courtyard itself, you know, as opposed to  
5 raising the pool up, which you sometimes see on  
6 the roof of a high rise. I mean, there are  
7 structural considerations for why it makes sense.

8 But, it would be a big barrier between the  
9 residential units or the community room, and all  
10 of the amenities that we have out here. So, we  
11 are trying to keep that so they are reasonably  
12 flat. Obviously, you've got some waterproofing  
13 and things like that we have to worry about.

14 Now, when you look at it in section, what  
15 you're seeing here, this thicker black line right  
16 there is showing that the deck and the depth of  
17 the pool, and the rainwater treatment facilities  
18 and things that are on there, and we need about 5  
19 or 6 feet between the actual depth of those things  
20 and the structure to hold it up. So, if you were  
21 to try to get the trucks into that same area,  
22 which you can start to see - let me get way back  
23 here - so that would be in this area right here,  
24 which is the area that is right behind where the

1 retail is. Okay. We would have to raise the  
2 building up at least 6 feet in order to  
3 accommodate that, which really becomes cost  
4 prohibitive. You would end up - just to get the  
5 trucks over here, you would be buying 6 feet of  
6 additional building height +/- over the entire  
7 building.

8           So, if we keep the loading docks over  
9 there and keep this area at a ceiling height where  
10 you can park cars, SUVs, and things like that, we  
11 can have the depth that we need to keep the pool,  
12 the rainwater treatment facilities, and all that  
13 deck area there at roughly the same elevation as  
14 the residential units. Is that making sense?

15           VICE CHAIR COHEN: Yes.

16           MR. GRESHAM: Okay.

17           VICE CHAIR COHEN: What type of retail are  
18 you expecting to be there? Neighborhood retail  
19 services?

20           MR. GRESHAM: I would expect with a little  
21 over 11,000, just under 12,000 square feet, you  
22 know, this is not going to be a grocery store.  
23 First, as I understand from JBG, that they've got  
24 a Whole Foods coming just 2 blocks south or so of

1 this, so, you know, it would be a tough sell for a  
2 Safeway giant or somebody like that in that size  
3 space. It is way, way too small. I could see  
4 there being a restaurant or two in this space,  
5 smaller neighborhood retail places like that.

6 VICE CHAIR COHEN: Now, you mentioned, and  
7 you showed a picture, I think, of shutters that  
8 you pull down at night for retail. Did I imagine  
9 that? I thought there were window treatments.

10 MR. GRESHAM: I don't recall having said  
11 that.

12 VICE CHAIR COHEN: Good, I'm glad, because  
13 that is not something that I would really  
14 recommend. It sends a negative message to the  
15 community. I saw that, maybe I was looking at the  
16 garage area.

17 MR. GRESHAM: I'm not sure where you might  
18 have seen it, but no, we don't have anything that  
19 comes down like a shutter. It's just regular  
20 retail storefront.

21 VICE CHAIR COHEN: Okay. Next, if you  
22 could walk me through some of the discussion you  
23 had about the steps, which is kind of, doesn't  
24 comply with ADA standards. How do you get around

1 that?

2 MR. GRESHAM: Well, actually, we will have  
3 access - we have to have access through Americans  
4 With Disabilities Act for all of it. There will  
5 be steps, for example, from the sidewalk along  
6 Sherman Avenue down to the lobby, but there is,  
7 the lobby is that same elevation as the sidewalk  
8 here, so this part of the sidewalk runs along the  
9 face of the building to provide access to the  
10 lobby. The other place where we have steps that  
11 you might have been thinking of, in fact, you can  
12 see some of them here, is along Barry Place and  
13 along 9th Street, and exterior access to those  
14 units. But, we also have a corridor at the back  
15 of those units that is accessible off the lobby,  
16 so people will be able to come into the building  
17 and access it using a wheelchair or if they just  
18 have mobility problems like walkers - they will  
19 still be able to go on grade to get into all of  
20 the units, where it is by coming through the lobby  
21 and going down the corridor or parking in the  
22 accessible spaces in the garage and then going  
23 straight into the units there. Yes. The building  
24 will be fully accessible under the Americans with

1 Disabilities Act and the Fair Housing Amendments  
2 Act.

3 VICE CHAIR COHEN: Okay, and then I have a  
4 question, and I know that - the scholarships  
5 program. Can you elaborate on that, because I have  
6 no idea about the possibility of substituting  
7 actual jobs and the incomes received from jobs  
8 versus these scholarships. I think I like that  
9 idea, but I don't know how much it's going to  
10 cost. You know, will it be sustainable? Will it  
11 be over time? It is going to be a one-shot  
12 scholarship? So, if you could elaborate, I'd  
13 appreciate that.

14 MS. BATTIES: You want to go ahead and  
15 take that questions, and I can supplement.

16 MR. FRAZIER: Sure, the job program was  
17 negotiated with the community associations, and  
18 the issue was not just giving a fish but teaching  
19 how to fish was the concept. We thought about the  
20 fact that the refrigeration supply company there  
21 had been doing a lot of different job training  
22 around HVAC technicians, etc., and so we thought  
23 how can we impact the direct community, which were  
24 the concerns that we were getting from several of

1 the associations. So, we can up with the - we  
2 settled on a radius of 1.5 miles, and then that  
3 scholarship will be 10 persons per year for 5  
4 years, so the idea was about 50 scholarships is  
5 what we've committed for, training scholarships.

6 VICE CHAIR COHEN: Can you provide the  
7 math for me, you know, after this hearing, just I  
8 want to make sure that I understand. Because, the  
9 HVAC scholarship, which one of my colleagues knows  
10 much more about the cost of that, and the EPA  
11 scholarship, what is that for?

12 MR. FRAZIER: The EPA was only just, and  
13 the CFC certification was only just a component of  
14 the HVAC technician training, and it can range  
15 from a series of trainings that the scholarship  
16 recipients elect to do.

17 VICE CHAIR COHEN: Okay, if you can  
18 calculate that offer; that would be very helpful,  
19 because, again, you know, we tend to see the jobs,  
20 and I'm not saying I'm against this, I think this  
21 is possibly a better way of promoting employment,  
22 but I just want to make sure that is kind of is an  
23 equivalent.

24 MR. FRAZIER: Yes, and we will provide

1 that, yeah, absolutely.

2 VICE CHAIR COHEN: Okay, thank you, Mr.  
3 Chairman, those are my questions for now.

4 CHAIRMAN HOOD: Let me just follow up on  
5 her question. I also want to make sure the market  
6 is there for a mile and a half. You know, I want  
7 to make sure that market is there that we are  
8 going to be able to have scholarships for people  
9 who live within the area of a mile and a half; at  
10 least, that's the way I understand it.

11 MS. BATTIES: Mr. Hood, I will say we  
12 worked with the neighborhood on the best way to  
13 identify or create a pool of people that would be  
14 eligible for the scholarship, and most  
15 importantly, I think Vice Chair Cohen, you talk  
16 about the CBE arrangement, the idea for this was  
17 to really benefit the people in immediate  
18 proximity to the site versus the CBE agreement,  
19 which is not limited to the people in the  
20 immediate neighborhood. So, we are working with  
21 neighborhood groups. We've had some preliminary  
22 discussions with the Urban League in terms of  
23 identifying and processing applicants that are in  
24 the immediate area.

1                   CHAIRMAN HOOD: I appreciate that. All  
2 that sounds good, but I want to make sure the  
3 market is there for a mile and a half. I know my  
4 predecessor is out there, and I know Ms. Bennett  
5 is going to have to take care of it, but I just  
6 want to make sure that the mile and a half, that  
7 the market is there. Do we need to go 2 miles?  
8 [cross talk] And, I understand about it - let me  
9 just say this. I understand about it benefitting  
10 the neighborhood, but, again, we've got a lot of  
11 stuff down here that sounds good, but it doesn't  
12 necessarily benefit the neighborhood. You know,  
13 oh, we're going to do this for the neighborhood,  
14 but if you don't have the market in that mile and  
15 a half, then it doesn't go to that neighborhood -  
16 that's my issue.

17                   MS. BATTIES: Okay.

18                   MS. BENNETT: Chairman Hood, one of the  
19 reasons why we went to a mile and a half is so  
20 that we could capture Park Morton, public housing  
21 on the northeast, we could capture on the  
22 northwest parts of Columbia Heights, Adams Morgan,  
23 we could capture parts of Shaw, the northeastern  
24 part of Shaw, we could capture the LeDroit Park

1 and Garfield Terrace public housing projects. So,  
2 we wanted to make sure that all of those were  
3 within that catchment area. So, are you  
4 suggesting that we - if we were not to find  
5 somebody, enough people to take advantage of these  
6 scholarships, that we ought to add some  
7 flexibility?

8 CHAIRMAN HOOD: We might need to add -  
9 maybe need to go 2 miles. I just want to make  
10 sure the market is there within a mile and a half.  
11 That's my concern.

12 MS. BENNETT: Okay.

13 MS. BATTIES: The way the condition is  
14 written is that prior to the issuance of the  
15 building permit, the developer will have entered  
16 into an agreement with an organization - we can  
17 identify the exact neighborhoods. Maybe we can go  
18 as far as, kind of really outlining the  
19 demographic profile of the mile and a half radius  
20 and come back prior to the issuance of the  
21 building permit with something that is  
22 satisfactory to the Commission.

23 CHAIRMAN HOOD: Well, it's satisfactory to  
24 me now. I just want to make that the interest is

1 there and that we get what we are trying to  
2 achieve. That's all I'm saying. I'm not knocking  
3 it. I think it's a great idea. But, I just want  
4 to make sure that within that mile and a half, we  
5 are able to accomplish what we set out to get,  
6 and, if not, we need to come up with a backup  
7 plan. But, as the late Mayor \_\_\_\_ [1:03:08] used  
8 to say, "You don't ever have a Plan B, because  
9 that means Plan A was never going to work anyway."  
10 But, I was just saying that we need to make sure  
11 that we have that within a mile and a half, but I  
12 think Ms. Bennett really helped me understand, but  
13 I'm just hoping that the interest is there to be  
14 able to do it. I hope it is, and, if not, then we  
15 need to have some wiggle room, because we want to  
16 make sure that we make sure that it happens.

17 MS. BATTIES: I understand.

18 CHAIRMAN HOOD: We're on the same page?

19 MS. BATTIES: Yes, we are.

20 CHAIRMAN HOOD: Okay, thank you. Who was  
21 first? Who wants to go second? We have to see  
22 who's on first and who's on second.

23 VICE CHAIR COHEN: Can I just add  
24 something?

1 CHAIRMAN HOOD: Sure.

2 VICE CHAIR COHEN: While everybody is  
3 deciding - I also want to compliment you on having  
4 this relationship with the Housing Authority. It  
5 is in desperate shape financially, so what you're  
6 doing is really important. I think Kelly Miller  
7 is nearby isn't it? That public housing project?  
8

9 MS. BENNETT: Yes, it is.

10 VICE CHAIR COHEN: So, maybe that's an  
11 opportunity to really get the most people in need  
12 of training and employment by going to the Housing  
13 Authority, but I am so pleased that you have that  
14 relationship going, thanks.

15 CHAIRMAN HOOD: Okay, Mr. Turnbull, would  
16 you like to go next?

17 COMMISSIONER TURNBULL: Sure, thank you,  
18 Mr. Chair. Thank you for your presentation  
19 tonight. This has the potential of being a very  
20 exciting and promising project. That being said,  
21 I have a few questions. Let's talk about the  
22 property and how this gets straightened out.

23 You've got the Howard University portion,  
24 which is going to be retained as Howard

1 University's ownership. You have the supply  
2 refrigeration company, who I take it is relocating  
3 someplace else.

4 MS. BATTIES: Actually, they are going to  
5 have their office within the project. They are  
6 going to maintain an office.

7 COMMISSIONER TURNBULL: An office within  
8 the project?

9 MS. BATTIES: Yes.

10 COMMISSIONER TURNBULL: And, they are a  
11 partner also?

12 MS. BATTIES: They are part of the  
13 development team.

14 COMMISSIONER TURNBULL: They are part of  
15 the development team, okay. So, when you record  
16 this PUD, how does this all get sorted out as far  
17 as property? We've got separate ownership? Are  
18 they retaining the rights to their property also?

19

20 MS. BATTIES: Correct.

21 COMMISSIONER TURNBULL: So, you're having  
22 ground lease agreements with the University and  
23 with Supply Refrigeration?

24 MS. BATTIES: Howard University will have

1 a ground lease agreement with Barry Place Partners  
2 and Barry Place Partners consists of the housing  
3 supply company, Ambling, and Gateway. So, there  
4 really will be 2 owners, 2 entities that will be  
5 the owners of the subject property.

6 COMMISSIONER TURNBULL: Okay, and then at  
7 the end of the PUD, whatever happens, it's kind of  
8 a convoluted property arrangement, but okay.

9 The mural, significant mural in D.C., when  
10 you recreate this, are you using the original  
11 artist?

12 MS. BATTIES: I will let you know.

13 COMMISSIONER TURNBULL: Such as \_\_\_\_\_  
14 [01:06:26] from San Francisco who did the sign?

15 MR. GRESHAM: We haven't crossed that  
16 bridge yet, frankly.

17 COMMISSIONER TURNBULL: You know, I mean,  
18 that was a significant venture by the Murals  
19 Program in D.C., and I think there are 5 or 6  
20 artists that contributed to that mural.

21 MR. GRESHAM: Yes, I read the history of  
22 it, and it's impressive.

23 COMMISSIONER TURNBULL: Yes, and it's a  
24 fascinating mural, and if you're going to recreate

1 it, I think you would need to look at the rights  
2 and the artists that need to be re-involved in  
3 this. I think it's something you need to look at  
4 and get back to us on that. It's a significant -  
5 you know, we've got some wonderful murals in this  
6 city, and that is one of them. I just think it  
7 needs to be looked at very carefully, and I don't  
8 know how you're going to do that. I think it's  
9 wonderful that you are going to try to retain it  
10 and incorporate it more so that more people can  
11 see it, because it is on that wall. It's kind of  
12 hard, it's all fenced off, so you really can't get  
13 up and look at it. But, you could, I would like  
14 to hear some more about how you are going to do  
15 that.

16 I know it's kind of hard to move the whole  
17 brick wall, yeah.

18 MR. GRESHAM: Yeah, we really have not  
19 discussed precisely how it would be done. I  
20 wouldn't want to speculate right now as to whether  
21 or not we could get the original artists. I'm  
22 assuming they're still alive.

23 MS. BATTIES: We'll come back to the  
24 Commission with that.

1                   COMMISSIONER TURNBULL: Thank you. I  
2 don't know, there may not be any rights to - but I  
3 think you have got to be careful on how you  
4 recreate that.

5                   MR. GRESHAM: Yes.

6                   COMMISSIONER TURNBULL: in your statement,  
7 you talk about the training program, you mention,  
8 which is a little bit - you are going to work this  
9 training through Refrigeration Supply, which is a  
10 partner of the development team, which is a little  
11 bit - and, what I'm concerned about with this is  
12 that if this is very - I mean, you talk about type  
13 1, HVAC, which is very minimal, it's basically  
14 domestic refrigerators, window air conditioners,  
15 and vending machines, it's a very baseline HVAC  
16 entry program.

17                   What I'm concerned about is if you're only  
18 going to be doing like \$500 or \$1000 or a week's  
19 training or 2 weeks' training to get people in, 50  
20 people, that's a very minimum investment in  
21 people's lives. I mean, typically, if you're  
22 going for HVAC training and going to a trade  
23 school, it takes about a year to go through the  
24 whole process, and that training can run - there's

1 a lot of - about \$20,000 per person, and that's  
2 tuition only. Tuition, books, and learning, so 50  
3 people would be \$1 million - is that what you're  
4 looking at for investment? Because that is very  
5 worthwhile. That is a significant investment that  
6 is very excellent training for people to have, but  
7 if you're going less than that, then I think  
8 you've really got to explain to this Commission  
9 what you're really doing for the benefits of these  
10 people. Because if they really want to get HVAC  
11 training, that is the way to go.

12 MS. BATTIES: Commissioner Turnbull, I  
13 don't know that we have enough detail to respond  
14 to that question right now. We will come back to  
15 the Zoning Commission with kind of an outline of  
16 all of the training and value of the scholarship.  
17

18 COMMISSIONER TURNBULL: Okay, because I  
19 think the other balancing of the other part of the  
20 scale on this is that if you're going into the CBE  
21 agreement, you're looking at hundreds of thousands  
22 of dollars of salaries for maybe, this is probably  
23 a 2-year construction project; so, if you're going  
24 to give me - you say we've got a \$25,000 to

1 %50,000 training program instead of having  
2 \$500,000+ for salaries, that is not cutting it.  
3 You need a significant training program that is  
4 going to be balancing out.

5 I agree your fish-fishing pole analogy is  
6 excellent, Mr. Frazier. I agree with that 100%,  
7 but in order to do that, you've got to invest.  
8 You've really got to invest, and I think the  
9 community needs it. So, I think you need to get  
10 back to us on that.

11 MR. GRESHAM: Sure.

12 COMMISSIONER TURNBULL: Okay, thank you.  
13 Let's see, the garage door bothers me a bit in the  
14 sense that I'm worried about security and how  
15 you're actually going to - people can just wander  
16 in then, and, I mean, is there a guard there? Are  
17 there cameras? Is there going to be someone on  
18 duty 24/7 to be able to control access to this?

19 MR. GRESHAM: There will be cameras. All  
20 of the doors off of the parking area will be  
21 fobbed so that you can't just walk up and open a  
22 door and go in, even if it's to go into a public  
23 space. There will be security cameras in there.  
24 I'm not really sure exactly how you provide the

1 24/7 access that you need, for example, for trash  
2 pickups, and we have not identified exactly where  
3 the car shares will go.

4 COMMISSIONER TURNBULL; I'm just concerned  
5 in a garage where somebody is down there going to  
6 their car, and someone goes down there, is  
7 lurking, and, I mean, what option is - what do you  
8 do on campuses or in other private garages where  
9 you have the Blue Light Special that somebody can  
10 go up and hit, you send out an alarm; I mean,  
11 you've really got to tell us about a security  
12 program if you're going to have this open.

13 MR. GRESHAM: Two things, yeah. The  
14 emergency call box is just sort of a given. You  
15 put them in every garage you do these days, so,  
16 yes, they would have that. The other thing we're  
17 looking at more than what you see in typical  
18 garages around here, which they are usually the  
19 gray of a concrete masonry unit as a wall, is to  
20 paint this and light it well. So, the idea is to  
21 paint the ceilings and the walls, I won't say pure  
22 white, but a light color so that you've got enough  
23 light in there that people can actually see what's  
24 going on as opposed to having dark corners.

1 COMMISSIONER TURNBULL: Okay.

2 CHAIRMAN HOOD: Mr. Turnbull, let me just  
3 add to that. I'm getting my questions in, so when  
4 it comes to me, I won't have to. I agree, Mr.  
5 Turnbull, we need to see a security plan, because  
6 I have a note here, because most of the time when  
7 we have those car-sharing, there is always an  
8 issue about public access, and tonight was my  
9 first time hearing something different. We would  
10 need to see a plan because, you know, I understand  
11 about the fabric and everything, but people that  
12 are lurking, their mind set in the world we live  
13 in today, we have to make sure that we have some  
14 kind of security and keep people safe. All that  
15 sounded good, but I know what really happens. I'm  
16 a realist, okay, so we need to come up with some  
17 kind of security plan.

18 MR. GRESHAM: Alright.

19 CHAIRMAN HOOD: Thank you.

20 COMMISSIONER TURNBULL: When you talk  
21 about the affordable housing, and it's listed down  
22 as a public benefit, and we agree, but here is  
23 part of my difficulty in looking at this is that,  
24 and again, your numbers have changed, and they

1 vary from what we got tonight, but basically there  
2 were 319 units, and originally I heard that there  
3 were 59 units going to be reserved for the  
4 University. That is about 18% of the overall  
5 units of the whole complex, and 15% of those units  
6 are affordable, 7 at 80%, and 2 at 60%. So, that  
7 gets back to there are basically then 260 units  
8 available for the community, and about 23 are  
9 affordable, and that basically gets to right  
10 around 8%, and only 2 of them are at 60%. So,  
11 what looks on the face as being a tremendous -  
12 that we've got 4 units, but 59 and these 9 units  
13 that are affordable are going to the University,  
14 who is not part of the Applicant, but is a partner  
15 with the Applicant. So, it's not truly clear to  
16 me that it's a great public benefit. It's a  
17 benefit to the University, but the public as a  
18 whole, the community around the University, it  
19 seems like they're being a little bit  
20 shortchanged.

21 MS. BATTIES: If I can just comment on two  
22 things. I think the point of creating housing for  
23 Howard faculty and staff is to facilitate or  
24 promote interaction between the University

1   constituencies and building a stronger campus  
2   environment. We would argue, and I think the  
3   community agrees, that this is better for the  
4   community at large.

5               Now, I will also say that it was members  
6   of the community that were very involved in  
7   negotiating the affordable units set aside for  
8   Howard University, so the original agreement of 50  
9   units, we believe provides or promotes a stronger  
10   community generally, but also is in keeping with  
11   Howard's Campus Master Plan, which designated...

12              COMMISSIONER TURNBUL: Yeah, but we're not  
13   part of Master Plan.

14              MS. BATTIES: I know, I'm just saying that  
15   since we're taking units or some of the property  
16   out of the Campus Master Plan, which the community  
17   agreed to, we thought that providing housing was  
18   kind of in keeping with the spirit of the Master  
19   Plan, at least on this section of the campus.

20              COMMISSIONER TURNBULL: And, I appreciate  
21   your explanation, but what is troubling me is a  
22   situation we've had on other Universities where  
23   separation with the community, and I think we're  
24   going to have to have OP refer to the OAG, the

1 Office of Attorney General, from this question,  
2 because you've got a University function in a non-  
3 University building, commercial building, and it's  
4 just troubling me that we've got these benefits -  
5 it's being little bit mishmashed a bit, and I'm a  
6 little bit troubled that the Applicant is a  
7 partner and getting a benefit, and at the same  
8 time trying to fit in with the community. I  
9 understand that, but your presentation of saying,  
10 "Oh, we've got this great affordable housing",  
11 it's really less than what you first picture. I  
12 mean, to me, you're barely at the 8%. You're a  
13 little bit over 8%.

14 MS. BATTIES: We're meeting the required  
15 8% and then on top of that, we're doing the 9  
16 affordable units for Howard. Now, but let me say...

17 COMMISSIONER TURNBULL: It just troubles  
18 me. I think the Office of Attorney General needs  
19 to weigh in on this. I think the Office of  
20 Planning needs to talk about this because I think  
21 it's mixing in a little bit of issues here.

22 MS. BATTIES: And I will just say one more  
23 thing, if I may, Mr. Turnbull. It's not a Dorm.  
24 It's not fixed housing for like a certain...

1           COMMISSIONER TURNBULL: It's for  
2     perpetuity, for the life of the project, that  
3     housing is guaranteed for Howard University.

4           MS. BATTIES: But, they're not paying  
5     Howard to stay there.

6           COMMISSIONER TURNBULL: I mean,  
7     Commissioner Miller brought it up. It's a  
8     University use.

9           MS. BATTIES: They're not paying Howard to  
10    stay there. The other thing I would note from a  
11    zoning standpoint is the regulations contemplate  
12    Campus Master Plans and property that is zoned  
13    residential or SP, but not in the commercial  
14    district, and that was really the basis for taking  
15    the property out of the Campus Master Plan,  
16    because the zoning regulations and framework don't  
17    contemplate Campus Master Plan applications in  
18    commercial districts.

19          COMMISSIONER TURNBULL: I just feel - my  
20    gut feeling on this, is that it is double dipping,  
21    trying to get benefits. I appreciate what you're  
22    trying to do, but I think as Commissioner Miller  
23    said, it's still - there's a University function  
24    on a non-Campus property that is not being

1 accounted for, and there is a questions - there's  
2 a gray area of what that really means, and I think  
3 the Office of Planning really needs to take a look  
4 at this. I mean, they've already - they wrote it  
5 in their planning report that they didn't see an  
6 issue with it, but I just have a feeling that  
7 there is a very gray area, and I have a feeling  
8 that the community around it is not getting the  
9 full benefit of a proffer for affordable housing  
10 that they could get for more housing or deeper  
11 affordable housing for the remainder of the  
12 project. I just feel that the community is being  
13 a little bit shortchanged because of Howard  
14 getting a piece of it. That's just my viewpoint  
15 on it right now, and someone else is going to have  
16 to weigh in on it.

17 I guess architecturally, it is improved.  
18 I still don't understand the 50-mm and 75-mm  
19 diving boards on Barry Place. These so-called  
20 overlooks. I really don't see the point. I think  
21 it's elitist. I think 4 people going out there to  
22 look around, it just really doesn't do anything  
23 for the building. I don't think it really is a  
24 successful feature. I think if you're going to

1 have a viewing space, make it a viewing space;  
2 don't have this little platform that just comes  
3 out and people can go out and look around. I just  
4 don't - both of them just don't make sense, I'm  
5 sorry.

6 I guess the other - the Sherman Avenue - I  
7 appreciate what you're trying to do, but the  
8 aspects sometimes on Sherman Avenue, it looks a  
9 bit like a motel. I mean, I see these open  
10 doorways, and it just looks a little less inviting  
11 than - I don't mean to be impolite, but I just -  
12 to me, it just seems a little bland. I just don't  
13 - you've got that whole top floor. It looks like  
14 there could be glass walls between the various  
15 units, and then just above the retail area, you've  
16 got that same effect, and then you've got the 2-  
17 story space. There is just something about it  
18 that just is not very appealing to me. But, I  
19 think I've talked enough, and, Mr. Chair, I will  
20 relinquish my time.

21 CHAIRMAN HOOD: Okay, Commissioner Miller,  
22 you want to go next?

23 COMMISSIONER MILLER: Sure, thank you, Mr.  
24 Chairman. I would joint with the Vice Chair in

1 commending the Applicant for providing a great  
2 amount and a deeper level of affordable housing  
3 than is required by Inclusionary Zoning. I guess  
4 I might disagree somewhat, Commissioner Turnbull,  
5 with the set-aside for Howard not being a benefit.  
6 Obviously it is a benefit to Howard to have this  
7 set aside for the staff and faculty and the  
8 graduate students, but it is also a benefit for  
9 the District that Howard people be close by, and I  
10 see them really as part of the community. They  
11 are a big part of this community, and so I see it  
12 is not double dipping; I see it as a double  
13 benefit, really. Because, people can walk right  
14 to where they work, across the street, or a couple  
15 of blocks away, and that certainly is a benefit to  
16 the District.

17 I did raise the question initially about  
18 the University use of what is now going to be a  
19 non-University, non-Campus Plan building, and I  
20 think I would like that question explored that you  
21 have asked OP to explore with OAG, as I mean, at  
22 some point, if this building became 50% occupied  
23 by Howard, it's so close, it's right there, and  
24 there are a lot of students who go there, there is

1 a lot of faculty and staff who work there; does it  
2 become a University use at some point just de  
3 facto even if it's not part of the Campus Plan,  
4 and what does that mean in terms of the fact that  
5 it we may be taking action that it is not going to  
6 be part of the Campus Plan. So, I would like that  
7 question answered.

8 But, I see it as a benefit that this  
9 quality housing is being provided and the  
10 affordable levels both for the public and for the  
11 Howard faculty and staff, and I appreciate the  
12 Applicant moving from the time of set down to  
13 provide that deeper level of 60% and for the  
14 larger units, I think that is significant. That  
15 is a significant public benefit.

16 I also appreciate the Applicants - I think  
17 at one point you may have been - maybe it was set  
18 down you were LEED Gold equivalent, and you have  
19 made clear in the most recent submissions that it  
20 will be certified as LEED Gold, and I think DDOE  
21 has suggested some what they call low-hanging  
22 fruit improved, but I wonder if you have any  
23 comment about - they thought there were 9 or some  
24 additional credits - of course, on your LEED score

1 card, you had 19 that would get you to the Gold -  
2 some of which would get you to the Gold, so maybe  
3 they are counting those, what you were counting  
4 anyway.

5 MR. GRESHAM: We have not examined their  
6 specific suggestions in detail. What I think you  
7 are referring to is we always shoot for more  
8 points than we need to achieve LEED Gold because  
9 sometimes things fall apart during construction.  
10 They don't recycle as much of the material as you  
11 expected, or something. So, that is why right now  
12 we have more points than we need to achieve LEED  
13 Gold. We'll certainly take a look at all their  
14 suggestions, and I think they may be low-hanging  
15 fruit, but we actually had our first major meeting  
16 with our sustainability consultation and our MAP  
17 engineers this morning, so we're really getting  
18 into this right now, and we'll go through all  
19 these points with them and see if we can get  
20 there. I mean, there's a lot about this project  
21 that is inherently easy to be sustainable. It's  
22 close to Metro, high-density housing, green roof,  
23 green area ratios, and things like that push us a  
24 long way along this path anyhow, so we'll see how

1 far we can go.

2 COMMISSIONER MILLER: I commend you on all  
3 those elements being part of it, and, yeah, I  
4 think it would be useful for us to have a formal  
5 response to the DDOE suggestions at the beginning  
6 of their report.

7 MR. GRESHAM: Okay.

8 COMMISSIONER MILLER: Before we get to  
9 final action on this. The Barry Place sidewalk, I  
10 agree with the Vice Chair - you said you are going  
11 to take a look at - in your dialog with the Vice  
12 Chair, you said you were going to look at this to  
13 see if there could be some kind of delineation of  
14 that asphalt pavement. I think that would be  
15 useful. I haven't actually walked there myself.  
16 I walked on the other side of Banneker, to the  
17 tennis courts there. So, I think it would be  
18 useful to have some kind of cross walk, at least  
19 at minimum some painting that would just - if it's  
20 safe to - if you know that you're stepping from a  
21 curb into there - just so you that you're stepping  
22 onto there. I think that just would be more  
23 attractive.

24 On the Barry Place sidewalk in front of

1 the building being too narrow to incorporate any  
2 kind of streetscape, benches, or tree boxes beyond  
3 the light poles, I think it is somewhat  
4 unfortunate. It looks just a little bit barren  
5 along that stretch. I mean, did you consider  
6 pulling back - during the design of this project,  
7 did you consider pulling back the front - I mean,  
8 that side of the - the Barry Place side 3 feet so  
9 that you could incorporate, or would that have  
10 such a detrimental effect on the program that it  
11 wasn't worth the 3 feet that you could put in a  
12 tree box.

13 Mr. GRESHAM: Three feet, you know when  
14 you take the entire width of the building and  
15 slide everything back, I mean, it's a pretty good  
16 hit to the building's program. That is why we  
17 came up with the idea of holding back the first  
18 floor the way we are showing it here.

19 COMMISSIONER MILLER: Yeah, I think that  
20 is useful.

21 MR. GRESHAM: We can't make - we can't  
22 change the property lines and the street lines,  
23 unfortunately. So, what we're trying to do is  
24 just make it so it felt a little better than it

1 would have otherwise.

2           COMMISSIONER MILLER: And, it's certainly  
3 incredibly more attractive than what's there right  
4 now. So, that's - I think the architecture,  
5 materials, and you did some changes to the colors  
6 in response to some of the comments from some of  
7 my colleagues the last time. I think in general  
8 they were improvements. I kind of did,  
9 personally, like the wood printed, the one on the  
10 corner of Barry Place. I think it would look  
11 better. I think it looked better with it going up  
12 the whole side there at Barry and 9th Street at  
13 the 9th Street corner - it kind of wraps it around  
14 from the 9th Street, and I think it makes it more  
15 cohesive. But, maybe that's just - you know,  
16 that's why you have 5 Commissioners with 5  
17 different opinions and that's how this city gets  
18 designed, by committee, and it becomes a mishmash  
19 because everybody gets a little bit of what they  
20 want.

21           But, I actually like - I think the  
22 architecture is exciting and interesting, and even  
23 the diving boards, I think are attractive. So,  
24 that's all in the eye of the beholder, I guess.

1           Ms. Milanovich, you said you are going to  
2 do the other two additional DDOT recommendations  
3 on upgrading the crosswalks and the turn pocket  
4 installation at Sherman and Barry Place?

5           MS. MILANOVICH: That's correct, yes.

6           COMMISSIONER MILLER: Do we have a - I  
7 think it might be useful just to get an evaluation  
8 of what that is so we know what your full public  
9 benefit mitigation cost or benefit is to the city.  
10 I think that's all I have, Mr. Chairman. In  
11 general, I think it's an excellent project, and I  
12 look forward to seeing it come to fruition. Thank  
13 you.

14          CHAIRMAN HOOD: I can't remember. Did all  
15 of us ask questions up here?

16          VICE CHAIR COHEN: Mr. Chair?

17          CHAIRMAN HOOD: Oh, Commissioner May, I'm  
18 sorry. [laughing]

19          COMMISSIONER MILLER: You save the best  
20 for last. [laughing]

21          COMMISSIONER MAY: I don't have any  
22 questions. You're right, I'm just kidding. First  
23 of all, can we get the materials board set up here  
24 so we can touch it, because I like to do that at

1 least.

2           So, in terms of the architecture overall,  
3 you know, I appreciate what you've tried to do to  
4 address the comments, but, and maybe we just sent  
5 too many mixed signals that it was hard to figure  
6 out the right things to do. I don't necessarily  
7 think that lightening all the colors was that  
8 great an idea. That wasn't one of my suggestions.

9 I was looking for just a simplification more than  
10 anything else. And, I actually agree with  
11 Commissioner Miller that, you know, losing the  
12 wood look cementitious panels on the one corner is  
13 probably fine. I mean, bringing those back, I  
14 think would probably be fine, but I think overall,  
15 there are just too many ideas that are happening  
16 with the façade. I'm not going to make a big deal  
17 about it. Believe it or not, I try hard not to  
18 design projects for people from the \_\_\_\_\_  
19 [1:31:58] but try to make suggestions that the  
20 designer can pursue to simplify or to improve on  
21 certain issues but in keeping with the initial  
22 design intent. And, I just, you know, there are,  
23 I don't know, 6 or 7 different material colors and  
24 the way you have your facades with the punch

1 windows overlapping with the grids and things like  
2 that; I mean, these are all very reasonable  
3 approaches to the design, but, again, it just  
4 feels like you're just trying to do too much and  
5 have too many moves going on. I am not asking you  
6 for any substantial changes to the design as a  
7 result of that. It's just, this is my reaction to  
8 it.

9 I agree also with Commissioner Miller that  
10 those couple of overlook balconies are okay,  
11 particularly since those are part of the community  
12 spaces within the building, right? There aren't  
13 any private balconies that project like that, are  
14 there?

15 MR. GRESHAM: No, sir.

16 COMMISSIONER MAY: And, those are the only  
17 projecting balconies, right, that extend over the  
18 property line, because that was a little bit  
19 confusing for me. It wasn't until Mr. Turnbull  
20 made the diving board comment that I figured out  
21 actually where those balconies were.

22 Can we look at the loading dock situation  
23 for just a minute? So what I'm wondering is  
24 whether you actually looked at shifting the ramp a

1 little bit so that the ramp actually went more  
2 along this line, and then looked at moving the  
3 loading dock maybe back into that zone. I know  
4 that would change the length of this section of  
5 the ramp. You would have to make it longer to go  
6 over here, and it may affect your turnaround. I'm  
7 not suggesting that you should redesign it that  
8 way - I'm just wondering if you actually looked at  
9 that kind of configuration.

10 MR. GRESHAM: Specifically, what you  
11 suggested, I'm not sure. We looked at a lot of  
12 different options.

13 COMMISSIONER MAY: Right, so, I mean, it  
14 might be worth a look. I understand completely  
15 why you wouldn't want to push anything into the  
16 central parking area. That rationale makes  
17 perfect sense to me, but I think if you could turn  
18 it at that point and then elongate the ramp a  
19 little bit, you may still be able to achieve  
20 everything - get your interior turnaround and so  
21 on, and it actually would segregate - right now as  
22 it is, you have all the people coming into the  
23 garage to park crossing in front of the loading  
24 dock, which is not an ideal circumstance.

1 MR. GRESHAM: Right.

2 COMMISSIONER MAY: So, if you had a way to  
3 put the loading dock over there and then have  
4 people enter here, or come in that way, it just  
5 might work a little bit better, so it's worth a  
6 look. Then, you wind up with the loading dock  
7 along the side with the retail, which is more  
8 important. Of course, that means where do you run  
9 your elevator up and figuring out your overrun and  
10 where that might be - so, anyway, I think it's  
11 worth a look.

12 I agree with the comments before about  
13 security in the garage. I am actually very  
14 concerned about it simply being wide open, even if  
15 it's well light, has cameras, and so on because  
16 you still have cars, which people can hide behind,  
17 between, and so on. Having cameras is fine, but  
18 they are probably most useful after something has  
19 happened rather than - sometimes as a deterrent  
20 knowing that you are on camera when you are doing  
21 bad things, but not always. So, it's a little bit  
22 of a concern for me. Again, if you were able to  
23 reconfigure the loading dock and get some  
24 segregation, maybe you could actually have a gate,

1 a roll-up, or something like that within the  
2 garage.

3 The elevator setback issue - essentially  
4 it is your contention that you are meeting the  
5 setback requirements for that one elevator along  
6 Barry Place. Is it on Barry Place?

7 MR. GRESHAM: On 9th Street.

8 COMMISSIONER MAY: On 9th Street. Because  
9 it is set back a distance equal to the height when  
10 compared to that roof over the balcony.

11 MR. GRESHAM: Yes.

12 COMMISSIONER MAY: And, I understand that.  
13 I think - I'm curious to see whether the Office  
14 of Planning agrees that is the correct  
15 interpretation of the setback from the adjacent  
16 roof, because you could look at it either way, but  
17 it certainly meets the intent from my perspective.

18

19 The thing that I find puzzling is that  
20 when you look at - I mean, this is the top landing  
21 for the elevator, right? This level here - or is  
22 there one at the roof?

23 MR. GRESHAM: No.

24 COMMISSIONER MAY: Just one there. So,

1 from that floor level there to the top of this  
2 roof here, you have 19 feet 1 inch.

3 MR. GRESHAM: That's a lot.

4 COMMISSIONER MAY: That's a lot. I mean,  
5 I assume, I mean, if you're using even standard  
6 elevators, you probably could get in a standard  
7 elevator and keep it more or less flush with that  
8 roof section. And, if you're using a low overhead  
9 - you know, a belted elevator, machine room-less  
10 kind of thing, you can put the whole thing in at  
11 15 feet. I'm not suggesting you need to change  
12 that if you are not planning on doing it - I'm  
13 just saying 18 feet is a lot of space, and then  
14 you're adding another 5-1/2.

15 MR. GRESHAM: Yeah, I agree.

16 COMMISSIONER MAY: So, it's worth another  
17 look, because if you don't need to do it...

18 MR. GRESHAM: We will certainly look at  
19 it.

20 COMMISSIONER MAY: I don't think I've seen  
21 courtyard elevations. Did you give us elevations  
22 of the interior courtyards?

23 MR. GRESHAM: No, we did not.

24 COMMISSIONER MAY: Okay, so I assume they

1 have been developed to some level, and I'm sure  
2 they are going to be fine, but I think they should  
3 be submitted for record. That is something that  
4 we typically look at.

5 MR. GRESHAM: Okay.

6 COMMISSIONER MAY: As far as the Barry  
7 Place sidewalk repairs, you know, it looks like -  
8 we've talked about just sort of painting something  
9 onto the sidewalk. I mean, why couldn't you  
10 actually just build up a sidewalk there? Why  
11 couldn't you just put in a curb that goes from one  
12 side of - what is it, 8th Street? I mean, that  
13 was where 8th Street went in and went through at  
14 one point, right?

15 MR. GRESHAM: We're not sure how it came  
16 to be. As Jami mentioned, it looks a lot like -  
17 when you look at this right here, it looks like a  
18 curb cut.

19 COMMISSIONER MAY: Well, it's not a curb  
20 cut. I think it is the original 8th Street. I  
21 mean, 8th Street continues directly opposite that  
22 on the other side of the street. So, I think it  
23 was where 8th Street went before they, you know,  
24 bermed it up to put in the playing field or

1 whatever. It seems to me that a curb going  
2 straight across there and, it is even brick  
3 sidewalk on the other side?

4 MS. MILANOVICH: Yes, it is brick.

5 COMMISSIONER MAY: So, we're talking about  
6 relatively simple construction doing brick pavers.  
7 The complicated thing is dealing with that and  
8 dealing with the manhole, right?

9 MR. GRESHAM: Yes. If you look at it,  
10 you've got a manhole here, a manhole there, a  
11 storm inlet here, and then it repeats exactly the  
12 same on the other side.

13 COMMISSIONER MAY: Right. I think - all  
14 I'm saying is that the complicated part is the  
15 storm inlets. You might have to bow the sidewalk  
16 in just a little bit to avoid that manhole, but  
17 you don't need to move the light post, you don't  
18 need to do any retaining walls or anything like  
19 that. I think that is the complicated piece, and  
20 if you can solve that, it might work.

21 Just a suggestion that I think it's worth  
22 another look.

23 The last question I have is - the  
24 condensers are shown spread out across the green

1 roof, and I'm wondering, have you detailed that?  
2 So, are those condensers actually going to be  
3 sitting on top of green roof or is there going to  
4 be some sort of pad underneath each one of them?

5 MR. GRESHAM: There will be a pad  
6 underneath the condenser, and the green roof will  
7 go around it.

8 COMMISSIONER MAY: It will go around it.  
9 And, you'll do sections of it - large sections,  
10 and you will just plant a bunch of them like that.

11

12 MR. GRESHAM: Yes.

13 COMMISSIONER MAY: So, your drawing isn't  
14 drawn that way. I'm wondering in the calculation  
15 of how much green roof there is, did you subtract  
16 out all of those pads for the condenser pads?

17 MR. GRESHAM: We did.

18 COMMISSIONER MAY: Alright. I mean, it's  
19 probably worth it just to draw a box around that  
20 to indicate where, because it looks like there is  
21 green roof everywhere, and you'll probably have  
22 paths between them, right?

23 MR. GRESHAM: The pads are about the same  
24 size as the condensor itself, so there is an

1 individual pad for each condenser.

2 COMMISSIONER MAY: Does that mean you are  
3 going to have like a foot of green stuff in  
4 between each pad?

5 MR. GRESHAM: I believe they are going to  
6 be space a little further apart than a foot, but...

7 COMMISSIONER MAY: Oh, I see. Yeah, they  
8 are. They are showing it to be about the width of  
9 a condenser.

10 MR. GRESHAM: Yes, typically you put them  
11 at about 6 feet on center, so you have a space  
12 between them that is about equal to the size  
13 because you need a certain amount of airflow.

14 COMMISSIONER MAY: Yeah, air flow, right.  
15 So, what we're seeing for green space between all  
16 these things is going to be green space.

17 MR. GRESHAM: Yes, sir.

18 COMMISSIONER MAY: Okay, alright. I hope  
19 it's a low-maintenance green roof and that your  
20 maintenance people will be able to handle that  
21 because, I mean, as much as I want to have as much  
22 green roof as possible, I'm also concerned about  
23 long-term operation and maintenance of it, so it  
24 might not be the most efficient layout for that.

1 So, that's it. Thanks.

2 VICE CHAIR COHEN: Thank you, Mr.

3 Chairman, I just have one other point. It is in  
4 the DDOT review about public space plans that  
5 currently show the utility vaults in public space.

6 On behalf of womankind, please get rid of them  
7 and push them as far as possible out of public  
8 space. I'm not stiletto-wearing, but it really is  
9 very unpleasant to walk on those.

10 MR. GRESHAM: Well, let me get to a plan  
11 that shows it, and I think you'll see that we have  
12 done a pretty good job of putting it so that you  
13 will not need to walk on it. That is the  
14 transformer grate on one side, and that is the  
15 transformer grate on the other. You have a  
16 planter that goes all the way around. It is sort  
17 of U-shaped around it on the left, and then U-  
18 shaped around it on the right, so there is only an  
19 opening here that is about 8 feet wide, and you  
20 aren't going to walk through there because if  
21 you're walking through there, that means that  
22 you're exiting the building in a fire. That's the  
23 only time people should walk through that area.  
24 These stairs right here are emergency egress

1 stairs, so you would come down the stairs and out,  
2 and then out to the sidewalk. So, the main  
3 sidewalk areas where people will walk do not have  
4 the grates.

5 VICE CHAIR COHEN: Thank you.

6 CHAIRMAN HOOD: Okay. I don't have a lot  
7 of questions, I actually don't have many. I just  
8 have a comment. I would agree with Commissioner  
9 Miller and Commissioner May on the design. I  
10 actually liked it before, but I'm not going to get  
11 into a lot of that. So, I like what you brought  
12 in here the first time as opposed to what was  
13 next, but I'm not going to get into that.  
14 [laughter] Our comments sometimes may throw  
15 people off. Well, I'm not going to say my  
16 comments, but maybe my comments too. But, I  
17 really liked what I saw before.

18 What I'm going to commend again - I'm not  
19 going to have other campuses and other colleges  
20 call Ms. Maybelle Bennett because I think I have  
21 given her enough work over the years. But, one  
22 thing I can say about any case dealing with Howard  
23 is there is universal support, and the letters  
24 that come in, while they may have one or two

1 concerns, again, you've done a hero of a job -  
2 heroine of a job - I want to make sure I do the  
3 feminine side - of a job to make sure that the  
4 neighborhood is well engaged, and, again, I want  
5 to commend you because it makes our jobs a lot  
6 easier. Now, we might have some architectural  
7 issues and some loading and radius and some other  
8 things we actually look at, but I want to commend  
9 you again Ms. Bennett because I have sat here for  
10 17 years now, and I can tell you that these campus  
11 plans are not the easiest things to work with, and  
12 to have letters that kind of look identical and  
13 say that we are all in unison and coming in  
14 support, my hat's off to you. And, I'm sure you  
15 had a lot to do with it. That's why I kind of  
16 don't have a whole lot of issues because normally  
17 my issues are community related. I see that while  
18 they do have one or two concerns about upkeep, but  
19 most of the letters from the different  
20 associations and ANC are very well supportive, and  
21 I know a lot of that is due to the input that you  
22 have went out and others probably have went out  
23 and done. So, again, I commend you. I may send  
24 one or two more campuses to you. [laughter] I

1 know you have told me in the past that you have  
2 been overworked. I've done that quite a bit over  
3 the years, and I know that you do a great job, so  
4 I wanted to make sure that I put that on the  
5 record.

6 MS. BENNETT: Thank you.

7 CHAIRMAN HOOD: Okay, alright.

8 COMMISSIONER MAY: I think she actually  
9 writes the letters, right?

10 CHAIRMAN HOOD: I don't know, but  
11 everybody signs them. [laughter] I don't know  
12 what she does, but I will tell you. I think we've  
13 seen a change in some of the other campuses too,  
14 thanks to Ms. Bennett, who I have actually  
15 encouraged them to reach out to. Anyway.

16 COMMISSIONER MAY: Mr. Chairman, can I...

17 CHAIRMAN HOOD: Yes.

18 COMMISSIONER MAY: There's something that  
19 I had forgotten to mention before, if you were  
20 done with that.

21 CHAIRMAN HOOD: I'm actually finished  
22 because I think in interrupted a few times and  
23 asked my questions.

24 COMMISSIONER MAY: Okay. So, I wanted to

1 talk to the issue that Mr. Turnbull had brought up  
2 about the University use of some of the units or  
3 the reservation of some of the units for  
4 University use. As much as I hate to disagree  
5 completely with Commissioner Turnbull, I disagree  
6 completely with Commissioner Turnbull. I don't  
7 think that's really an issue in this circumstance.  
8 I think the notion that the University would  
9 reserve some of the units for faculty and staff,  
10 and so we're talking about people who are going to  
11 wind up living near their work, and are adding  
12 something to the community they are in. We're not  
13 talking about students who are sometimes viewed as  
14 detrimental when they are living off campus but  
15 near campus and disturbing the peace of the other  
16 residents. In this circumstance, I think actually  
17 it's a really good idea, and I'm kind of hoping  
18 that it might catch on and that there might be  
19 other Universities that promote people living near  
20 their work. I think that in the bigger picture,  
21 that's a good thing both in terms of  
22 transportation demand and also in terms of  
23 building community between Universities and the  
24 surrounding neighborhood.

1                   CHAIRMAN HOOD: I actually think though,  
2 that comment is for when we get ready to  
3 deliberate, I mean, for me. I think all of us  
4 have a right to ask for what we want, and Mr.  
5 Turnbull has asked for something whether we agree  
6 with him or disagree with him, he'll get that  
7 information, and then when we deliberate and  
8 fight, we'll pull out the gloves and do what we do  
9 up here, and do well, then I think we can hash  
10 that out at that point. So, I don't want to  
11 deliberate at this point because we don't have all  
12 the information.

13                  MS. BATTIES: Commissioner Hood, if I may  
14 ask, just as we follow up on Mr. Turnbull's  
15 request. Would you have less of a concern if  
16 Howard was not a property owner?

17                  COMMISSIONER TURNBULL: Well, here's my  
18 issue. It's not an issue with Howard, per se, and  
19 as my colleagues have said, we've all known Howard  
20 has a great relationship with the community. My  
21 question is more of a basic question that this  
22 Commission has had problems with other  
23 Universities in other neighborhoods, and there has  
24 been a great concern about University owning

1 property and developing it and the neighbors have  
2 been very upset about the uses that have been  
3 going into those neighborhoods. So, it's not per  
4 se at Howard because of their great relationship.

5

6 My question is more of a basic one that  
7 gets back to University use with a building off-  
8 site and to what degree that is going to be  
9 accepted. I just want the office that we get back  
10 - where do we define the use of University use in  
11 a building off campus and where does it become a  
12 detriment to the community; not necessarily to  
13 this community. It's a very basic question that  
14 the Office of Attorney General - we have other  
15 campuses that have had some very serious issues,  
16 and we've gone to court over a lot of issues about  
17 developments in neighborhoods that a University  
18 has, and that the neighborhoods are very upset  
19 about. They feel that there has been a bending of  
20 the rules, and I just want to have a clear  
21 understanding of where we sit on this. Nothing  
22 against what Howard is doing. I think they've  
23 done a great job, and I think we've all known that  
24 over the years. My question is a basic one. Now

1 that this has come out and that Howard is a  
2 partner in a development, where do we draw the  
3 line, and when does it become an issue, and where  
4 is the tipping point?

5 MS. BATTIES: And, I guess the other part  
6 of that question is, does the reservation of units  
7 for Howard raise your level of concern versus just  
8 Howard owning part of the property, and it's a  
9 market rate.

10 COMMISSIONER TURNBULL: Yes, and I think,  
11 as the others have said, I think it's a great  
12 idea, it makes a lot of sense, and I just want to  
13 make sure that given a similar situation that  
14 might be a little different with another use, it  
15 may not be residential. Where do we hit the  
16 tipping point, and where does the - where do we  
17 run into a problem with the community as a whole  
18 that says the big University has taken over  
19 property and developing it. They're developers.  
20 What is the issue for the community? So, that is  
21 my question as to the tipping point, and what  
22 happens. I think, from my own personal  
23 standpoint, I think it's a wonderful idea. But,  
24 my question is just for the Commission as a whole

1 to be able to sit up here. When does the  
2 University use in a property that is not in a  
3 Campus Plan become an issue? That is my only  
4 concern that I think we need to address.

5 CHAIRMAN HOOD: I think you're exactly  
6 right, Mr. Turnbull, because in those other cases,  
7 I am actually one of the Commissioners that keep  
8 pushing that issue. But, again, maybe I'm  
9 thinking now, maybe I may recommend them again,  
10 like I think I have in the past, to see Ms.  
11 Bennett. But, anyway, I gotcha. I understand  
12 exactly what you are saying, and I think we kind  
13 of touched on some of that in ZR as we talked  
14 about it, because that issue is definitely real in  
15 some areas, and we need to kind of try to be  
16 consistent, even though Ms. Bennett, your work  
17 speaks for itself, I'll just say that again.  
18 Because, I can tell you, there's a big difference  
19 when Howard comes in here, and Ms. Bennett has  
20 done - and I don't work for Ms. Bennett - I'm  
21 telling you the reality of it. [laughter] Okay,  
22 any other questions? Commissioner Miller.

23 COMMISSIONER MILLER: Yeah, I'm sorry, Mr.  
24 Chairman, I just wanted to echo the Vice Chair's

1 commendation of the Applicant for coming back with  
2 more details on the community recreation  
3 improvements in the two Housing Authority  
4 properties and the letter from Housing and your  
5 relationship with the Housing Authority, and I  
6 appreciate the Applicant saying in response to  
7 Commissioners questions that you will provide more  
8 details on the job training program, and perhaps  
9 have that agreement in place with whoever is  
10 providing that job training prior to - I think we  
11 would probably need that prior to Final Action,  
12 not prior to the issuance of the building permit.

13 And, I appreciate also you saying, in response to  
14 Commissioners questions, that you will get back to  
15 us with the security plan for the garage. I agree  
16 with Commissioner May's comments and others that  
17 they are concerned about the security. It would  
18 need to have \_\_\_\_\_ [19:19] all the other things  
19 you talked about, the lighting and everything, but  
20 I appreciate it.

21 One other thing I appreciate is that I  
22 think on the north elevation you provided, which  
23 we did not have at set down that shows the at-risk  
24 windows, although I guess they are not that much

1 at-risk if Howard also owns the property on the  
2 other side and doesn't want to maybe shut out the  
3 windows for their other property. But, you made  
4 it attractive, which I appreciate.

5 CHAIRMAN HOOD: Okay, do we have anything  
6 different that we want to ask? Okay, let's go to  
7 Office of Planning and District Department of  
8 Transportation. Again, let the record reflect  
9 that ANC is not present, but they do have a letter  
10 of support, and we will read that later.

11 MS. ROBERTS: Thank you, Mr. Chairman.  
12 The proposed development is not inconsistent with  
13 the Comprehensive Plan, as the Future Land Use map  
14 designates the site for mixed medium-density  
15 commercial and medium-density residential, while  
16 the Generalized Policy Map designates the property  
17 as a land use change area. The proposed C2B Zone  
18 is not inconsistent with these designations, and  
19 further, the plan also meets many of the policies  
20 within the Comprehensive Plan. The requested  
21 flexibility that is requested, we think is  
22 appropriate for the proffers and amenities that  
23 are being provided. OP is supportive of many of  
24 the proposed amenities and the proffers, and based

1 on the questions that you have, we will continue  
2 to work with the Applicant to get some of the  
3 concerns addressed.

4           Regarding the Howard University affordable  
5 units for Mr. Turnbull, we will coordinate with  
6 OAG and get back to you on those.

7           Regarding the elevator setback, the Zoning  
8 Administrator has ruled that these setbacks are  
9 consistent, and so we will rest on that.

10           Thank you, Mr. Chairman, and we are  
11 available for questions.

12           VICE CHAIR COHEN: Any questions from  
13 Commissioners for Office of Planning? Let's go on  
14 to DDOT.

15           MR. ROGERS: Good evening. I would just  
16 like to hit on a couple of highlights in my  
17 testimony tonight. The Applicant has agreed to  
18 the DDOT requested conditions except for the  
19 sidewalk application on Barry Place and 8th  
20 Street. DDOT believes this is an important  
21 connection between the site and Howard University,  
22 and a likely connection to be used by future  
23 residents of the building. DDOT believes this gap  
24 should be remedied as part of the action. We

1 believe there is a lower cost option for filling  
2 this gap that would not require substantial  
3 changes to the storm water intake drains and light  
4 pole. In this case, we are not necessarily  
5 looking for a solution that meets DDOT's standards  
6 but rather an option that provides ADA accessible  
7 connectivity for this connection. Preliminary  
8 estimates indicate that this could be done for  
9 approximately \$20,000 to \$25,000, which I believe  
10 is substantially lower than what the Applicant's  
11 understanding of our request was. One minor  
12 point of clarification regarding transportation  
13 demand management, DDOT had previously requested  
14 the applicant to expand the financial incentive  
15 for car share or bike share membership. The  
16 specific requests were to extend the duration of  
17 that incentive to a period of 5 years and to  
18 expand the car share companies eligible from only  
19 Car-To-Go to all car share companies. This was  
20 something that the Applicant had indicated they  
21 agreed with in the supplemental Comprehensive  
22 Transportation Review. I notice in the Proposed  
23 Conditions provided tonight by the Applicant that  
24 they had not agreed to that one particular

1 condition, so that is something that DDOT would  
2 like clarity on, and just to reiterate, our  
3 position remains with respect to the financial  
4 incentive program that it be offered for a  
5 duration of 5 years and be made available to all  
6 car share companies as well as bike share. I  
7 would be happy to take any questions. Thank you.

8 VICE CHAIR COHEN: Anybody from the  
9 Commissioners having questions? I actually had  
10 one question. Again, the crash rates, I am just  
11 curious about Georgia Avenue and Barry Place. It  
12 is signalized. What is causing all these crashes?

13

14 MR. ROGERS: The - perhaps the Applicant  
15 can provide some additional information, but the  
16 Applicant's review did not indicate any particular  
17 pattern or cause of these crashes.

18 VICE CHAIR COHEN: Okay. Commissioner  
19 May, do you have any questions for DDOT? Okay,  
20 thank you. Does the Applicant have any cross  
21 examination for the Office of Planning or DDOT?

22

23 MS. BATTIES: We have no cross-

24 examination. VICE CHAIR COHEN: Okay,

1 thank you. I think we're on summary.

2 CHAIRMAN HOOD: No, we have the ANC  
3 letter. The ANC letter, as I stated earlier, it  
4 talks about support. In this case, it is Exhibit  
5 #32 as a regular scheduled meeting. It talks  
6 again about being postponed. But, anyway, the  
7 letter is supportive, and this is from the  
8 Chairperson, James A. Turner, Chair of ANC1B. He  
9 is the Commissioner for 1B09 and also the  
10 Secretary, Jessica Laura Smith, also signed this  
11 ANC1B07.

12 Do we have any additional government  
13 reports? We did have - I see DDOE in this one?  
14 Yeah, we did have - yeah, our exhibit DDOE report.  
15 Ms. Batties, did you cover some of the issues  
16 they mentioned in the DDOE?

17 MS. BATTIES: Mr. Gresham did in his  
18 response to the Zoning Commission.

19 CHAIRMAN HOOD: Okay, okay. Are we  
20 satisfied with what we heard? I can tell you, Mr.  
21 Wilson does an extensive job in his reports.  
22 Commissioner Miller.

23 COMMISSIONER MILLER: They said they would  
24 provide a written response to that, to us, before

1 final.

2 CHAIRMAN HOOD: I must have missed that  
3 part. Okay, great. I think that's all the  
4 reports we have. Did I miss any government  
5 reports? I don't think I did. Okay. Do we have  
6 any organizations or persons who - well, hold on,  
7 let me go back. No, let me do it. Do we have any  
8 organizations or persons who are here in support?

9 Any organizations or persons who are here in  
10 opposition? I will tell you again, we have a lot  
11 of support letters from organizations, LeDroit  
12 Park, let me go through them, well anyway, they  
13 are in the record. Let's see, I'll try to name a  
14 few. Pleasant Plains - my computer is not coming  
15 up as fast as I would like - we do have, what is  
16 this, 5A, Bloomingdale, anyway, there are a number  
17 of support letters in the file.

18 Okay, so Ms. Batties, do you have any  
19 rebuttal or closing?

20 MS. BATTIES: I am going to yield some of  
21 my closing to Jami Milanovich, so she can address  
22 the expanded car share membership that DDOT has  
23 requested.

24 MS. MILANOVICH: Yeah, I just - we did

1 agree to those conditions, and I just wanted to  
2 make sure the record reflected that. I neglected  
3 to provide the updated TDM Condition to Ms.  
4 Batties for the conditions. The condition would  
5 read: "A one-time annual membership either care  
6 share or bike share will be offered to new  
7 residents moving into the building for the first  
8 five years the building is in operation." So, we  
9 took out the reference to Car-To-Go, and we  
10 indicated that we would do so for the first five  
11 years the building is open.

12 MS. BATTIES: Just in closing, there is  
13 one thing I would like to note for the record, Mr.  
14 Chair. I don't know who at this table would do  
15 so, but recited during our dress rehearsal almost  
16 verbatim your comments about Ms. Bennett, and the  
17 wonderful work that she did in terms of the  
18 community outreach.

CHAIRMAN HOOD: That was  
19 part of your rehearsal? Okay, well let me just  
20 say this, I want you all to get your own comments  
21 from now on - those are my comments. [laughter]

22 MS. BATTIES: We have nothing further in  
23 closing. We appreciate all of the feedback  
24 received by the Zoning Commission, and we look to

1 get responses to the questions and concerns raised  
2 as soon as possible.

3 CHAIRMAN HOOD: Okay, any other followup?  
4 Vice Chair Cohen.

5 VICE CHAIR COHEN: Yeah, Jami, do you know  
6 why - what is going on at that corner where there  
7 are so many crashes at Georgia and Barry?

8 MS. MILANOVICH: Unfortunately, no, I  
9 cannot say what causes those crashes. When we get  
10 the crash data from DDOT, we are told how many  
11 angle collisions there are, how many rear-end  
12 collisions there are, but we are not provided any  
13 information in terms of what direction the  
14 vehicles are traveling, whether there was any  
15 inclement weather that may have contributed, you  
16 know where there is poor lighting at the  
17 intersection, whether they happened during the day  
18 or at night. So, we can't offer an opinion as to  
19 what might be the causation of those incidents,  
20 nor can we obviously then make any type of  
21 recommendation to solve those. We just simply do  
22 not have that information available to us.

23 VICE CHAIR COHEN: Alright, because I  
24 noted that it was a signal - you know, it had a

1 signal. It should be not as dangerous as it  
2 appears to be.

3 MS. MILANOVICH: Right. A lot of times  
4 what happens at traffic signals, you have more  
5 rear-end collisions, and at unsignalized  
6 intersections you tend to have more angle-type  
7 collisions. But, like I said, without more  
8 details, I cannot really say what is causing  
9 those.

10 CHAIRMAN HOOD: Okay, I don't want to get  
11 in trouble. We do have a letter from Pleasant  
12 Plains in support. I can't seem to find it. Did  
13 I leave any support letters out? Because when  
14 communities work hard enough to do a letter, I  
15 want to make sure...

16 MS. BENNETT: The Georgia Avenue Community  
17 Development Task Force.

18 CHAIRMAN HOOD: Yeah, that's another one.  
19 Okay, Georgia Avenue. Did I leave any others out  
20 that you can name?

21 MS. BENNETT: 1B11.

22 CHAIRMAN HOOD: I think I said - didn't I  
23 say ANC?

24 MS. BENNETT: That's the single-member

1 District. It was a separate letter of support.

2 CHAIRMAN HOOD: Yeah, okay. I know there  
3 were quite a few. So, did I leave any others out?  
4 [laughter]

5 MS. BENNETT: No sir, I think you got them  
6 all.

7 CHAIRMAN HOOD: Okay, I don't want to get  
8 in trouble. [laughter] Because I'm in the  
9 community too, and I see a lot of people who have  
10 written letters, so I don't want to get in  
11 trouble.

12 Okay, so you all are finished. Ms.  
13 Schellin, colleagues, anything else we need? Can  
14 we run through what we're looking for, Ms.  
15 Schellin?

16 MS. SCHELLIN: Yes, sir. Commissioners  
17 Cohen and Hood asked them to calculate the proffer  
18 regarding the training, the scholarships, make  
19 sure the market is there within the 1-1/2 mile  
20 radius. Commissioner Turnbull asked them to look  
21 into how and who will recreate the mural that they  
22 are having to take down. Commissioner Turnbull  
23 asked for more detail on the HVAC training being  
24 proffered, the level of training, just more detail

1 on that. Commissioners Turnbull and Hood asked,  
2 and I believe Commissioner May and Miller, pretty  
3 much everyone, the security plan for the garage.  
4 Conflicting information on the two diving board  
5 viewing areas. Commissioner Turnbull didn't like  
6 it. Commissioner May and, I think it was,  
7 Commissioner Miller were okay with it.

8 COMMISSIONER TURNBULL: We have a lot of  
9 swimmers here, so I think they are going diving  
10 off this thing, so I think there is not an issue.

11 MS. SCHELLIN: So, I should remove that  
12 one?

13 Do what you want with that one. It's anyone's  
14 guess.

15 VICE CHAIR COHEN: I liked it, if it  
16 helps.

17 COMMISSIONER TURNBULL: I'll try to ignore  
18 it. [laughter]

19 MS. SCHELLIN: Commissioner Turnbull  
20 talked about the Sherman Avenue façade. He  
21 thought it looked bland, almost hotel-like. Maybe  
22 you could take a look at that. Commissioners  
23 Turnbull and Miller - actually I think that maybe  
24 that's not for you guys - it's more of a question

1 for OAG to answer about the building maybe being  
2 de facto University use, so we will get OAG to  
3 weigh in on that. Commissioner Miller asked that  
4 you respond to DDOE's report. Commissioner Miller  
5 also asked that you check with DDOT to see if  
6 there is some delineation of the paved sidewalk  
7 area. But, then Commissioner May went even  
8 further saying that he thought that maybe the  
9 sidewalk could actually be provided. Commissioner  
10 Miller asked for an update on the, if I got this  
11 correct, mitigation costs regarding an update on  
12 the traffic mitigation and costs.

13 MS. BATTIES: Improvements.

14 MS. SCHELLIN: Okay. Commissioner May:  
15 take a look at the loading dock and the ramp area.  
16 You might be able to revise that some.

17 Commissioner May: take another look at the  
18 elevator, I believe it was on 9th Place, if the  
19 18-1/2 feet are not needed, he suggests not using  
20 the full 18-1/2 feet. Commissioner May asked for...

21 COMMISSIONER MAY: They have the 18-1/2  
22 feet plus 5-1/2. I'm saying the 5-1/2 may not be  
23 needed.

24 MS. SCHELLIN: Okay, the 5-1/2, okay.

1 Provide the courtyard elevations. And, that's all  
2 I have.

3 CHAIRMAN HOOD: Okay, do we need any  
4 dates?

5 MS. SCHELLIN: Yes. Would 2-1/2 weeks be  
6 enough time?

7 MS. BATTIES: Yes.

8 MS. SCHELLIN: Okay, so that would be 3:00  
9 p.m., of course I wrote this down somewhere, 3:00  
10 p.m. on June 8, 2015, and if the ANC chooses to  
11 respond, I don't think we're looking for response  
12 from OP and DDOT on anything, are we? Okay, so if  
13 the ANC chooses to respond, they have until 3:00  
14 p.m. on June 15, 2015. Draft findings, facts,  
15 conclusions of law also 3:00 p.m. on June 15,  
16 2015, and then we can put this on for Proposed  
17 Action on the June 29th meeting agenda.

18 CHAIRMAN HOOD: Okay, Commissioner Miller.

19 COMMISSIONER MILLER: I just had a  
20 question. Do you think all those things could be  
21 provided before Final, and we could take Proposed  
22 Action tonight, or do you just think it's too many  
23 things on the list? I thought that...

24 CHAIRMAN HOOD: Okay, they would rather

1 wait unless there is a rush, but I don't think  
2 there is. I think we'll just go ahead and wait.  
3 I could go with that. There is some concern, so  
4 let's just hold off. Anything else, Ms. Schellin?

5

6 MS. SCHELLIN: No, sir.

7 CHAIRMAN HOOD: Alright. I want to thank  
8 everyone for their participation tonight, and this  
9 hearing is adjourned.

10 [off record]

11 CHAIRMAN HOOD: This is the first time for  
12 everything. Can we go back on the record? Okay.  
13 Is Webcast live? I would move that we approve  
14 Zoning Commission Case #14-21 and ask for a  
15 second.

16 VICE CHAIR COHEN: Second.

17 CHAIRMAN HOOD: Okay, it has been moved  
18 and properly seconded.

19 COMMISSIONER MAY: I'm sorry, I'm sorry.  
20 I thought we were talking about the first case.

21 CHAIRMAN HOOD: No, this one, this case.  
22 That's why I went back on the record.

23 COMMISSIONER MAY: I thought it was the  
24 first case. That's why I was suggesting it.

1 CHAIRMAN HOOD: Okay. It has been moved  
2 and properly seconded. No, we have to do this  
3 case first and then the first one second.

4 MS. SCHELLIN: The first case, you cannot  
5 take action on.

6 CHAIRMAN HOOD: This one, we can.

7 COMMISSIONER MAY: Can I?

8 MS. SCHELLIN: Yes, the first case takes 1  
9 vote, and you cannot take action until Final  
10 Action is taken on this case.

11 CHAIRMAN HOOD: Right, so I am going to  
12 still move...

13 MS. SCHELLIN: The purpose of the first  
14 case is - the only purpose for that is for the  
15 PUD, and action cannot be taken until Final Action  
16 happens on this case.

17 CHAIRMAN HOOD: Since I went back on the  
18 record, I am going to continue to move forward  
19 with my motion, and I am going to ask for a  
20 second.

21 COMMISSIONER MILLER: Second, Mr.  
22 Chairman, I think a lot of the requests that we  
23 have asked for...

24 CHAIRMAN HOOD: We will wait for final...

1 COMMISSIONER MILLER: The Applicant is  
2 agreeable to providing, I think they can provide  
3 that before Final Action.

4 CHAIRMAN HOOD: Right. Any further  
5 discussion? We will get all the information we  
6 asked for before final. All those in favor?

7 (A chorus of ayes.)

8 CHAIRMAN HOOD: Any opposition? So  
9 ordered. Staff, would you please record the vote.

10 MS. SCHELLIN: Yes, staff records the vote  
11 5-0-0 to approve Proposed Action Zoning Commission  
12 Case #14-21, Commissioner Hood moving, and  
13 Commissioner Miller seconding, and Commissioners  
14 May, Cohen, and Turnbull in support.

15 CHAIRMAN HOOD: Who says gifts don't come  
16 in May? Okay, so anything else? With that, I  
17 want to  
18 thank everyone for their participation, and again  
19 for also considering coming back online and with  
20 that, this hearing is now adjourned.

21

22 (Whereupon, at 8:41 p.m., the meeting was  
23 concluded.)

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