

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
2 Zoning Commission

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9 PUBLIC HEARING

10 Case No. 15-03 [Aria Development Group - Consolidated
11 Review and Approval of a Planned Unit Development and
12 PUD - Related Map Amendment.]

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16 6:33 p.m. to 9:48 p.m.

17 Thursday, December 10, 2015

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19 Jerrily R. Kress Memorial Hearing Room
20 441 4th Street, N.W., Suite 220 South
21 Washington, D.C. 20001

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1 Board Members:

2 ANTHONY HOOD, Chairperson

3 MARCIE COHEN, VICE CHAIR

4 PETER MAY, Commissioner

5 ROBERT MILLER, Commissioner

6 MICHAEL TURNBULL, Commissioner

7

8 Office of Zoning:

9 DONNA HANOUSEK, Acting Secretary

10

11 Office of Planning:

12 JOEL LAWSON

13 ELISA VITALE

14

15 DDOT:

16 ANNA CHAMBERLIN

17 JONATHAN ROGERS

18

19 Other:

20 CARY KADLECEK

21 JIM WATSON

22

23 Participants:

24 ALLISON PRINCE, Esq.

25 JOSHUA BENAIME

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4 MARK RANSLEM

5 BENJAMIN BERLIN

6 TRACEY MERKLE

7 ELIZABETH ISAMAN

8 PETE FARINA

9 PATRICK NELSON

10 PHILLIP KENNEDY

11 WALTER LUNDY

12 MARY KATHERINE JOHNS

13 PEGGY LEWIS

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

2 CHAIRPERSON HOOD: We're ready to get
3 started. Good evening ladies and gentlemen, this is
4 the public hearing of the Zoning Commission for the
5 District of Columbia. Today's date is December 10th,
6 2015. We're located in the Jerrily R. Kress Memorial
7 Hearing Room.

8 My name is Anthony Hood. Joining me are Vice
9 Chair Cohen, Commissioner Miller, May, and Turnbull.
10 We're also joined by the Office of Zoning staff, Ms.
11 Donna Hanousek, Office of Planning staff Mr. Lawson
12 and Ms. Vitale, District Department of
13 Transportation, Mr. Rogers and Ms. Chamberlin.

14 The proceeding is being recorded by a court
15 reporter and it's also webcast live. Accordingly, we
16 must ask you to refrain from any disruptive noises or
17 actions in the hearing room. Including the display
18 of signs or objects.

19 Notice of today's hearing was published in
20 the D.C. Register, and copies of that announcement
21 are available to my left on the wall near the door.

22 The hearing will be conducted in accordance
23 with provisions of 11 DCMR 3022 as follows,
24 preliminary matters, applicant's case, report of the
25 Office of Planning, report of other government

1 agencies, report of the ANC, in this case it's 1B,
2 organizations and persons in support, organizations
3 and persons in opposition, rebuttal and closing by
4 the applicant.

5 The following time constraints will be
6 maintained in this meeting. The applicant has up to
7 60 minutes. Organizations five minutes, individuals
8 three minutes.

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

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

21 The decision of the Commission in this case
22 must be based exclusively on the public record. To
23 avoid any appearance to the contrary the Commission
24 requests that persons present not engage the members
25 of the Commission in conversation during any recess

1 or at any time. The staff will be available
2 throughout the hearing to discuss procedural
3 questions.

4 Please turn off all cell phones at this time
5 so not to disrupt these proceedings. Would all
6 individuals wishing to testify please rise to take
7 the oath? Ms. Hanousek, would you please administer
8 the oath? All who are going to testify, if you could
9 rise so you can take the oath?

10 [Oath administered to the participants.]

11 CHAIRPERSON HOOD: Okay. Ms. Hanousek, do we
12 have any preliminary matters?

13 MS. HANOUSEK: Yes. We had a party status
14 and opposition request at Exhibit 45, and at 45A you
15 can see that the party status application has been
16 withdrawn and now there is support.

17 And then the only other preliminary matter
18 will be proffered experts.

19 CHAIRPERSON HOOD: Okay. Thank you, Ms.
20 Hanousek. Colleagues, as mentioned, the party status
21 issue was resolved apparently, and they now have
22 transferred their level of support to support and
23 we'll leave it at that, and that is noted in the
24 file.

25 Okay. Let's go to experts. Mr. Kadlecak, if

1 you want to introduce yourself?

2 MR. KADLECEK: Good evening members of the
3 Commission. I'm Cary Kadlecak from the law firm of
4 Goulston and Storrs on behalf of the applicant.

5 We're proffered two experts, Ralph Cunningham
6 and Dan VanPelt. Unfortunately, Mr. VanPelt is ill
7 and was not able to make it tonight, so in his place
8 his colleague, Jim Watson, will be testifying on his
9 behalf. We have given his resume to Ms. Hanousek and
10 we are also proffering him as an expert in
11 transportation engineering.

12 CHAIRPERSON HOOD: And your architect is Mr.
13 Cunningham, I think you said?

14 MR. KADLECEK: Yes, and my apologies, some of
15 the team is running late. They got stuck in some
16 really bad traffic. They told me they should be here
17 imminently but I believe Mr. Cunningham has been
18 qualified as an expert before this Commission many
19 times.

20 CHAIRPERSON HOOD: Right. He has, so I just
21 wanted to alleviate him. Your traffic expert
22 probably should have told the rest of the team how to
23 get here, because I'm sure they know that the --

24 MR. KADLECEK: That's good advice.

25 CHAIRPERSON HOOD: So we do have Mr. Watson.

1 You need to tell them how to get here next time. No,
2 I'm just -- okay. We have a -- anyway. So we have
3 Mr. Watson's resume in front of us, colleagues. Any
4 objections? I didn't hear from the left side.

5 Okay. Any objections? I didn't hear any
6 from the left. Mr. Turnbull.

7 MR. TURNBULL: How long have you been with
8 Gorove/Slade?

9 MR. WATSON: I've been with Gorove/Slade for
10 three years now.

11 MR. TURNBULL: Okay. Thank you.

12 CHAIRPERSON HOOD: Anything else? Any
13 objections? Okay. All right. We will accept Mr.
14 Watson as an expert in traffic. Okay?

15 Anything else? We have any other preliminary
16 matters? Okay.

17 MS. HANOUSEK: No, sir.

18 CHAIRPERSON HOOD: Is Ms. Prince going to do
19 it or are you going to do it, Mr. Kadlecak?

20 MR. KADLECEK: Ms. Prince is going to do it,
21 actually, but I got here before her.

22 CHAIRPERSON HOOD: Okay. All right. Ms.
23 Prince, whenever you're ready you may begin. I know
24 you just got in so if you need a minute, you can take
25 a minute.

1 MS. PRINCE: I'm good. I didn't even park
2 illegally.

3 Good evening Chairman Hood and members of the
4 Commission. I'm Allison Prince with Goulston and
5 Storrs and I'm here on behalf of Aria Development
6 Group. We're pleased to be here tonight to present
7 an important new residential project with a very
8 significant affordability component. It's in the
9 Columbia Heights neighbor.

10 The project is the result of a nearly two-
11 year collaborative effort between the existing
12 tenants on the site, the neighbors, the single member
13 district representative of ANC 1B, and Aria.
14 Everything you will see tonight is the result of a
15 lot of time and work among the many different
16 stakeholders. The project will be a significant new
17 asset to the community by providing modern new
18 apartments to the existing residents who are choosing
19 to return, the establishment of an iconic building of
20 high quality design, the provision of a significant
21 amount of guaranteed affordable housing, and the
22 delivery of numerous community benefits and
23 amenities.

24 The design of the project has been refined to
25 respond to comments from the Commission, this

1 Commission, the Office of Planning, the neighbors and
2 the ANC. The result is a careful balance of many
3 competing interests and concerns that has resulted in
4 an exemplary design. The scale and massing of the
5 project is compatible with the surrounding context
6 and is squarely consistent with the land use
7 designation on the future land use map, medium
8 density residential. In fact, the height is 60 feet
9 in a zone that allows 75 feet for PUDs, R-5-C.

10 The community benefits package is the result
11 of direct community input, and is one of the most
12 extensive packages I've ever seen for a project of
13 this size. The most significant component is the
14 provision of more affordable housing than required,
15 and more importantly the dedication of twice as much
16 affordable housing for at the 50 percent AMI level
17 than is required. In addition, Aria has committed to
18 numerous other projects in the nearby neighbor to
19 benefit community organizations that have great
20 needs.

21 Finally, we're pleased to have such
22 overwhelming support for the project. We note the
23 support of the Office of Planning, the District
24 Department of Transportation, and several neighbors.
25 You'll see the record contains many letters of

1 support from neighbors and community organizations,
2 all of which are in ANC 1B. We're happy that we've
3 been able to work with many neighbors to reach
4 compromises so that even the most effected neighbors,
5 including adjacent condominium association are
6 supportive. As the Commission is aware, this is no
7 small feat.

8 I'll now have our first witness, Josh Benaim
9 to present his testimony. Josh is with Aria.

10 MR. BENAIME: Thank you, very much, Allison.
11 Mr. Chairman, members of the Commission, Office of
12 Planning, we're really privileged to be here to
13 present a project that has been a labor of love for
14 us. My name is Joshua Benaim. I'm with a principal
15 of Aria Development Group, and we're a company that
16 focuses on multifamily projects in distinctive
17 architecturally distinguished and beautiful urban in-
18 fill communities here in D.C. We've done seven or
19 eight projects and of varying size.

20 And the story of this particular PUD and this
21 project on Clifton Street really begins several years
22 back with the Alden, which we restored. The Alden,
23 if you may be familiar, it's a 1906 individually
24 listed on the National Register, glorious historic
25 landmark. And we spent a couple of years restoring

1 that building, which we were approached by tenants by
2 the Latino Economic Development Center and tenants of
3 that building. And we kept our word. The building
4 had been run down and possibly deliberately to scare
5 away the tenants, and we kept our word with the
6 tenants and rebuilt the building and invited a number
7 of them back into the building afterwards.

8 As a result of that, the tenant community,
9 the Columbia Heights community, and the LEDC invited
10 us to work with the tenants to rehabilitate and
11 improve the quality of life on Clifton Street with
12 two neighboring tenant associations.

13 So over two years ago we started working with
14 the tenants to understand what they wanted to see,
15 and in buildings that were really quite run down we
16 got to know some unbelievable people, many of whom
17 are moving back into the future building. One of the
18 joys of this project, which there have been many, has
19 been getting to know tenants like Ms. Peggy Lewis.
20 She's lived in the building for 61 years. So one of
21 the joys of this, we're going to build a beautiful
22 new architecturally distinguished home on this site
23 and she's going to move back in. Along with about 10
24 or 12 of her colleagues.

25 So essentially through the Alden and then

1 through this process of working with the tenant
2 associations we got to really love the neighbor.
3 This stretch of 13th Street between Belmont, Clifton,
4 Euclid, Fairmont is really stunning. And we wanted
5 to really challenge ourselves to do something worthy
6 of that neighbor. And also the people that live
7 there are really -- we've really gotten to know so
8 many of them and that's been one of the other parts
9 of this process that really has been exciting to us.
10 We basically put out as much love and respect that we
11 can to everybody that we've met with from tenants, to
12 neighbors, to community associations, and one of the
13 joys has been being able to work with so many of them
14 to make this project a reality.

15 Specifically, about the architecture and
16 design, we interviewed a number of different
17 architects to find something that -- someone would
18 champion the same values that we champion of urban
19 design. And this project, for us, needed to be
20 something contextual, something, a masonry project
21 that was really distinguished, but also really fit
22 into the neighbor. And we also asked that in order
23 to preserve the fabric of the street scape, we asked
24 the architects that we consulted with to find a way
25 to preserve the façade of 1315 and incorporate it

1 into a new building that would be of modern standards
2 to welcome back many tenants and also invite many new
3 tenants in.

4 So we were very excited to work with
5 Cunningham and Quill, and proud to turn it over as
6 soon as the holiday traffic, holiday parties traffic,
7 Ralph Cunningham and Heather Daley-Rao are going to
8 present the project. Or I'm going to present it.

9 MS. PRINCE: Josh, I think we'll have to take
10 things out of sequence and ask you to jump to the
11 later part of the presentation where you'll go
12 over --

13 MR. BENAIME: Okay.

14 MS. PRINCE: -- the design changes that
15 resulted from working with the community.

16 MR. BENAIME: Would that be all right? Is
17 that --

18 CHAIRPERSON HOOD: Oh, so we're still waiting
19 on some more people?

20 MR. BENAIME: Ralph Cunningham got -- looks
21 like he got stuck in traffic, so.

22 CHAIRPERSON HOOD: Okay. Mr. Watson, you
23 didn't work with the group to get them here. So
24 yeah, that's fine. Whatever we need to do in this
25 case.

1 MR. BENAIME: Is that -- okay.

2 CHAIRPERSON HOOD: Yeah, that's fine.

3 MR. BENAIME: Okay. All right. So I'll just
4 -- this is kind of -- basically the community process
5 -- I mean, the process of this project has been a
6 two-year culmination of working with tenants and
7 community groups and the neighbors. The community
8 process has been one of the joys and great parts
9 about this project. We've worked with -- I think, do
10 we have a list of the community meetings? Have we
11 circulated a list of the community meetings that we -
12 - it's four pages, single-spaced. So it's, we've had
13 about 50 community meetings or calls or various kinds
14 of conversations with condominium associations, with
15 our neighbors to the left, our neighbors to the
16 right. This afternoon one of our neighbors across
17 the street wrote a letter of support, who is also a
18 member of the ANC Transportation Advisory
19 representative, and that's -- or, neighbors across
20 the alley, we've continued working. Even this week.
21 Tuesday morning breakfast at 7:00 a.m., and we
22 basically, over two years we've really taken every
23 opportunity to meet with everybody and balance
24 everyone's concerns, and at the same time bring you
25 something that we hope is really beautiful. That as

1 soon as Ralph shows you, you'll see.

2 Oh, speaking of which, why don't I turn it
3 over to Ralph and Heather who can really show you
4 visually what we're talking about, and then I can
5 pick it back up momentarily?

6 MR. CUNNINGHAM: If you'll bear with us for
7 one minute? Thank you. Sorry. Traffic was
8 terrible.

9 [Chatter.]

10 MR. CUNNINGHAM: Okay. Thank you. I am
11 Ralph Cunningham from Cunningham Quill Architects
12 here in Washington. I'm a lifelong Washingtonian and
13 our firm has been in business almost 20 years. We're
14 here to discuss our project on Clifton Street in
15 Columbia Heights.

16 Obviously you've seen this project before at
17 the setdown hearing. The site is quite a large site
18 and an unusual block. The block is sort of outside
19 the L'Enfant plan, so it's larger than typically in
20 Washington. One of the things that I want to point
21 out is that at the -- what you'll see much more
22 clearly in future slides, but here you see the whole
23 block with our project colored.

24 This block has been developed since probably
25 the turn of the century. There are a number of other

1 buildings on the site that are tall and wide.
2 Directly across the street on Clifton Street is the
3 Wardman Terrace Apartments, and -- I'm sorry, Wardman
4 Court. And the block is bounded by 13th Street
5 Northwest, 14th Street Northwest, Euclid and Clifton
6 Street.

7 As I mentioned earlier, the site is -- or the
8 lot, or the block, rather, is quite varied in terms
9 of development. As you know, 13th Street is a
10 beautiful street of primarily townhouses. There are
11 sort of mid-rise and almost higher buildings around
12 us, and so there's a series of different
13 architectural styles on the block and in the
14 immediate context.

15 To the south we have the Wardman Court
16 Apartments. Obviously a large block of housing. So
17 the street is rather unusual. It slopes upwards from
18 14th to 13th Street, and so one side is the very
19 large Wardman development, and then the other side is
20 a series of mid-rise apartment buildings.

21 And again you see the alley context here.
22 One of the things that we're going to talk about
23 quite a bit is that because this is a large and deep
24 block, there's a large and deep alley in the middle
25 of it, and so to us the context of the alley was

1 equally important to the street. The alley is a
2 significant amount of open space that is of course
3 controlled by DDOT. But we have felt for all along
4 that this is a building with four sides, and that the
5 alley and the way that we treat the alley is equally
6 as important as Clifton.

7 So here again you see the context of the
8 alley. And now Heather Daley-Rao is going to speak.

9 MS. DALEY-RAO: Thank you. I am Heather Rao
10 from Cunningham Quill Architects. We've been working
11 on this project for about a year and a half now.

12 The first thing I want to discuss a little
13 bit is the zoning. The current site is zoned R-5-B
14 as you can see in the map on the left. We've given
15 you a column that shows the R-5-B zoning in
16 comparison to the R-5-C PUD zoning, which is what we
17 are requesting, in comparison to our proposed zoning.

18 A few things to highlight in this are that
19 the height proposed is actually 60 feet, which is
20 less than the 75 feet would be permitted under the R-
21 5-C PUD zoning. We are limited in this case by the
22 Height Act and by the width of Clifton Street, which
23 is 60 feet. We are asking for up to the 4.0 FAR
24 which yields up to 118,800 square feet.

25 We are also adding a penthouse to the

1 building. In this case we are using the new
2 penthouse regulations we have designed to meet those.
3 However, we have actually limited ourselves to a 10-
4 foot-high penthouse with mechanical space above that,
5 set back 10 feet from the front, sides, and rear of
6 the building as is required.

7 Our lot occupancy is 71 percent. We have a
8 front setback that is 10 feet at the minimum and goes
9 to almost 30 feet at the wider section of the site.
10 Our side yard setback, there is no side yard
11 requirement in this zone. However, we are choosing
12 to provide one and we are requesting it to be 10
13 feet. We do have a rear yard setback which varies
14 between one feet -- one foot and six feet, and we'll
15 show you that in a little more detail in further
16 images.

17 We have also two courts on the building, one
18 on the west, which is open, and one on the east which
19 is closed. They are both significantly wider and
20 larger area than what's required. And we're asking
21 for a total of 152 to 156 units, which is decreased
22 significantly from the amount that we requested at
23 setdown.

24 We also have increased the amount of parking
25 that we're providing in the building, and we'll show

1 you how that works. We are currently showing --
2 providing 45 spaces, which comes out to a ratio of
3 one per 3.4 dwelling units.

4 And the last thing on the zoning information
5 for you is the bicycle parking. We're required to
6 provide 50 spaces for long-term secured bike storage.
7 We're providing more than 80. In addition, a bike
8 workshop area. We're also providing 10 short-term
9 spaces at the street level.

10 With that I'd like to talk a little bit about
11 the existing -- the new building design. I will say
12 that for the zoning we feel that the R-5-C PUD is
13 appropriate for this site, for the location, and
14 we'll show you why in the continuing slides. The
15 requested zone is consistent with the future land use
16 map designation, which is medium density residential.
17 And as I mentioned before, we cannot actually
18 maximize the height that would be permitted under the
19 zoning we're requesting due to the Height Act
20 restriction.

21 The building itself is a six story building
22 with a penthouse above and one level of parking
23 garage below. The main entrance is an in between
24 level off of Clifton Street. You see it here in this
25 image.

1 A secondary entrance to one of the private
2 units is provided out of the existing 1315 Clifton
3 Street façade. So we have a new section of building
4 to the east and we are preserving the façade of 1315
5 Clifton Street to the west. The design of the entire
6 building was driven in large part by the owner's
7 desire to retain this front façade and its presence,
8 specifically the way that it relates to the street
9 and the way that the neighbor interacts with it.

10 The remaining elevations are also developed
11 similarly to this one. This is the front elevation.
12 It has significant setbacks and a projecting bay in
13 order to articulate the building and break down the
14 mass of the building to make it compatible with what
15 the other buildings that are on the street.

16 The site slopes approximately 10 feet from
17 the Northeast corner to the Southwest corner, which
18 means that the ground floor is partially below grade.
19 And you can see here that the lobby level, the
20 entrance level, is in between the first and lower
21 levels of apartment units, which gives us a unique
22 space for the entry and allows us to also have an
23 accessible entrance directly from Clifton Street.

24 Keeping the 1315 façade, which you see in the
25 bottom left corner of this drawing meant that the

1 remainder of the building really began to be an H
2 shaped building around that façade and around the
3 first 30 feet of the footprint of that building. We
4 will be retaining the footprint for the first 30
5 feet. Beyond that is our west court and beyond that
6 is our rear bar of apartment units.

7 Two courts are provided, actually. The west
8 court that I mentioned and also the east court, which
9 is up against our neighbors to 1307 Clifton Street.
10 These both provide significant amounts of open space
11 which are amenities for the residents, as well as in
12 some cases for the neighbors.

13 I also want to point out on this drawing as
14 we're looking at it too, that we have identified a
15 couple of different bicycle circulation routes in
16 order to reach our bike storage area which is
17 accessed off of the alley portion of the building.
18 But there is a way for bicyclists to bring their
19 cycles directly in off of Clifton Street. So that
20 eliminates some of the need for traffic in the alley.

21 Some of the changes that we've made since
22 setdown include adding setbacks and rear yards at the
23 north side. You can see that in our landscape plan
24 here. We've got some area for planting in the alley
25 against the alley, and then we're also interested in

1 working with DDOT and the Public Space Committee to
2 see what we can do as far as planting in the alley
3 area itself, where it widens out in front of our
4 building. So we're working with them on that.

5 We've also removed retaining walls at the
6 west side of the front part of the site, pursuant to
7 comments that were made at setback and by the Office
8 of Planning. And we've reduced them as much as
9 possible at the east side of the site. So what you
10 see on our landscape plan now is a dramatically
11 simplified, more green and less structure. We think
12 it's been a good change.

13 These are the lower level floorplans of the
14 building. You can see we have the parking entrance
15 at the Northwest corner of the building. There is
16 one full level of parking there, as well as
17 circulation space and mechanical space. In the
18 center plan which is the lower level floorplan, you
19 see the bike storage space, kind of that gray area at
20 the top middle of the drawing. That's our bike area.
21 People do access it from the rear. There's a
22 separate entrance door, and a separate ramp
23 completely from the vehicular ramp. There's room for
24 80 bikes in there and a work station. And then
25 access to the rest of the building as well.

1 We have increased our parking number from our
2 original request of 36 spaces to 45 spaces. And you
3 see that in the expanded parking footprint.

4 On the far right drawing the ground floor
5 plan shows you the loading dock. There's been some
6 slight change here as we have worked with DDOT and
7 with our traffic consultants to determine the turning
8 movements of the actual trucks that are going to move
9 there.

10 The middle section of the building is
11 primarily units still. A couple of things that have
12 changed since our setdown hearing, we have reduced
13 significantly the number of units that we are
14 designing and that we are requesting. I believe we
15 were at about 170 when we came for setdown. We're at
16 152 now. What that means -- and that does, I have to
17 point out, include putting units in the penthouse
18 that were not there previously. So we're actually
19 using that space as well.

20 What that means is that we've gotten larger
21 units and more two and three bedroom units. We also
22 think that's been a very good change. We've also
23 been able to integrate affordable units throughout
24 the building. You can see those designated with an
25 asterisk on the plans in front of you or on the

1 screen. And we have also worked on, as we've
2 adjusted the unit mix, adjusting our mix of
3 affordable units so that they mirror closely what
4 we're doing with regard to small units, medium sized
5 units, and larger sized units. And you can see that
6 in the chart and your packet.

7 We have been in significant conversation, I'm
8 sure Josh has probably already mentioned, with
9 several different neighbors in the area. Some of
10 them directly to the west of us. And some of the
11 design changes that have come out of those
12 conversations include setting back on the 5th floor
13 on the west side of the building, which you see on
14 the far left. We've also removed all of the
15 balconies that were on that west side of the
16 building.

17 We've really worked with that neighbor in
18 order to provide something that we feel is very
19 friendly towards them. They have been very friendly
20 towards us. Part of keeping the west court and the
21 open setback there is in order to give their spaces,
22 their roof decks, and their balconies, some space to
23 breath, like they have now too. So we've done the
24 setback on the 5th floor.

25 You also see the revised penthouse drawing

1 plan here. It is set back 10 feet on the sides, the
2 rear, and the front per the requirements. We have
3 eight units in the penthouse as well as some
4 community recreation and fitness spaces. And then
5 above that we have roof space with two mechanical
6 enclosures.

7 We do have two cores in the building. We
8 have a freight elevator, service elevator towards the
9 back, and passenger elevators towards the front. And
10 in an effort to minimize the bulk of the building and
11 the way that it would impact its neighbors, we have
12 opted to keep these as close to the center of these
13 larger bars as we can so that we keep the center
14 vertical bar of the H more open.

15 This is just a diagram to show you the
16 penthouse as it was at setdown, which is on the left.
17 And the penthouse as it is today. We have simplified
18 that, which was also a comment that was made at
19 setdown and by the Office of Planning, both
20 simplified it and reduced the height of the majority
21 of the penthouse.

22 You can see that again in this drawing,
23 section drawing, showing the bulk of the building.
24 You can see the penthouse and where the mechanical
25 spaces are located above it.

1 I want to talk a little bit about the
2 elevations and materials of the building. And we
3 have some sample materials with us that we're happy
4 to pass around to you or wait until the lights come
5 back on at the end, whatever is your preference.
6 Later? Okay.

7 The majority of the building is going to be -
8 - is planned to be brick. And we have selected after
9 great numerous discussions we have selected a red
10 brick that we feel is very compatible with the
11 neighbor with some variation in it. The front of the
12 building is primarily all brick. Where you see the
13 lighter colored brick on 1315, that is the existing
14 brick. And behind that would be one of the court
15 facades that's pretty far recessed behind that.

16 The penthouse color above that is intended to
17 match the trim work on the building, which would be a
18 dark gray metal. We do have a sample of the metal
19 panel, a small color sample of that with us tonight
20 as well. And we think this elevation has developed
21 quite successfully, tying to both use the 1315
22 elevation and respond to it, but not appear that
23 we're trying to be it at the same time.

24 The other key piece to the front is the
25 landscape of course, because this is where the

1 majority of our street scape happens. We have, as I
2 mentioned earlier, removed the retaining walls on the
3 east side and -- sorry, removed them on the west side
4 and reduced them significantly on the east side. You
5 can see that here.

6 The landscape is envisioned to be very lush
7 and friendly and we're very excited about it.

8 The back of the building has been given
9 almost, if not more attention than the front of the
10 building has. We have responded to numerous comments
11 from Community members, neighbors, and have worked
12 very hard to articulate the back of the building to
13 provide a massing that is interesting and is not
14 overwhelming in that space.

15 You can see there are two taller pieces that
16 project forward, and one lower piece where you can
17 see the fifth floor setback. We've also been able to
18 add balconies as we recessed the building back and
19 increased our setback. And we're able to maintain
20 the brick façade on most of the back as well. You
21 see a little bit of our fiber cement panels wrapping
22 around through there, and you'll see more of that in
23 the court entrances also.

24 On the east side we have very little
25 elevation that's actually visible due to the building

1 up on the property line with 1307 Clifton. We have
2 removed some windows in the back section of our
3 building that that were, we felt, too close to their
4 building and have been in conversations with them
5 about windows and proximity and treatment of the
6 walls.

7 On the west side this is the elevation, the
8 side elevation that is most open. This is open to
9 1323 Clifton. You can see how the court itself
10 becomes a little bit lighter material with the fiber
11 cement, working more there. We have balconies but
12 they are recessed in the court. And the elevations
13 that are closest to 1323 are still brick.

14 You can see again how the court elevations
15 use the fiber cement panel to add some interest and
16 variety and to break down the scale as you get into
17 these smaller enclosed spaces.

18 As I mentioned at the beginning, we do feel
19 that the massing is appropriate for the scale of the
20 block and for the adjacent buildings. There are
21 several buildings both on our block and nearby, which
22 are also larger multifamily buildings. We don't feel
23 that our building is out of keeping with this. We do
24 think that the height is also appropriate.

25 This diagram indicates, we took a survey of

1 several adjoining blocks and noted which buildings
2 were five stories or more, including our own, which
3 is what this diagram indicates. And again, we are
4 not using the full height of the R-5-C PUD allowed
5 here. We are reducing that.

6 You can see in the next couple of sheets we
7 did study the block itself in elevation as well to
8 understand where other buildings are in relation to
9 ours with regard to their height. The far end of
10 Clifton and 14th we indicated what the development
11 potential for that parcel is. It's a one story
12 building now which certainly won't likely remain
13 there forever. And you can see across the street we
14 are faced with the taller buildings that Ralph
15 described. And there are taller buildings on Euclid
16 Street as well as on 13th Street.

17 In summary of the zoning request and zoning
18 flexibility that we are requesting, we are requesting
19 relief on the rear yard. Our rear yard requirement
20 would be 17 feet, 10 inches. And we are requesting
21 relief to a minimum -- maximum of one foot, so that
22 we have some areas that are a one-foot setback, some
23 that are three and six feet setback.

24 This is because of the way that we have
25 treated our open space. I want to remind you that we

1 are also under our lot occupancy requirement, which
2 is 75 percent, and we are 71 percent. So we have
3 taken that space and moved it from the alley side of
4 the building, which would be the rear yard, to the
5 front of the building on Clifton Street. And that
6 necessitates the request for relief on the rear yard.

7 The side yard as well is not required in this
8 zone. We are choosing to provide a side yard on the
9 west side so that we can have some open space between
10 us and 1323. In this case we are requesting a small
11 amount of relief for it. The requirement would be 15
12 feet and we are requesting 10. This is in keeping
13 with where the existing building actually is. It's
14 slightly more than 10 feet off, but it's very close
15 to that now. And again, we're also providing that
16 large open space in the center of the setback with
17 the court.

18 We are requesting relief on loading to reduce
19 from a 55-foot truck to a 24-foot truck. And Jim can
20 talk about that a little bit longer and later, why we
21 actually need to do that. We are also requesting
22 removal of the delivery space requirement here. We
23 don't feel that that's necessary for our building.
24 And as we talked about, we are requesting relief on
25 the parking ratio from one per three dwelling units,

1 down to one per 3.4.

2 I also wanted to highlight some of our
3 sustainable components. We have worked very hard at
4 our LEED scorecard. We still have a lot of work to
5 do as we have a lot of design work to do still. We
6 are currently tracking for LEED Silver, and we think
7 that is a very attainable goal. We'd like to see it
8 go higher, and we're still in efforts as we design
9 and get further into HVAC and energy efficiency.

10 Those are some areas where we'd like to pick up some
11 additional points.

12 I will point out that we have worked very
13 hard on our site design already with storm water
14 management, and providing our green roof. And so a
15 majority of our points now are coming from the
16 sustainable site section, both by virtue of the
17 transportation network that's available at our site,
18 the bicycle amenities that we're providing, the
19 electrical vehicle charging station, and our storm
20 water management onsite.

21 Speaking of storm water management, this is
22 our GAR analysis. Our requirement in this zone would
23 be 0.3. We are actually at 0.395. So we're
24 significantly improved over the requirement for GAR.

25 And with that I'm going to turn it over to

1 Jim.

2 MR. WATSON: Good evening. For the record,
3 my name is Jim Watson. I'm with -- I'm a project
4 manager with Gorove/Slade Associates. We've
5 performed the transportation review for this project
6 and been working with ARIA and coordinating with DDOT
7 for a little over a year now. I'm going to briefly
8 touch on the transportation related highlights of the
9 overall development.

10 The site is located in the 1300 block of
11 Clifton Street, between 13th and 14th Street. There
12 are several Metro bus and circulator lines nearby
13 that connect the site to Metrorail as well as
14 downtown. The project is located about half a mile
15 from both the Columbia Heights and U Street Metro
16 Stations with green and yellow line service at both
17 locations.

18 A Capitol Bike Share station is located about
19 a block and a half away, providing 14 docks, with
20 several others in the vicinity. There are also car
21 sharing options provided within the neighbor and the
22 walk score for this area is a walker's paradise.
23 Given all of the multimodal access to the site we
24 really expect the site to be able to take advantage
25 of all of this, thereby helping to reduce the

1 vehicular traffic to and from the site. That as well
2 as a proposed TDM plan will help to incentivize all
3 of these non-auto modes.

4 We performed a comprehensive transportation
5 review that we scoped with DDOT for the PUD. Since
6 the data for this area tells us that a majority of
7 the people commuting in this area use non-auto means
8 to do so, and it's at about 76 percent overall. This
9 isn't surprising given the array of transportation
10 options that are afforded to the site, as I just
11 discussed. The relatively small number of new
12 vehicular trips should not have a negative impact on
13 the surrounding intersections, nor the alley itself.
14 In fact, access has been provided to and from the
15 alley in accordance with DDOT standards that expect
16 developments that have access to an alley to be
17 provided there.

18 Some members of the community have expressed
19 some concern about congestion in the alley, however
20 we believe the alley has the capacity to support the
21 project, and Aria is willing to continue exploring
22 with the community and DDOT, potential management
23 measures to help address these concerns.

24 We're pleased to have DDOT's support on the
25 project. DDOT has requested some adjustments to curb

1 ramps and pavement markings on 14th Street. As we've
2 discussed with DDOT, modifying the curb ramps as they
3 have requested would trigger some major modifications
4 to the signal at the 14th Street and Clifton
5 intersection. As such we believe this off-site
6 improvement should not be required for the project.
7 However, the applicant is willing to upgrade the
8 crosswalk and center line striping on 14th Street as
9 DDOT has requested.

10 Under current zoning the 159 dwelling units
11 proposed would require 53 spaces. And under the
12 zoning rewrite this would actually go down to 26
13 spaces. The project, as we have discussed, is
14 expected to provide -- or is planned to provide 45
15 spaces. DDOT has asked -- did ask us to review the
16 on-street parking conditions as a part of our CTR and
17 it was found that the parking is heavily utilized in
18 the adjacent blocks, which I don't think is a
19 surprise to anyone. Therefore, the project should
20 rely on its own parking and not street parking.

21 The parking provided is right sized for the
22 site. The bike parking provided will exceed
23 requirements as we've talked about. There are going
24 to be 80 long-term spaces within the building, with
25 dedicated access through the rear of the building as

1 well as a path along the west side of the building.
2 A bike repair facility has been also mentioned and is
3 going to be included in the bike room, as well as 10
4 short-term spaces around the external areas of the
5 site.

6 In terms of loading the original plan
7 contemplated a 30-foot truck. However, the existing
8 alley and the bend from the north/south alley to the
9 east/west alley really makes it impossible for
10 anything larger than a 24-foot truck to actually
11 access the rear of the property. That, and we've
12 found that many buildings of this nature and of this
13 size really only need a 24-foot truck, which is
14 generally U-Haul's largest truck and is designed to
15 accommodate a three-bedroom unit.

16 This size truck has been deemed appropriate
17 for other residential projects, and DDOT has been
18 supportive of this relief. We intend to have a
19 loading management plan, which is also meant to
20 minimize any disruption in the alley and manage any
21 site related loading activity.

22 Finally, the PUD plans to include a
23 transportation demand management program, I'm not
24 going to go through each one of these items
25 individually, but I would like to say that DDOT has

1 requested that we strengthen the plan slightly. We
2 are including car sharing and bike sharing
3 memberships, but have actually upped this to three
4 years rather than the originally proposed one year at
5 DDOT's request. We're also committing that the cost
6 of parking would be unbundled from the lease of the
7 units so that any new residents would pay for their
8 parking separately.

9 I appreciate you listening to my testimony.
10 Now I'm going to turn it back over to Josh Benaim.

11 MR. BENAIME: Great. Well, thank you very
12 much guys. So I guess I'd like to take the
13 opportunity to walk you through a little bit of the
14 community process and some of the changes that have
15 come about since we first set down the project, and
16 since we first brought the project before the Zoning
17 and Planning and Development Committee of the ANC in
18 December of 2014. As well as what we think to
19 summarize are the community benefits that are being
20 provided by this project.

21 The community process has been an amazing
22 journey for us. We've gotten to know so many people
23 and I think you'll find that the 25 letters of
24 support that are on the record reflect really the
25 whole diversity of the Columbia Heights community.

1 We've worked with key committee members and
2 representatives. We basically, we started in
3 December. We went back to the design review board
4 twice, once in January and then once very recently.
5 Many of us have had significant life events and you
6 know, we continue to work hard together with all our
7 neighbors in the community. I had a little baby boy
8 during this time, and so -- during course of this
9 project. So if he asks me, daddy, where have you
10 been? I'm going to say I've been with the community.

11 And let me talk to you a little bit about
12 some of the things that have emerged from that.
13 We've reduced the density and height of the project.
14 We've reduced the number of units from 168 to 152,
15 and the height by eight and a half feet of the
16 penthouse across the board except for where there are
17 elevator and mechanicals. We've increased the family
18 size units, which was something that in talking to
19 the community was something really important. So we
20 originally had 28 family units which were 17 percent
21 of the project, and we've increased it to 43 family
22 sized units which are now almost a third of the
23 project.

24 The environmental benefits, we've been able
25 to work together with the Office of Planning and all

1 this has been a tremendous learning process for us
2 and we're excited to bring the environmental benefits
3 from the green roofs and storm water retention and
4 all the aspects of the environment caliber of the
5 project.

6 The parking, there was a lot of -- especially
7 at the beginning of the process there was a lot of
8 support in the community asking us, can we do more
9 spaces due to the tightness of the spots. And
10 basically we had originally come before the Design
11 Review Committee with 22 spaces, and then in the
12 January of 2015 meeting we advocated together,
13 increasing them to 36. We continued to hear from
14 neighbors saying that we should be doing more parking
15 and that would be a good deed for the neighborhood.
16 So we increased it 45 spaces, which is well in excess
17 of the -- what are the future legislative
18 requirements for parking.

19 I think just speaking kind of -- you know, I
20 think we really tried to balance between people using
21 their feet, people using the Metro, which many of our
22 residents in our other D.C. projects, and cars, and
23 bicycles. So there was a tremendous request for
24 bicycle access, bicycle repair room from the ANC
25 Design Review Committee back in December of last

1 year. So we created a larger than life-size bicycle
2 room so folks can use many different means of
3 transportation.

4 Even as recent -- we've been continually
5 trying to improve the conditions, even in the alley,
6 to make the bikes enter from -- some of the bikes
7 enter from Clifton so that it kind of balances
8 everyone's concerns.

9 But why don't I address some of the community
10 benefits that we think -- that we're really proud to
11 bring as part of this project. Besides the fact that
12 it looks great, thank you to Cunningham and Quill.
13 Here is what think we're doing that will hopefully do
14 a lot of good for a lot of people.

15 The affordability has been a key component of
16 this, and that's one thing we heard again and again
17 from our meetings with the ANC and from neighbors.
18 And so doubling the amount of deeply affordable units
19 or the proportion we think is -- we've been hard-
20 pressed to find other precedents of folks who have
21 been willing to do the deeper affordable units. And
22 so that's something we're really proud to do. We're
23 also really proud about moving some of the elderly
24 and long-time community residents who have been
25 suffering under really tough living conditions, into

1 dignified housing and in many cases paying rents that
2 are lower than the 50 percent AMI limits.

3 The other major benefit I think is the --
4 that I'm excited about, is the urban design and
5 contextual element of this project. We've really
6 tried to bring something that takes inspiration from
7 the neighbor and fits in, and also brings a beautiful
8 new addition to the neighbor that's environmental,
9 that's contextual, that respects the historic fabric
10 of this community. And that's something that's been
11 very important to us and really what our company is
12 about.

13 And the third piece has been really our work
14 and we feel lucky to be able to participate in this.
15 Many of our neighbors have advocated -- specific
16 community organizations that serve residents of
17 Columbia Heights and in many cases don't have the
18 advantages that we do and our neighbors do. And
19 people have come to us and I think you'll see there's
20 a -- we have a list of -- well, each one of these
21 deserves its own -- I'll spare you. You can
22 certainly read it. But each one of these has a story
23 and we think is going to improve people's lives.

24 The Christopher Price House is a home for 20
25 handicapped and disabled residents on Belmont Street

1 and 13th Street, right around the corner. When we
2 saw the condition of their community room, the
3 refrigerator is broken. This is their living room.
4 We found a way with the support of a number of the
5 neighbors, but we will fund restoration and
6 renovation so that they have a place for recreation,
7 for community meetings and civic participation.

8 Briefly touching on the computer lab that
9 we're going to build in the Rita Bright Center. A
10 number of our neighbors who live in Wardman Court
11 said, you've got to do something to help the Mazique
12 Child Development Center, which is one of the first
13 Head Start programs in the United States from 1961.
14 These are folks that are doing good every day and
15 don't always have the resources to make it work.

16 So this -- even as recently as this week,
17 talking to some of our neighbors who are across the
18 alley, we've committed to kind of a beautification
19 trust to plant trees and help beautify the alley in
20 some of our neighborhoods. For example, there's
21 Samaritan Inns who backs up to the alley that may not
22 be able to afford to take care of certain issues.
23 We're out there working with our neighbors to make it
24 a better place and the Columbia Heights Community
25 Center and N Street Village, whose location is

1 undisclosed but is in the ANC because it's sheltering
2 women with HIV, so you know, they've asked that we
3 only refer in generality to their location. But
4 these are things that are -- you know, I mean, we
5 feel incredibly lucky to participate in and
6 incredibly lucky to have come this journey with the
7 community and incredibly lucky to be able to put
8 forward a -- bring this building to life with your
9 blessing. So thank you very much.

10 MS. PRINCE: I just have one follow-up
11 question for Josh. Josh, I think you were going to
12 talk a little bit about some very recent discussions
13 about changes at the rear of the building in response
14 to concerns of neighbors who back up on the alley.

15 MR. BENAIME: Sure. Well, many of our -- I
16 mean, we've reached out to -- am I on the mic here?
17 Is it -- yeah.

18 We've reached out to -- basically we've left
19 no stone unturned in talking to all of our neighbors.
20 If you kind of go around the building our neighbors
21 in the front are happy. A lot of them like the way
22 it looks. Our neighbors to the left, to the west,
23 you know, we provided a courtyard where for almost
24 100 years there was a brick wall. So now there's a
25 big courtyard. So that has really done a lot to make

1 them happy and we included the 10-foot setback even
2 though it's a zero side yard required area.

3 Our neighbors to the east, representative of
4 the 1307 Clifton Condominium Association is present
5 tonight. We are privileged to have their support in
6 writing on the record. So that's the other building
7 that directly abuts us. And on the alley elevation
8 there are a number of buildings on 13th and Euclid
9 who we've continued to work with and build a
10 relationship with for many hours over the last
11 several weeks, and we've really gotten to know them.
12 And really enjoyed learning from them.

13 Basically those buildings are between 60 and
14 100 feet away, diagonally on the northeast of our
15 site. And we've been really in great discussions and
16 have loved, you know, getting to know each other. I
17 think we have kind of a kernel of some possible
18 compromises that we would love to throw out there as
19 far as greening the -- did you show the back, the
20 elevation of the -- I mean, some of the things that
21 we've done already are making the rear of the
22 building look, in our -- it could easily be the front
23 of any building, or of many buildings around town.
24 So we've put the time and energy and cost into the
25 materials.

1 But in addition we would be delighted and
2 we've been talking to some of our neighbors, could we
3 make a green wall on some of the -- especially on
4 this picture on the left. Could we grow vines,
5 Boston Ivy, something romantic and spectacular that
6 will make it look great from the alley was well as
7 from any other angle.

8 We've also talked about some targeted
9 setbacks over the fourth floor instead of the 5th
10 floor, and we -- in the past we've set back the rear
11 between three and six feet and created a more
12 interesting façade. We've talked with some of
13 neighbors about some more targeted setbacks, and our
14 neighbors would also like us to go before DDOT and
15 request some ideas to alleviate traffic in the alley,
16 and we're more than happy to go together and continue
17 to work together in front of DDOT to see how we can
18 mitigate congestion in the alley.

19 So I mean, I think we have the -- you know,
20 we have a lot of -- a lot of good positive direction
21 and relationships with many of our neighbors. Many
22 of whom are here. Many of whom couldn't be here but
23 wrote letters of support. And we continue to learn
24 every day. So that's the story.

25 MS. PRINCE: That completes our presentation

1 this morning -- this evening. And since we started
2 so late I'm happy for you to ask questions or go
3 straight to OP.

4 CHAIRPERSON HOOD: I don't think we going
5 straight -- I'm pretty sure we're not going straight
6 to OP. But that was a good try. Okay. Let's see if
7 do have a few questions up here. Anybody?

8 Maybe we will go straight to OP. Okay.

9 Well, let's hit the mic. Somebody. Whoever want to
10 go.

11 MR. MAY: All right. I'll go first.

12 MS. COHEN: Okay, you go first.

13 MR. MAY: I don't have a lot of questions
14 about the building design itself, interestingly
15 enough. So as I understand it, I mean, you have
16 tenants in two existing buildings, is that right,
17 now? And you've given them a choice of a buyout or
18 coming back. So what are they going to do in the
19 meantime? You're obviously going to have to leave --
20 they're going to have to leave during construction.

21 Or what are they going to do?

22 MR. BENAIME: Actually we have -- many of them
23 are seniors and we've moved them into other buildings
24 that we own in the neighbor. Some of them are
25 directly across the street on 13th Street. Or some

1 of them we've provided stores of funds to find
2 alternative housing in the meantime.

3 MR. MAY: Uh-huh.

4 MR. BENAIME: But we've kind of gone above
5 what we agreed, actually, to make sure that everybody
6 has a place to be, including in our own portfolio.

7 MR. MAY: So what percentage are coming back?

8 MR. BENAIME: I'd say about a quarter.

9 MR. MAY: And the rest took buyouts?

10 MR. BENAIME: The rest of them took buyouts.

11 MR. MAY: Or they were vacant units or
12 something?

13 MR. BENAIME: There were some vacant units.

14 There were some folks who wanted to start a business,
15 buy a taxi, buy a home.

16 MR. MAY: Right.

17 MR. BENAIME: Or move with relatives.

18 MR. MAY: That's fine. I mean, this is
19 mostly for my information about how a relocation
20 might work in this circumstance because it's not the
21 usual thing that we see.

22 I guess for the ones who are choosing to come
23 back, will they be moving into comparable units at
24 comparable rent? Is that the plan?

25 MR. BENAIME: Yes. So essentially we've

1 agreed to their existing rents at comparable or
2 better units. I think -- well, way better in terms
3 of not having water coming in or rats or whatever.

4 MR. MAY: Right.

5 MR. BENAIME: But comparable size. I think
6 we'll be able to do slightly larger units. But
7 mainly in the quality. But they will have the
8 lifetime equivalent protection of their rent in
9 accordance with the equivalent or rent control. So
10 for their or their spouse's lifetime, these rents
11 will be largely lower than the 50 percent AMI level.

12 MR. MAY: Right. And these do not -- they're
13 not part of what's being proffered as IZ?

14 MR. BENAIME: They are part of the IZ.

15 MR. MAY: They are part of the IZ. So how
16 much of the IZ is taken up by existing tenants?

17 MR. BENAIME: I would say about 60, 60 to 65
18 percent.

19 MR. MAY: Okay. I do have one architectural
20 question, which is the rooftop handrail, or guardrail
21 rather, which is glass, which is not a favorite of
22 mine. But it's very very visible in the renderings
23 that you've shown. So can you tell me what the
24 setback will be for those? I mean, are they set back
25 one to one or are they set back less than one to one?

1 MS. DALEY-RAO: They're set back less than
2 one to one. I'm just finding the building section
3 where you can actually see that.

4 MR. MAY: Okay.

5 MS. DALEY-RAO: More clearly.

6 MR. MAY: So are you at the Height Act height
7 along the --

8 MS. DALEY-RAO: The 60 feet, yes.

9 MR. MAY: Sixty feet is the Height Act
10 height.

11 MS. DALEY-RAO: Yes. And so you can see the
12 edge of the railings behind the cornice line here.
13 So our cornice does come up a little bit higher than
14 the roof deck behind, so the railings are not a full
15 three foot six above the cornice line, they're not a
16 full three foot six above the 60 feet.

17 MR. MAY: Okay. But where are they relative
18 to the top of the cornice as we see it from the
19 street?

20 MS. DALEY-RAO: They're about two foot six
21 above the top of the cornice.

22 MR. MAY: They're about two foot six.

23 MS. DALEY-RAO: And they're on the inside of
24 it.

25 MR. MAY: And they're set back? And they're

1 set back how far from the edge?

2 MS. DALEY-RAO: They're on the inside of it
3 so the wall thickness is somewhere around 14 to 16
4 inches, and so they would be 14 to 16 inches back.

5 MR. MAY: Okay. Well, the controlling factor
6 here is the Height Act. Now I know that in the new
7 penthouse regulations we have required that any kind
8 of handrails be set back one to one. And I mean, the
9 reason for that has to do with the perceived height
10 of it. And I would be much happier if these were
11 actually set back the equivalent of one to one. So
12 if it's two six away from the edge of the cornice or
13 something like that, I think it would actually be
14 beneficial.

15 MR. BENAIME: Happy to do that.

16 MR. MAY: Okay. If I understand correctly,
17 in the DDOT report you've pretty much agreed to all
18 the extra stuff that they've asked for, except for
19 the ramps at the nearby intersection. I forget what
20 intersection it was. Is that right?

21 MR. WATSON: That is correct. That's at 14th
22 and Clifton.

23 MR. MAY: Okay. Can you explain again why
24 you can't agree to that?

25 MR. WATSON: The signal poles at that

1 location, to upgrade those ramps to current DDOT
2 standards would involve moving the signal poles and
3 would get into a redesign of the signal.

4 MR. MAY: Okay. And were they -- have you
5 discussed this with DDOT?

6 MR. WATSON: Yes, we have.

7 MR. MAY: All right. Well, I'll ask them
8 whether they're going to insist on that or what.

9 So on the parking I appreciate the fact that
10 you're very close to what would be required, but if
11 it isn't one of those areas of the city where there
12 really isn't much street parking to be had, it
13 becomes something of an issue when you introduce that
14 many additional units and the occupants of those
15 units would be eligible for residential parking. Are
16 you offering any kind of restriction on residential
17 parking, RPP? And has that come up in discussions
18 with the neighbor at all?

19 MR. BENAIME: I guess; I don't believe we are
20 currently offering it. It's not something that we're
21 vehemently opposed. I'll tell you why. The Alden,
22 which is really a block around the corner on 13th
23 Street is 44 units. We have zero parking, and we did
24 a survey. I think Mary Katherine is here who is our
25 portfolio manager, of how many people have cars. And

1 it was virtually none. And those who did, well, it's
2 with my parents back home. Or it's somewhere else.
3 So I don't even know if these 45 cars -- I don't know
4 if they're going to be full.

5 MR. MAY: Right.

6 MR. BENAIME: So, I --

7 MR. MAY: So how many other -- the building
8 around the corner, I mean, that's helpful to have a
9 relevant example.

10 MR. BENAIME: There's zero spaces.

11 MR. MAY: Right.

12 MR. BENAIME: It's a 1906, you know.

13 MR. MAY: And how big is that building?

14 MR. BENAIME: About 44 units.

15 MR. MAY: Forty-four units. And what kinds
16 of units are they? Are there any family sized units?

17 MR. BENAIME: Yes. Yes, there are one, two,
18 and three bedrooms. And four bedroom.

19 MR. MAY: Really? Okay. Interesting, you
20 can actually have a family in a one -- in like a two,
21 three, or four unit building and not need a car.

22 Sorry. Just an aside.

23 And the one negative thing that we had in the
24 record that remains in the record after the one party
25 dropped her opposition, was a letter from a resident

1 of the Clifton Heights Condo next door, I guess, to
2 the west. Do you want to speak at all to what was in
3 that and have you had further discussions with that
4 person and are they satisfied or are they still an
5 issue?

6 MR. BENAIME: Definitely. I think we've met
7 with her numerous times over the last year. Then she
8 moved to California and has not -- I have not heard
9 from her since. So I don't know, I think we've
10 resolved that issue. I don't know.

11 MR. MAY: Because she moved away.

12 MR. BENAIME: So, well, we actually modified
13 the building --

14 MR. MAY: Right.

15 MR. BENAIME: -- to accommodate her. We took
16 a 10 foot -- I don't know, you can't win. We took 10
17 feet off the building over the fourth floor after
18 doing extensive solar shadow analysis and studies,
19 pretty much to her satisfaction. We also increased
20 the parking count to 45. Then she moved out of
21 state. So I think another of her friends that's in
22 that building has written a letter of support, who
23 was also one of the most vocal opponents, has written
24 a letter of support for the project. She lives right
25 in the back. She's six feet from her property line,

1 single loaded building, and so 16 feet or so from our
2 building. So she's agreed to support it on that
3 basis.

4 And we've spoken with the Chairman of the
5 Condominium Association who was surprised to learn
6 that we had been working for months with these two
7 particular residents who didn't necessarily speak, I
8 think, for the whole condo association.

9 The funny thing, the courtyard -- one of the
10 great things I mean, the courtyard, which is about 40
11 feet by I think 45 feet to our property line, they've
12 been staring at a brick wall for 100 years. So one
13 of the cool -- it's rare that you get people that
14 will come out and say, thank you for taking away this
15 brick wall, thank you for developing real estate next
16 to me. But I think we've satisfied many of the
17 concerns of that building that continue to reside
18 here, and you know, we'll keep trying everything we
19 can.

20 MR. MAY: Okay. Thank you. I appreciate the
21 extent of that outreach and your attempts to work
22 with the adjacent neighbors and the neighborhood as a
23 whole.

24 I think that's about it. I mean, I think
25 that you know, the building seems to be well designed

1 and fitting with the context, and I see the penthouse
2 went from a lighter color to a darker color so I'm
3 happy about that. That would, you know -- that's
4 usually like the last thing that I have to say and I
5 didn't even have to say that this time. So, thank
6 you.

7 CHAIRPERSON HOOD: Okay. Thank you. Vice
8 Chair?

9 MS. COHEN: Thank you, Mr. Chairman. I want
10 to compliment you because you sound -- you actually
11 sound more like a nonprofit developer than a for
12 profit developer. You're retaining affordable units
13 and adding to the inventory and I compliment you.

14 Plus, you seem to have embraced the desire to
15 negotiate with those who are affected around you, and
16 I find that very, very refreshing and so I just want
17 to tell you that I really commend you for your
18 efforts.

19 I do have some questions, though. How long
20 have you owned this building because it sounds like
21 it's very run down, it's rat infested and you're
22 doing a good thing to upgrade it, so how long have
23 you owned it?

24 MR. BENAIME: Well, basically about, it was
25 two years ago that we were approached by the LEDC to

1 work with the tenants. And we were initially
2 planning not to close on the building until we went
3 through the PUD process and with the tenants, but
4 when we found that there was such great need at these
5 buildings, we decided -- and we took the time to go
6 in December and January before the Design Review
7 Committee of the ANC, and we had our setdown and
8 spoke with OP. We closed actually on one of the
9 buildings before all that, in December. But really,
10 1315, which is a larger building where it was in
11 worse condition, we closed I believe in March.

12 We closed in April, and basically even though
13 we had negotiated with the tenant association to
14 essentially wait for the PUD, many of those tenants
15 couldn't wait and needed to be moved into better
16 living conditions, and we decided to make the
17 commitment and do it. And almost everybody is moved
18 to safer, better housing right now.

19 MS. COHEN: This should be a case study that
20 we should distribute to a lot of other developers.

21 The OP report indicates that at a meeting,
22 they have interagency meetings, that the Metropolitan
23 Police Department recommended that the project
24 provide a door lock and entry system for all entry
25 and exit doors, as well as a high security camera

1 system. Are you aware of that and will you be doing
2 that?

3 MR. BENAIME: We closed down one of the
4 buildings, so 1309 Clifton has been shut and secured.
5 And Mary Katherine, who is --

6 MS. COHEN: No, I think this is for the
7 future. In other words, future safety.

8 MR. BENAIME: We are -- I mean, we're
9 certainly providing safety and security. We
10 anticipate having personnel, potentially concierges
11 or somebody at least part time. But I think one of
12 the things that struck me about this, the current
13 design of the buildings creates -- there's a very
14 small building, undistinguished building that
15 actually has a very long alley which is really
16 dangerous. And one of the things that we've tried to
17 do with our architecture is embrace the neighborhood
18 and be open for safety. And also provide eyes on the
19 street.

20 I think the fact that the entrance is
21 slightly elevated and open and visible is going to
22 provide a lot more safety. But certainly we're going
23 to make sure that it's locked. Yes.

24 MS. COHEN: It's on page 11 of 12 of the OP
25 report if you just want to refer to it because I

1 think that is an important feature that MPD
2 recommends.

3 Your timeline, when will you begin
4 construction of this project?

5 MR. BENAIME: I mean, we're hoping with the
6 blessing of the powers that be, we would like to
7 begin in the spring. Maybe the summer depending on
8 the time it requires to finish construction drawings
9 and break ground.

10 MS. COHEN: Did you meet with the District
11 Department of Energy and Environment at all regarding
12 their suggestion? You did. Shaking your head.
13 Okay. Thank you.

14 I have a question with regard to -- well,
15 it's more for DDOT, I think, my question.

16 Okay. The parking issue, because I have
17 somewhat of a different outlook than I think my
18 fellow commissioner, who proceeded me. Again,
19 there's such a rich amount of transportation options
20 that I think it discourages a lot of your residents
21 from needing a car, and you are within walking
22 distance of commercial area. So I really think that
23 the amount of parking is sufficient.

24 And as far as the RPP, you know, we have
25 issues with parking and just people need to bite the

1 bullet and realize they're going to, you know, drive
2 around a little bit to find a parking space, which
3 isn't very good for the environment, but they'll
4 eventually find one. Probably in my neighborhood.

5 So anyway, thank you very much, and as I say,
6 I really appreciate the efforts that you are doing
7 for affordability.

8 CHAIRPERSON HOOD: Okay. Commissioner
9 Turnbull.

10 MR. TURNBULL: I couldn't tell if I was on or
11 not. My cord was over my little light. Thank you,
12 Mr. Chair.

13 I want to thank you for your presentation.
14 This was a very -- I think one of the most sensitive
15 designs I think that we've seen in a long time come
16 before us, and I appreciate the architecture and your
17 response to the community and working with them. I
18 think it shows a lot of initiative and I think it
19 shows a responsive attitude. So I want to thank you
20 for that.

21 I just have a couple of questions. I guess
22 the first thing is, there is a letter that just came
23 in, Exhibit 51 from the ANC, that's referring it back
24 to their Design Committee and it sounds like they
25 want to go back and look at everything. Can you

1 explain maybe what's happening there, or --

2 MR. BENAIME: Definitely. I'd be happy to.

3 Also I know some of the ANC or SMD and you know, the
4 Chairman of the Zoning and Planning Development
5 Committee are here as well tonight. But basically I
6 think you know, we've really tried hard to listen to
7 everybody that we can. And in some cases people have
8 disparate desires. Some folks want us to do more
9 parking, some people want less parking. You know, so
10 we've tried, except where it's mutually exclusive, to
11 do everything we can.

12 I think we've worked -- there were a number
13 of committee meetings. And then over the summer
14 there were some three SMD, tri-SMD meetings that were
15 held that we didn't attend, that we weren't invited
16 to, that occurred over the summer, to additionally
17 vet people's concerns. And we got a digest of those
18 concerns and then we -- many of the things we talked
19 about having changed came out of really our SMD and
20 our Zoning and Planning and Development Committee
21 Chairman's conveyance of community concerns, and also
22 what we heard direct from people --

23 MR. TURNBULL: Okay.

24 MR. BENAIME: -- meeting with everybody.

25 As the year has gone on we've all had

1 personal life events, travel, the children. Many
2 other life events and it seems to have turned out
3 that things got scheduled kind of all very tight. I
4 don't know if I'm -- things got a little bit tight to
5 this date. And I think there also was concern that a
6 number of our neighbors across the alley really
7 diagonally across the alley and perpendicular to us
8 on 13th or Euclid, hadn't really been heard. Or
9 their thoughts and opinions had not been heard. And
10 I mean, I commend our representatives for saying
11 let's make sure that everybody has been heard.

12 MR. TURNBULL: Okay.

13 MR. BENAIME: And so --

14 MR. TURNBULL: Well, I guess it was just the
15 one line they have in here that says, "To resolve
16 issues on setback, increase community benefits,
17 street and alley --" I mean, other than I think
18 Commissioner May pointed out an issue on the setback
19 on the roof, but are there issues from them on
20 setback that you know of?

21 MR. BENAIME: Sure. I think basically that
22 list of four or five items, it sounds -- it's fairly
23 familiar but it sounds very similar to kind of some
24 compromised ideas that we've been working on even as
25 late as this week with some of our neighbors across

1 the alley having really satisfied many of the other
2 neighbors.

3 MR. TURNBULL: Okay.

4 MR. BENAIME: And the alley neighbors have a
5 number of concerns that we've really sought to
6 address that particularly around several areas; the
7 areas mentioned. The greening of the alley
8 elevations. So we and they want to see more trees.
9 We want to go together to DDOT to ask --

10 MR. TURNBULL: Not a lot of room for trees.

11 MR. BENAIME: Well, the alley is -- I mean,
12 it's 22 to 37 feet wide and then it expands to about
13 80 feet at a certain corner. There is place for a
14 tree, we think, could be a great tree in the little
15 nook in our building, in our property line.

16 MR. TURNBULL: Well, on your property.

17 MR. BENAIME: Well, I would --

18 MR. TURNBULL: Or is it in the public space?

19 MR. BENAIME: We would love to go in front of
20 the, you know, DDOT and see if we could take that
21 nook which isn't needed for vehicular access, and
22 turn it into a tree.

23 MR. TURNBULL: Okay.

24 MR. BENAIME: At our expense. But there is --
25 we talked about softening this elevation through a

1 couple of potential setbacks to the basically a 10 by
2 20 setback to the Northeast corner. And a couple of
3 kind of targeted setbacks over the fourth floor that
4 we -- I mean, I don't want to do a disservice to our
5 architects who I think have designed a beautiful back
6 elevation. But I also wanted to be kind, as much as
7 we can, to all our neighbors who want to see more
8 green, more plants, less building, and there's also a
9 request for some other things. And I mean, requests
10 that we could possibly divert some of the traffic to
11 Clifton Street, and things which are kind of beyond
12 my --

13 MR. TURNBULL: Okay. So --

14 MR. BENAIME: Beyond my ability. So --

15 MR. TURNBULL: So you've got a meeting in
16 January then, coming up, to talk about --

17 MR. BENAIME: We're going to go back and, you
18 know, I think we've tied up almost all of the loose
19 ends.

20 MR. TURNBULL: Okay.

21 MR. BENAIME: But we wanted to come before --

22 MR. TURNBULL: Yeah.

23 MR. BENAIME: -- this body to understand where
24 everyone was coming from, to be able to really work
25 together.

1 MR. TURNBULL: Okay. I guess my next
2 question is getting back to the RPP. There was a
3 comment on page 12 of the OP report, and it says, in
4 their little chart it says the top one, exclusion and
5 Department of Transportation's RPP Program,
6 transportation study, blah, blah. And the
7 applicant's response is, "Tenants would not be able
8 to participate in the RPP Program and the applicant
9 is proposing a robust TDM."

10 That sort of sounds like you're willing to
11 incorporate no RPP in this PUD.

12 MR. BENAIME: I think we would. I mean, I
13 guess it's sort of, if I'm being totally honest, I
14 don't believe that all those cars are necessarily
15 going to be used because people --

16 MR. TURNBULL: Right.

17 MR. BENAIME: -- in the future, today and in
18 the future, are using the Metro. So I think we would
19 like to potentially see that as part of an ANC, you
20 know, embraced --

21 MR. TURNBULL: Okay.

22 MR. BENAIME: -- thing, but that hasn't been
23 the most important issues that we've been hearing,
24 but we're certainly open to it.

25 MR. TURNBULL: Okay. Thank you. On the

1 affordable housing, I also echo my colleague's
2 comments on what you're trying to do on the
3 affordable housing.

4 What I'm trying to get my arms around is that
5 you have a -- in your report you talk about
6 percentages, so much of this, so much -- is there a
7 way that we can get a chart that actually gives
8 numbers of how many units are going to be for which
9 one? I didn't see anything, but maybe I missed it.
10 Is there an actual chart that has numbers of units?

11 MR. BENAIME: Yes.

12 MR. TURNBULL: I mean, I read the language
13 and it talks about the percentages and all that.

14 MR. BENAIME: I believe it's 16, but there is
15 a chart. I'm not sure I can read it from here. But
16 there is a chart that I think we actually, we've
17 allocated them around the building and then per
18 suggestions from the Office of Planning we've
19 actually reallocated them around the building and I
20 believe it's 16 units that are kind of, of a balance
21 of size and location within the building.

22 MR. TURNBULL: Yeah. I appreciate in your
23 previous submittal, I forget whether it was the last
24 -- it was Exhibit -- I forgot what exhibit it was.

25 You had listed the IZ units, and you had several of

1 them were two together, three together. And I see
2 you've broken that up, and you've still got a couple
3 where you've got two units together. If you can just
4 try to massage -- I'd like to try to break those up
5 as much as possible within the building. So we have
6 a more inclusive atmosphere.

7 MS. DALEY-RAO: The other thing that we have
8 done is move some units from the lowest level of the
9 building up to the fourth level of the building to
10 get a more even distribution throughout the entire
11 building also.

12 MR. TURNBULL: Okay. All right. I
13 appreciate that.

14 MR. BENAIME: One of the things, you know, I
15 mean, one of the things, it's funny -- some of the
16 tenants you know, who have been there 20, 30, 50
17 years have developed really close relationships.
18 Some of them are seniors and they have, you know,
19 real relationships with people --

20 MR. TURNBULL: Preferences.

21 MR. BENAIME: -- that they want to be close
22 to.

23 MR. TURNBULL: Okay.

24 MR. BENAIME: And also some who are, you know,
25 there's one blind tenant and some folks that could

1 more easily be on the first floor where it's more
2 easily navigable by let's say a wheelchair or, you
3 know.

4 MR. TURNBULL: Yeah.

5 MR. BENAIME: So we're definitely sensitive to
6 those concerns.

7 MR. TURNBULL: And again, just repeating, I
8 appreciate the holistic approach to the way the
9 building was presented. I think we often get a point
10 where someone, the back side of the building takes a
11 notch down in materials. So I appreciate that
12 you've, you know, committed to making as a three-
13 dimensional experience for the people back in the
14 alley.

15 I just have a question about the cement fiber
16 board -- are the panels -- how big are these panels?

17 MS. DALEY-RAO: The panels themselves are 18
18 inches by six feet long. They would be increments of
19 that. So when we have to cut panels --

20 MR. TURNBULL: So are they more vertical or
21 horizontal or --

22 MS. DALEY-RAO: We're not sure yet.

23 MR. TURNBULL: Okay.

24 MS. DALEY-RAO: But I do have some samples.
25 Would you like me to pass them down the row now?

1 MR. TURNBULL: Well, I think we have the
2 cement panels up here.

3 MS. DALEY-RAO: Oh, okay.

4 MR. TURNBULL: I think you made a comment
5 that -- and I wasn't sure what you were getting at
6 architecturally. You said the fiber cement breaks
7 down the scale of the courts and I just somehow
8 didn't really understand what you were trying to get
9 at.

10 MS. DALEY-RAO: We felt like introducing a
11 lighter material into that space that's a little bit
12 more enclosed might help.

13 MR. TURNBULL: Oh, so mainly a color
14 variation because --

15 MS. DALEY-RAO: A color variation.

16 MR. TURNBULL: Because scale wise I just
17 didn't see --

18 MS. DALEY-RAO: Right. No.

19 MR. TURNBULL: -- where you were coming from.

20 MS. DALEY-RAO: It's really about the color
21 and change in the materials just to give it some
22 different interest.

23 MR. TURNBULL: The other thing is, you talked
24 about, it was an amenity to the neighbors and I can
25 see that from a visual standpoint, but it's not open

1 to the neighbors still. I mean --

2 MS. DALEY-RAO: Correct. That's correct.

3 MR. TURNBULL: Okay. So it's just a visual.

4 MS. DALEY-RAO: Because of the security
5 concerns we've talked about.

6 MR. TURNBULL: Okay. Just want to make sure
7 on that.

8 I'd also like -- I'd be just concerned about
9 the lighting up on that rooftop area. I wouldn't
10 mind seeing something that tells me that's going to
11 be down lighting and minimal lighting, that it's not
12 going to become attractive, I mean an attractive
13 nuisance to the neighbors on either side. So if we
14 could maybe see a plan that sort of shows that the
15 lighting is going to be very subdued up there?

16 The other thing is that on the alley there is
17 about three units or four units that are in the lower
18 level that have like an area well. And I guess my
19 only thing would be about the safety there and the
20 security on the lower level units. And it's an alley
21 concern too. So just maybe it's a safety issue you
22 need to be thinking about on that point.

23 I appreciate, again, getting back to your
24 design, the incorporation of the façade of 1315
25 Clifting (sic). I think that was a very worthwhile

1 endeavor and I think it really enhances the project.
2 I think it enhances the neighborhood, keeping
3 something that was there existing.

4 And let's see. We talked about -- oh, I
5 guess, if you go back to that alley view. I keep
6 pulling up the wrong -- up on the very left-hand --
7 at least on my elevation, my perspective here, it
8 looks like at the far end that there's -- unless
9 you've changed it on a revised drawing. But on that
10 it looks like, is there a trellis at the back? Or an
11 open screening or something? It doesn't show it on
12 the plan but when I look at the elevation it sort of
13 shows that there's like an open grid or something.

14 MS. DALEY-RAO: It's the mechanical screen.

15 MR. TURNBULL: Oh, it's a mechanical screen.
16 I couldn't tell from the plan. I mean, I looked at -
17 - I mean, I couldn't tell from looking at the plan
18 and then going to the perspective. Something looked
19 open. I said, I don't see anything open.

20 Okay. All right. So it's a mechanical
21 screen.

22 MS. DALEY-RAO: Yes.

23 MR. TURNBULL: Okay. I think those are all
24 my questions, Mr. Chair.

25 CHAIRPERSON HOOD: Okay. Thank you.

1 Commissioner Miller.

2 MR. MILLER: Thank you, Mr. Chairman. And
3 thank you for your presentation and for all the work
4 that you've done during the past two years or more on
5 this project, and those four single-spaced pages of
6 meetings with your neighbors and with the tenants and
7 with district agencies and all of the responsiveness
8 that you've had to the community and to the Office of
9 Planning and DDOT suggestions and my colleagues'
10 concerns as mentioned at setdown. I really think
11 it's a beautiful project and I would echo all the
12 commendations of my colleagues on that point. And I
13 appreciate that you have made the change to the
14 inclusionary zoning distribution and size. I didn't
15 realize until you said it just a few moments ago,
16 that you had added a three-bedroom inclusionary
17 zoning unit, which I think is great.

18 I'm wondering if -- and all the neighborhood
19 benefits that you've outlined in your presentation.

20 I'm wondering if you can provide for the record, a
21 valuation of each of those neighborhood benefits so
22 that we can have that for our order that we're going
23 to probably do on this case.

24 I'm also wondering if you're able to provide,
25 along with the tenant's association I guess, a copy

1 of the agreement that you have with them. It seems
2 like you've really worked very diligently on that
3 with the LEDC and others and I think it just might be
4 useful to have it for the record or for us to see it.
5 We have a lot of -- we have some of these cases where
6 we see the right to return, and here there have been
7 significant buyouts which people have been taking
8 advantage of.

9 Can you put on the record what the
10 significant buyout is of each of the tenants who have
11 opted that?

12 MR. BENAIME: We can definitely put all this
13 on the record and also I think some of the LEDC
14 representatives are here. The attorney that
15 represented the tenants and drove a very hard
16 bargain, and you know, and that we were proud to be
17 able to do, is not able to make it tonight but she'll
18 be around and can come back.

19 We offered, depending on the -- some of it
20 depended on tenure. But it was 50 or \$60,000 and as
21 well as another several thousand dollars of moving
22 expenses and -- or for folks who wanted to move back
23 in there was a stipend that essentially was funded up
24 front that allowed people to defray living expenses
25 during the time that we'll be, you know, constructing

1 hopefully a building. And in that case, in several
2 cases we've gone beyond what the agreement actually
3 says in terms of making sure that many of the seniors
4 and a lot of the people have good housing during this
5 time, and affordable to them beyond what the
6 agreement will say.

7 MR. MILLER: Yeah, that's very commendable
8 and I think it would just be useful to maybe have
9 some of that information as a model for others who
10 come after you. And so we can see all that effort
11 that's been made.

12 So the 10 to 12 who want to come back and
13 have the right to come back, are they all already
14 placed in the Alden or other properties, or about to
15 be?

16 MR. BENAIME: Imminently I'd say I think eight
17 to 10 are. I think it's maybe -- there's two
18 remaining tenants. Three remaining tenants. And we
19 actually worked with the LEDC and also with a
20 relocation specialist to help find places for
21 everybody, which is not surprisingly quite difficult
22 in D.C. Or anywhere. But we -- so when we couldn't
23 find anything with the relocation specialist we just,
24 you know, took them into our buildings, basically, at
25 a lower rent that would make sense.

1 MR. MILLER: Well, you're to be commended on
2 that. That's terrific.

3 So I don't think I have any other questions,
4 Mr. Chairman. It's a beautifully designed building.
5 Do you have a construction management agreement with
6 your neighbors or with the ANC or --

7 MR. BENAIME: We have a construction
8 management agreement with the 1307 Clifton
9 Association, representative whom is present.

10 MR. MILLER: That's not really under our
11 jurisdiction but we sometimes reference it and it
12 obviously addresses neighborhood concerns or -- so
13 again, thank you for all the changes, the setbacks,
14 and all the other revisions that you've made along
15 the way. And I look forward to proceeding with this
16 case.

17 CHAIRPERSON HOOD: Okay. I want to piggyback
18 on Commissioner Miller's comment about the
19 construction management plan that you have. Whatever
20 you have, you can make sure we have it so it can be
21 memorialized in any final orders, anything final that
22 we have, just in case there may be potential problems
23 on down the line. But from what I'm hearing and from
24 the record I see, I don't expect that to happen
25 because it looks like you are what I call a good

1 neighbor policy.

2 I do have a few questions. I want to
3 piggyback on the RPP. For full disclosure, I go to
4 church right there at 13th and Fairmont. And I've
5 been going there since the '60s. And here recently -
6 - and for full disclosure I've worked with Council
7 Member Jim Graham, and also Council Member Doe and
8 the neighborhood to make sure that my church members
9 -- because I sit here so I know how it works.

10 There's not parking in front of the resident's homes.
11 We actually rent out the Carlos Rosario lot and I
12 forget, escapes my memory right now but I'm sure the
13 Commission is going to tell me the other lot there.
14 We usually try to park in those areas so we are good
15 neighbors.

16 But I hear this argument about cars. But
17 when I go up there sometimes in the evenings there's
18 nowhere to park. So I think some of what -- and I
19 will leave that up to Chairman Turner and the ANC on
20 how we deal with that RPP issue, because I hear that,
21 the young folks say it's back home, but then after a
22 couple of months they send for their car and then
23 when you go up there there's no place to park.

24 So, you know, again, as -- even though Jim
25 Graham, he told me one time, he said, go to church in

1 Ward 5, Hood. But the difference is, I told him, I
2 said my parents was bringing me here long before a
3 lot of you came in to be a council member. So, and
4 Jim is a friend of mine. But I will say that there
5 is a need for parking up there. And I think I would
6 associate myself -- I heard my colleague to my right,
7 but I'm going to go to my further right. And I think
8 that is kind of where I lie. But I will leave that
9 up to the ANC. They know best. Chairman Turner and
10 the committee and the rest of the commissioners, they
11 know best whether they should look at RPP or not.

12 But that argument about, my car is back home,
13 yeah, and I'm going to send for it eventually. So
14 that's something I think that that community -- and
15 we don't want to do a disservice. And I know they
16 have Ward 1 parking only up there. They opted --
17 Ward 1 opted in, and it's needed. But I think that's
18 something that we can look at here. I would just
19 implore you to do that. But again, I'm going to
20 leave that up to the ANC. As Commissioner Turnbull
21 mentioned, you're going back to the ANC to do some
22 final stuff and it sounds like that will be worked
23 out too from the way the record is proceeding.

24 The other thing is you mentioned that most
25 people are almost out. Who is not out? I know one

1 but who is not out? Who is still there? How many
2 people are still there?

3 MR. BENAIME: I might need some help here, but
4 I think there's one relative of the former owner who
5 I'm not sure --

6 MS. JOHNS: He's ready to move.

7 MR. BENAIME: He's ready?

8 CHAIRPERSON HOOD: And then everybody will be
9 out?

10 MR. BENAIME: There is --

11 CHAIRPERSON HOOD: If she can just come up
12 and identify herself, and that way --

13 MR. BENAIME: Mary Katherine.

14 CHAIRPERSON HOOD: Make sure if you can
15 identify yourself in the mic and just give us --

16 MS. JOHNS: Okay. Mary Katherine Johns, and
17 I manage the properties on behalf of Aria.

18 At 1315 there are three residents remaining.
19 One is the gentleman that Josh was speaking of. He's
20 expecting to move any day as soon as we get documents
21 signed. There's an elderly woman who is scheduled to
22 move December 22nd at her choosing. And there is one
23 other resident who is not elderly or disabled and she
24 is looking to move in December. She's on a waitlist
25 for an apartment. But we're holding a one-bedroom

1 for her in the event that her apartment doesn't come
2 through.

3 CHAIRPERSON HOOD: Okay.

4 MS. JOHNS: At her current rent.

5 CHAIRPERSON HOOD: Thank you. I really --

6 MS. JOHNS: Thank you.

7 CHAIRPERSON HOOD: One of the issues that
8 we've had in other cases, relocation. I really want
9 to commend you for making sure that people have a
10 nicer place to stay while things are being renovated,
11 redone, rebuilt, or whatever the case is. I think
12 you should be commended.

13 And when I saw all these -- I don't know,
14 maybe I must have dreamed it, but I thought I had a
15 lot of opposition in this case tonight. Unless it
16 may be some that I haven't seen yet. But I can tell
17 you when I look at the record and see all those
18 letters of supports, the retraction of the party
19 status, as well as some of the other adventures that
20 people took as far as I saw what they wrote, they
21 started their own business. Somebody else moved
22 somewhere else. And I saw those different things and
23 I think you should be commended.

24 I think one of my colleagues may have
25 mentioned that this is a model. I've seen some

1 models, some different models in different aspects,
2 but this is definitely a model and I like your
3 enthusiasm of working with the community. So I'm
4 sure at that ANC meeting, I'm pretty sure from what
5 I'm hearing and the way things seem to be going, will
6 come back similar. And I'm sure that Chairman Turner
7 and the rest of the ANC commissioners will resolve
8 some of those issues.

9 And the only issue I have is the RPP. I
10 would like to see -- because I'm one of the folks who
11 don't like to park in folks' neighborhood in front of
12 their homes either. So when I come over there I make
13 sure I park, not in front of someone's home, or try
14 to park at least on the lot that we rent out from
15 Carlos Rosario. So again, if we can just look at
16 that? But I'll leave it up to the ANC. If they
17 don't come back with anything, then I won't say a
18 words. Okay?

19 And again, I do like the architecture. It
20 looks good. It looks like it fits right in.

21 So okay, any other questions up here? Okay.
22 Is there anyone representing the ANC 1B who would
23 like to cross-examine? You want to cross-examine
24 anything that we heard? We're going to have your
25 presentation later. Any cross-exam? Okay.

1 All right. Let's go to the report of the
2 Office of Planning and District Department of
3 Transportation. Okay. Ms. Vitale and I guess Mr.
4 Rogers.

5 MS. VITALE: Good evening, Mr. Chair, members
6 of the Commission. The Office of Planning will rest
7 on the record in support of the application. The
8 applicant this evening provided additional
9 information about the affordable units. They have
10 modified the unit mix to more closely match the
11 market rate units, and they've also distributed the
12 units throughout the building. And then at the
13 request of the Commission this evening I believe the
14 applicant will be providing more detailed specific
15 unit count information that OP had also requested.
16 So I am available to answer any questions that you
17 might have at this time.

18 CHAIRPERSON HOOD: Okay. Thank you. Mr.
19 Rogers?

20 MR. ROGERS: Good evening, Mr. Chair and
21 members of the Commission. Just like to hit on a
22 couple quick points and then make myself available to
23 questions.

24 First, DDOT understands the challenges of
25 making improvements to the curb ramps at the 14th and

1 Clifton Intersection, and feels that the repairing of
2 faded striping for several blocks along the 14th
3 Street corridor will serve to improve pedestrian
4 conditions and safety in the area. And secondly
5 there was some mention of making changes to the
6 alley. That's not something that we have been
7 engaged in previously, but we're happy to understand
8 more about what the concepts are and request that the
9 applicant coordinate with DDOT on any proposed
10 changes to the alley.

11 CHAIRPERSON HOOD: Okay. All right.
12 Commissioners, any questions of the Office of
13 Planning or DDOT?

14 MS. COHEN: Yes.

15 CHAIRPERSON HOOD: Okay. Vice Chair Cohen.

16 MS. COHEN: Thank you, Mr. Chairman. This is
17 for DDOT because I want to become expert in all of
18 these transportation studies by the time I step down
19 from this job. And the question that I have regards
20 -- let's see. I think it's on page 9 of your review,
21 where we talk about -- I mean, there's a lot of --
22 and it's sad, about the crash rate on 13th and
23 Clifton. So could you explain to me the pavement
24 markings? Does that manage the pedestrians who are
25 walking in front of cars which creates these rear-

1 ends and side swipes? Is that the issue?

2 MR. ROGERS: So pavement markings include
3 things like crosswalks and stop bars, as well as
4 center lane markings and lane markings. So it's a
5 broad term. Until recently, and there have been some
6 improvements, especially at the 14th and Clifton
7 intersection, there were some very faded markings
8 delineating where the crosswalks are and where stop
9 bars are. And the idea is that if you make those
10 markings more visible that it's easier for all users
11 to see what the rules of the road are, and to act
12 accordingly.

13 MS. COHEN: So, though if we have this type
14 of incidence and we don't have a PUD -- maybe I
15 shouldn't be putting this to you in public, but why
16 doesn't the City do it? I mean, this is really
17 serious number of problems. So you know, you're
18 asking the developer to assume this responsibility
19 and you know, I understand why he's getting benefits.
20 But if it doesn't exist why isn't the city not doing
21 it?

22 MR. ROGERS: There's a tremendous amount of
23 roadway and assets out in the field. Certainly high
24 crash-rate intersections are a concern of ours and
25 through the District's Vision Zero initiative the

1 effort is underway to reduce traffic related
2 fatalities to zero. And one of the things that
3 stands out in the analysis of crashes here is that
4 there were zero involving pedestrians, and that's
5 actually a promising sign. While crashes are
6 elevated at these intersections, they don't seem to
7 be major injury type situations and certainly -- and
8 not fatalities.

9 So it's a matter of, you know, prioritizing
10 and addressing really the high crash rate
11 intersections that have a significant injury
12 component to them. Luckily in this instance, like I
13 said, there were no pedestrian involved crashes
14 report and we do feel that the improvements to the
15 striping will hopefully help to reduce the amount of
16 other crashes in the area.

17 MS. COHEN: You handled that well without
18 blaming the budget of the City of the District of
19 Columbia.

20 CHAIRPERSON HOOD: Thank you, Vice Chair. I
21 really don't want to say this on the record, but you
22 said you wanted to become an expert.

23 MS. COHEN: Yes.

24 CHAIRPERSON HOOD: And before you left?

25 MS. COHEN: Yes.

1 CHAIRPERSON HOOD: I'll tell you later what I
2 was thinking. Okay. All right. Commissioner
3 Miller.

4 MR. MILLER: Thank you, Mr. Chairman. Ms.
5 Vitale or Mr. Lawson, could you remind me what the
6 affordable housing trigger is for the habitable space
7 that's on the roof? Is there a -- was there a
8 trigger of additional affordable -- from our new
9 penthouse regulations or not?

10 MR. LAWSON: They will have to provide
11 habitable space in accordance with IZ for the
12 penthouse units that they're providing. The
13 Commission elected not to require that linkage for
14 recreation space on the roof so that would not
15 trigger an IZ requirement. The big difference is
16 that with the penthouse units, all of that space
17 would generate affordable units at 50 percent AMI
18 instead of a 50/80 percent split, which would
19 otherwise be the case.

20 MR. MILLER: Right. So the extra -- the
21 representation that they were providing extra at the
22 50 percent AMI level above what's required, is that
23 because of the habitable space? Or they're actually,
24 they're above and beyond that amount even with --

25 MR. LAWSON: You could certainly ask for that

1 clarification from the applicant, but our
2 understanding is that they're providing units above
3 and beyond what IZ would require. And essentially
4 the penthouse units are an IZ requirement.

5 MR. MILLER: Right. Okay. Well, maybe you
6 can just -- maybe they can provide that clarification
7 in the additional materials that you provide.

8 MS. PRINCE: We'll do that.

9 MR. MILLER: Thanks.

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

12 The other government reports, I think we
13 spoke about DDOE and the Metropolitan Police
14 Department with DDOT, Office of Planning. Did we
15 have any that I may have missed?

16 Oh, I'm sorry. Let's do cross-examination.
17 Does the applicant have any cross of either Office of
18 Planning or DDOT?

19 MS. PRINCE: None.

20 CHAIRPERSON HOOD: Okay. Does the ANC have
21 any cross-examination of either Office of Planning or
22 DDOT?

23 Okay. All right. Thank you. Okay. So I
24 think we've covered any other government reports.
25 Now we have the report of the Advisory Neighborhood

1 Commission and I think we have Commissioner Nelson.
2 Is Nelson here? Okay. And also the other
3 commissioner, if you want to come forward.

4 Commission Nelson is the Chair of the Zoning
5 and Planning. Oh, you're the commissioner and he's -
6 - okay. All right. Getting everybody involved.
7 That's good. Okay, Commissioner, if you can
8 introduce yourself?

9 MR. RANSLEM: Yes. My name is Mark Ranslem
10 and I am the commissioner for 1B-08.

11 CHAIRPERSON HOOD: And Chairman of the
12 Committee, if you want to introduce yourself you can.

13 MR. NELSON: Good evening, Chair and members
14 of the Zoning Commission. Please bear with me. I
15 have a really bad cold so I might sound kind of
16 scratchy. My name is Patrick Nelson and I am the
17 current chair of the ANC 1B Zoning Preservation and
18 Development Committee. I would like to take a few
19 moments to make a brief statement about the case, 15-
20 03.

21 This PUD has been in process for a little
22 over a year now and I have worked closely with the
23 single member district representative where the PUD
24 is located, along with the abutting SMDs and
25 community members and residents to facilitate the

1 process. There have been many meetings held to
2 discuss the multiple moving parts that it consists of
3 with many issues discussed and negotiated.

4 There had been very productive movement in
5 the working out of important concerns that the
6 neighbors and community members have brought up.
7 Although there was a sense of consensus and agreement
8 on these issues it was made evidently clear that it
9 was not the case when Aria came before the Zoning
10 Preservation Development Committee to make its
11 presentation for support of the project and to ask
12 the Committee's recommendation to the full ANC
13 Commission for its support of the project.

14 The issues of concern center around three
15 areas. The height and density, particularly as it
16 relates to light, air, and height in relation to
17 abutting buildings. The rear yard setback size as it
18 relates to the alley. And concerns about alley
19 traffic and usage.

20 There was not a strong vote to support by the
21 Committee, but the yeas carried and it was moved to
22 the ANC Commission to support. The ANC Commission at
23 its December 3rd meeting had considerable discussion
24 and voted to refer back to the Committee to give
25 additional time in hopes of being able to agree on

1 how to move forward with resolving the issues of
2 contention.

3 I wanted to come before you tonight and give
4 you some insight as to why at this time there is no
5 support nor opposition in front of you from the ANC
6 1B Commission. If you have any questions I'm free to
7 answer them.

8 CHAIRPERSON HOOD: Okay. Okay.

9 Commissioner, do you concur with the statement --

10 MR. RANSLEM: Yes, I do.

11 CHAIRPERSON HOOD: Turn your mic on.

12 MR. RANSLEM: Yes, I do.

13 CHAIRPERSON HOOD: Now is this your single
14 member district where this area is? Is this 1B-08?

15 MR. RANSLEM: Yes, that's correct.

16 CHAIRPERSON HOOD: Okay. All right. Do you
17 have anything you want to add?

18 MR. RANSLEM: Yes. I wanted to add a few
19 things, concurring with our Zoning Committee Chairman
20 on all of those points. We've made substantial
21 progress in the last year and we've appreciated Aria
22 Development's interest and focus in getting this done
23 right. It's been my position that -- however, it's
24 been my position that placement for tonight of this
25 case on your docket is premature. We're almost

1 there, but not yet. For the points that Chairman
2 Nelson raised, I was the one that introduced the
3 motion that asked to have this referred back to --
4 have it tabled and referred back to the Committee.
5 I'm also Vice Chairman of the Zoning Committee.

6 It was my belief that having a December 10th
7 date for this hearing was too soon. The number of
8 issues that we had to work out that Chairman Nelson
9 just illuminated are impactful. The one
10 consideration I haven't heard any commissioners
11 mention is the feeder path to the alley in the back.
12 I believe that Department of Transportation needs to
13 be brought in to assess the capacity for simultaneous
14 in-bound and out-bound traffic.

15 Currently, I was on the site today. I walked
16 across it and measured it, and it's no more than 14
17 feet across. So the issues that you -- the concerns
18 that you have about 14th Street are certainly well
19 placed. But let me add to that. As cars try to
20 enter that alleyway, and you have all these parking
21 spaces in that building, presuming that tenants will
22 be taking them, you have a very large community back
23 there that does in fact park there. It's one of
24 those instances where in this design the garage door
25 is on the back, and so the definition of an alley

1 really comes into question because if you have the
2 garage door in the back and an alley is really just
3 an alley, not serving as a road, it does serve as the
4 point at which cars have to go to park or to leave.

5 So with 14th Street what happens is someone
6 comes home from work, turns on to Clifton Street and
7 then starts to turn left into that alleyway, which is
8 right next to the Sherwin Williams Paint business.
9 They start to go up, they have a car behind them,
10 there is another car behind them, and then a car
11 starts to come out. All three of those cars are
12 going to have to back out on a heavily congested
13 street already. And perhaps even go back out on to
14 14th Street as often is the case.

15 And I think that that reservation I have, you
16 know, retrofitting an alley to a building is very
17 difficult and I think that we have some challenges to
18 discuss with DDOT. I think it's a little bit of
19 putting the proverbial horse before the cart. But
20 the poor horse can't get through the alley, it what
21 we're dealing with.

22 The issue of the setback, given that this is
23 a PUD, I don't think that there have been enough
24 concessions on the part of the developer. I think
25 that we got moving on the subject of the community

1 benefits, the amenities package, way too soon, and we
2 were hurried to go through that. And at the last
3 committee meeting we did not have ample time for
4 members of the community to voice their concern and
5 at that time, some opposition to the project.

6 And I know that there's still -- you've heard
7 many comments in support of the project this evening,
8 but I assure you that there are a number of folks
9 that still believe the building is going to be too
10 high, blocking too much of the light, and will be a
11 menace to those people trying to access the alley for
12 parking purposes. Thank you. And I'll be glad to
13 answer any questions.

14 CHAIRPERSON HOOD: Can you spell your last
15 name for me, please?

16 MR. RANSLEM: R-A-N, as in Nicholas, S-L-E-M,
17 as in Mark.

18 CHAIRPERSON HOOD: R-A-N-S-L-E-M. Ranslem?

19 MR. RANSLEM: That's correct.

20 CHAIRPERSON HOOD: Okay. Commissioner
21 Ranslem, when you say that you thought it was
22 premature when we set this down, I'm trying to think,
23 did you all give us a notice? I think in the
24 beginning we have a -- you know what? I'm not going
25 to ask you that because I've got to remember what's

1 on that notice. I think there is something that we
2 get at the beginning of a setdown that gives us some
3 type of notification that would have alerted us to --
4 I guess it was nothing that signaled that the ANC
5 thought that it wasn't flavored for us to come -- for
6 the case to come to this Commission. You know what
7 I'm saying? There was nothing that triggered that.

8 MR. RANSLEM: No.

9 CHAIRPERSON HOOD: Okay. We do have a form,
10 and I know this ANC is very much on it, but we do
11 have a form that we do now for setdown. You might
12 want to check back with the office, or have your
13 administrative person check with the Office of Zoning
14 about the form that we do for setdown. I don't know
15 if would have stopped us from setting it down, but it
16 should would have made us take another look at it.
17 That's just one person's opinion.

18 MR. NELSON: Well, I would just want to
19 interject one small comment to what Mark has said.
20 I've dealt with a number of PUDs in my time that I've
21 lived here, and my time that I've been active on
22 this, and it's always been my knowledge of the work
23 that I've done that the community is the one that
24 takes the role, and the developer must follow along
25 and make sure that all of the pieces of the puzzle

1 fit into place. And when the time comes that all of
2 that is negotiated, then they go to the ANC and ask
3 the ANC's blessing. And that was something that we
4 explained very strongly to Aria since they had never
5 done a PUD before. This was all new to them. Mark
6 and I spent one day talking with them to explain them
7 all that. And the concern that we had was that we,
8 aside from as Josh put it, there was a number of
9 factors that interlock. I had already made
10 arrangements to go out of the country for a whole
11 month. Mark's mother died suddenly. He had a baby.
12 And all of these things were happening. And they had
13 already said to us that they want to put this in to
14 do in December. And I said then that I thought that
15 was way too much time, quickness, in getting it. We
16 still hadn't even finished or touched any of the
17 benefits part of it.

18 Now we have gotten it all done, but that also
19 should be vetted with the community and we needed to
20 make sure that everybody had put input into it. And
21 when it came to our meeting where we were supposed to
22 be looking at this to recommend to the Committee, to
23 Mark's point, there was so much stuff going on at
24 that meeting that it literally got out of hand and
25 there were residents that technically we had told,

1 this is your opportunity to come and talk and ask
2 questions. We didn't have enough time. We had to
3 literally get out of that room that we were in at a
4 certain time and we had to either make a
5 recommendation to vote it up or down, and we had
6 people that were just really, really upset that they
7 did not get a chance to even say anything because
8 there was all this other stuff that was going on.

9 And like I said, it was voted up so we
10 recommended that to the Committee. But the actual
11 vote was five people abstained because they didn't
12 know -- they were not comfortable with making it, so
13 technically it went through, but there was still a
14 lot of discontent within the committee itself.

15 CHAIRPERSON HOOD: So when you talk about the
16 vote, you're talking about the vote on the Committee,
17 not the commissioners?

18 MR. NELSON: That's correct. The Commission
19 unanimously voted to push it back to us and give us
20 more time.

21 CHAIRPERSON HOOD: Okay.

22 MR. NELSON: but at the vote we were
23 required, and at that point had to take a vote, and
24 when the vote came up there was enough support but
25 not -- there was nobody that voted against it. It

1 was five people that voted in abstention. So it did
2 carry, legally. It went through and we had to
3 recommend that to the Commission.

4 CHAIRPERSON HOOD: Okay.

5 MR. NELSON: But there was still some
6 discontent within the Committee itself.

7 CHAIRPERSON HOOD: Okay. I got it.

8 MR. NELSON: Not on the community.

9 CHAIRPERSON HOOD: We got it. We got it. We
10 got it. Commissioner Ranslem, you had something
11 else?

12 MR. RANSLEM: Yes. I just wanted to address
13 the point about the RPP. We did discuss that as a
14 committee and it was actually Chairman Nelson, I give
15 him a great deal of credit for his expertise on this
16 project and lending me a lot of support and guidance.
17 He was the one who was largely instrumental in
18 getting the number of parking spaces, which actually
19 started at 22. And then you saw the number 36, and
20 then we got it up to 45.

21 We're sort of betwixt in between because now
22 we have the issue of the alley, preexisting problem
23 of one car having access at a time, to and from that
24 garage point. But as far as the RPP is concerned, it
25 was felt that there is already a burden on that

1 street for parking and a number of residents already
2 have permits for people who are visiting, and that we
3 didn't want to place an undue burden on other
4 neighbors and residents on the street with RPP.

5 CHAIRPERSON HOOD: Well, we were thinking
6 that anyone who applies to this address, and at least
7 that's what I was thinking, who were going to this
8 building would not be able to -- it's already RPP on
9 the street, right?

10 MR. RANSLEM: Yes.

11 CHAIRPERSON HOOD: They would not be able to
12 go downtown and get an RPP sticker. So that means
13 they would possibly not have a car. That's kind of
14 where we were going. So that's why I want to throw
15 it back into the ANC's lap.

16 MR. RANSLEM: And we're certainly willing to
17 take that up at the Committee level and --

18 MR. NELSON: That was discussed and one of
19 our Committee members is a lawyer, and he jumped in
20 and was saying that that's not something that he
21 would feel comfortable. There's an issue of taking
22 away a person's right to be able to get an RPP and
23 there was a whole lot of back and forth so we kind of
24 pushed it aside and decided we'd deal with it later.

25 MR. RANSLEM: If I could just make one more -

1 -

2 CHAIRPERSON HOOD: I was just going to say,
3 there's a lot of that that's being dealt with across
4 the city. So again, we just put it out there and you
5 can handle it how you want.

6 MR. RANSLEM: Certainly. I just wanted to
7 make one more point regarding parking. We just
8 learned tonight that the parking would be unbundled
9 from what tenants -- what residents would get when
10 moving into that building. The whole point of
11 negotiating the number of parking spaces was to add
12 that as, for lack of a better word, an amenity or an
13 opportunity for residents in that building. But now
14 that's going to be unbundled. It's basically about
15 them making that money back, otherwise.

16 CHAIRPERSON HOOD: Let me ask. Some of the
17 outstanding issues. About how much time do you think
18 the ANC would need to -- and I'm going to ask the
19 applicant the same thing, but I'm more concerned
20 about the volunteers. How much time would you think
21 you would need to resolve some of these issues in
22 working with this applicant? A month? Two months?

23 MR. RANSLEM: Yes. I can tell you that
24 between the two of us this has been literally more
25 than a part-time job, more than about 20 hours a

1 week, at least for the last four or five months, and
2 I don't say that lightly, in meeting with
3 constituents responding to e-mails, working with Josh
4 and others. And just in the interest of time, I have
5 not been able to go into and won't for reasons of
6 this meeting, hearing, I don't want to go into all of
7 the wonderful things they have done and brought to
8 the table because many of those things have been
9 reflected tonight.

10 CHAIRPERSON HOOD: And I appreciate that.
11 We've heard that. I just want -- now I need to hear
12 this.

13 MR. RANSLEM: Right.

14 CHAIRPERSON HOOD: I need to hear this part
15 of it from my standpoint, and I'm sure my colleagues
16 do too. We've heard all the grandiose and the grand
17 things, but now we need to hear the real thing, the
18 reality. I mean, I know those are real too, but the
19 reality of those who will endure what's going to go
20 on. So let me stop for a moment and ask my
21 colleagues, any questions of the Commissioner and the
22 Chair, the subcommittee?

23 Vice Chair Cohen?

24 MS. COHEN: Thank you, Mr. Chairman. My
25 question is, your concerns about light and air, the

1 closets, I understand, building to the proposed
2 development is the courtyards, and they support this
3 project. So who would other buildings are you
4 concerned about that may not have submitted a letter
5 in support?

6 MR. RANSLEM: That technical point about who
7 may or may not have submitted a letter I can't really
8 speak to quite yet. I think that's still in
9 development. But there are -- I believe it's
10 regarded as one of the largest alleys in the city,
11 believe it or not. It's from -- I visited there
12 today. I met with a couple of tenants who want to
13 testify this evening, a couple of residents,
14 homeowners. And some of them live on Euclid. Some
15 of them live on 13th Street.

16 And they access the alley quite a bit.
17 That's where -- there's community life back there.
18 And I think regarding the trees and that sort of
19 thing to Aria's credit, recognizing that we can do
20 more back there because it truly is a community. It
21 wasn't intended for that, but that's what it's
22 become.

23 MS. COHEN: Did you get an opportunity to
24 read the Department of Transportation's report,
25 because they explain in the body of their report, a

1 number of rationales, reasons why certain things like
2 the coupling is important. What they're attempting
3 to do is reduce the need or the desire to have cars
4 in the city because of the environmental consequences
5 and the obviously congestion that it causes on the
6 street.

7 So I'm asking you that that will be a helpful
8 document.

9 MR. RANSLEM: Yes, I actually have not read
10 that and I will be sure to do that tomorrow.

11 MS. COHEN: Yes.

12 MR. RANSLEM: If I may, to Chairman Hood's
13 comment earlier? I have seen him over at the church,
14 at meetings with former Council Member Graham. And I
15 know that that church is in Chairman Turner's
16 district and the point that he raised regarding
17 people on Sundays, I often will move my own car out
18 of the area so that some of the older ladies that
19 come can park. It is -- when I go home tonight it's
20 going to be -- I'm probably going to spend about 20
21 minutes trying to find a parking space. And I may
22 have to park all the way down at Sherman Ave., which
23 is about four blocks away. That's often --

24 CHAIRPERSON HOOD: Pull in the church lot and
25 put a note on it that said Anthony Hood said you

1 could do this.

2 MR. RANSLEM: Okay. I will. Indeed.

3 MS. COHEN: Another question about the alley.
4 I believe there was a recommendation which my -- I
5 live in the city. I have an alley. I don't think
6 it's as wide as yours. But you're right, there can't
7 be two-way traffic on most alley so cars have to pull
8 into a sort of vacant area to allow another car to go
9 by. And they mention mirrors so that you can have
10 some ability to judge the flow. But does that in any
11 way provide you with any comfort, because as I said,
12 I don't think alleys were meant, in our city for two-
13 way traffic?

14 MR. RANSLEM: Certainly. I appreciate you
15 bringing that point up. I don't think the radius is
16 large enough for a car to back up and to allow
17 another car to pass. Back up is probably not the
18 right word. For them to move aside. It's just that
19 room is not there. A car coming down right at that
20 turn, at the building that's at the corner there,
21 literally will probably have to back up maybe 10 feet
22 to get where it really widens for a car to pass. So
23 there isn't room for a car to pull to the side. If
24 they do, they're going to scrape each other.

25 And as far as the mirrors go, my

1 understanding was that DDOT was moving toward not
2 putting, installing mirrors. It actually came up at
3 our last meeting. So we had that -- so we ended up
4 having to remove some parking spaces at ANC meeting
5 as a result of the mirrors not being permitted
6 between an alley and 11th Street. Is that 11th?

7 MR. NELSON: It's actually on the alley
8 that's right across the street from the church.
9 They're taking away a parking space instead of
10 replacing the mirror that's on 13th Street for the
11 people coming out of that alley.

12 MR. RANSLEM: So as you can see, we have a
13 lot of challenges here and with a space that's in a
14 densely populated urban area it's compounded.

15 MR. NELSON: And I just would like to add one
16 quick thing about the alley. Some of the perception
17 is not necessarily light and air perceived directly,
18 but it's the fact that the building is coming so
19 close to the alley that it's almost on the alley.
20 They're only proposing a one-foot setback, or a
21 three-foot setback.

22 MR. RANSLEM: In one part.

23 MR. NELSON: And the concern is that, you
24 know, when you have a building that close to an alley
25 that size and people are maneuvering around, there's

1 a possibility of banging into the building or doing
2 some other damage that could cause personal injury.
3 That's part of the concern of some of the residents.
4 The light and air issue is another issue.

5 MS. COHEN: Thank you.

6 MR. RANSLEM: If I may, just one final
7 comment. I wasn't going to bring this up but I think
8 it's important to. We had, as a committee, and in
9 the community and among some commissioners, talked
10 about a curb cut. We know where the City stands on
11 that. But just thinking in a perfect world, what
12 would that look like and that wonderful green space
13 that they've put in their design alongside the west
14 side of the building. The question we had was, could
15 that be for outbound traffic? Could that be for
16 inbound traffic? Could we move the garage door
17 someplace else? That is just something that we
18 thought about.

19 But had we had more time before tonight we
20 would have perhaps flushed that out a little bit
21 more.

22 CHAIRPERSON HOOD: Okay. Let's see. Any
23 other questions up here?

24 MR. TURNBULL: Yeah, I just had one.

25 CHAIRPERSON HOOD: Mr. Turnbull.

1 MR. TURNBULL: Just reiterating where you're
2 coming on this. I mean, you talk about it's a
3 wonderful, it's a large alley. But the big problem
4 is, it's a funnel.

5 MR. RANSLEM: Exactly.

6 MR. TURNBULL: You've only got -- you've got
7 14 feet or something wide, and only one car can
8 either come in or come out. And there's going to be
9 a bottleneck, or a serious issue with cars trying --

10 MR. RANSLEM: Bottleneck is apt, yes.

11 MR. NELSON: Especially at the street end of
12 the alley.

13 MR. TURNBULL: Right.

14 MR. NELSON: When you pull in to the alley
15 from the street the alley is the width. It's like 14
16 feet or whatever it is, 12 feet wide.

17 MR. TURNBULL: Uh-huh.

18 MR. NELSON: And there is the edge, there's a
19 retaining wall that's part of the parking lot for the
20 paint store that goes up about, I want to say three
21 feet. And then it widens out and there's a grassy
22 knoll with a guard so you can't drive into it. But
23 at the end of the alley it's even smaller than the
24 rest because you're literally coming in between the
25 two pieces. And then when you get to the end of the

1 alley it's just a quick turn. So the building that's
2 on the end has actually paved a triangle section
3 across to make it a little bit easier for people to
4 turn.

5 MR. TURNBULL: Oh, really?

6 MR. NELSON: But that's actually their
7 property that they've given up.

8 MR. RANSLEM: And actually there are no
9 barriers at that corner of the building to negotiate
10 a turn. If there's trouble you are going to hit the
11 building.

12 MR. TURNBULL: Okay. Thank you.

13 CHAIRPERSON HOOD: Any other comments up
14 here? Questions?

15 Okay. Does the applicant have any cross?
16 Your counsel is saying no and you're saying sure.
17 Does the applicant have any cross?

18 UNIDENTIFIED SPEAKER: [Speaking off mic.]

19 CHAIRPERSON HOOD: No, I mean, are you
20 working through your counsel or do you have any
21 cross? I've never experienced that one.

22 [People speaking off mic.]

23 CHAIRPERSON HOOD: Okay. Yeah, I understand.
24 Hold on, hold on. Does the applicant have any cross?
25 Okay. Okay. Thank you all very much, we appreciate

1 it.

2 MR. RANSLEM: Thank you.

3 CHAIRPERSON HOOD: Okay. Let's go to --
4 Commissioner Miller?

5 MR. MILLER: Can we ask DDOT to address that
6 last issue, or you want to wait until another point
7 to do that?

8 CHAIRPERSON HOOD: We can.

9 MR. MILLER: I want to ask about the alley
10 access issue if we can.

11 CHAIRPERSON HOOD: Yeah, we can do that now
12 while it's on the burner. Yeah, let's do it now.

13 MR. MILLER: Okay. I don't know if DDOT has
14 any comment on the alley access bottleneck issue.

15 MS. CHAMBERLIN: I guess, excuse me, what
16 part of the bottleneck issue?

17 MR. MILLER: The, I guess the cuing of cars
18 coming in that might need to back out if another car
19 is coming out the other way, based on the testimony
20 that it is --

21 MS. CHAMBERLIN: Well, based on the testimony
22 we haven't actually done, I guess as part of the CTR
23 there wasn't an analysis done of the operations of
24 the alley other than for loading. So we were looking
25 at turning movements for the loading trucks, which is

1 why the restriction was put in for the size of the
2 trucks. And from what I've heard it is possible
3 given the 14 feet that if two cars were to meet right
4 there, it's a long stretch that looks to be narrow.
5 I don't have a picture here with the actual right of
6 way in plats to confirm the widths, but just
7 following the testimony of the 14 feet that would --
8 that could cause somebody to have to back up. And
9 they're correct, DDOT, we do not put the mirrors in
10 public space because of liability issues. But they
11 can be put on private property, so that is something
12 that could still be worked out, either with the paint
13 store or the neighbor to put up some kind of a
14 warning device. We just don't put them in public
15 space.

16 MR. MILLER: Thank you.

17 MR. MAY: Can I follow? I mean, just to sort
18 of bottom-line this, I mean, generally speaking is a
19 14-foot alley considered wide enough for two-way
20 traffic?

21 MS. CHAMBERLIN: Our preference is 15 feet
22 for two-way.

23 MR. MAY: So I think maybe we'll -- depending
24 on what we hear from the ANC in their report, we may
25 need to get something supplemental from you on

1 judgment of whether you think that this creates a
2 hazard. If they believe it creates a hazard then I
3 think that you need to opine on whether it creates a
4 hazard.

5 MS. CHAMBERLIN: Correct. I mean, the other
6 way to reduce the demand on the alley would be to
7 reduce the amount of parking being provided so there
8 would be less vehicles used in the alley.

9 MR. MAY: Yeah, but the difference between 30
10 and 50 or whatever, you know, 30 and 45, I don't know
11 that it's necessarily going to make the difference.
12 I think the key question is whether there's actually
13 capacity or whether it constitutes a real you know,
14 risk that there are going to be problems with people
15 backing out or colliding with each other or what have
16 you. So again, if the ANC comes back and says
17 they're really concerned and they think this is a big
18 problem, then I think that we're going to need some
19 judgment from you about whether this is really a big
20 problem or not.

21 MS. CHAMBERLIN: No, absolutely.

22 MR. MAY: Yeah. Okay.

23 MS. CHAMBERLIN: But there would need to be
24 some analysis done.

25 MR. MAY: That's fine. Thanks.

1 CHAIRPERSON HOOD: Well, I can tell you, and
2 I'm not going to do the analysis because I'm going to
3 use some common sense analysis. As Commissioner May
4 mentioned, whether it be 38 spaces or 10 spaces, when
5 you get two cars there from the testimony I received,
6 if you've still got to back out, that's still a
7 problem. So I've always had an issue with this alley
8 usage anyway in this city, especially when it comes
9 to cars and I think this Commission has brought it to
10 light again, stuff that we're hearing. Not just over
11 here but across the city. Especially in certain
12 areas. So let's see what everybody comes back with
13 and we'll go from there.

14 Now I have a list here of organizations and
15 persons in support. Well, I don't know if it's
16 organizations, but I'm going to call some names.
17 Support, Peggy Lewis, Jonathan Fitch. Is Johnathan
18 Fitch here? He just left?

19 Now I have some neighbors. How many
20 neighbors are here to testify in support? Let me do
21 it like that. Support? Come forward if you're in
22 support. And let me, for the record, Mr. Fitch was
23 here in support. He was one of the neighbors I
24 believe, right? He wasn't with the applicant, was
25 he? Oh, no wonder he's in support. Okay. I just

1 seeing if he was a resident. So we'll strike that.

2 MS. LEWIS: A resident at the Columbia
3 Heights area, and the project is really a blessing
4 for me because the conditions we were living in was
5 unbearable so I really commend Aria Developers to
6 come in and at least give me a decent life to live,
7 and something great to look forward to come back
8 because that is my home.

9 CHAIRPERSON HOOD: Okay. Thank you. Next?

10 MR. BERLIN: My name is Benjamin Berlin.

11 CHAIRPERSON HOOD: Turn your mic on.

12 MR. BERLIN: My name is Benjamin Berlin. I'm
13 on the Condo Association Board for 1307 Clifton
14 Street, and we had several concerns as a board about
15 the project with respect to our structural integrity,
16 privacy, and other issues, and we've figured that
17 something is going to go in that space regardless of
18 who it is, and so we have met with Aria's leadership
19 several times. They've been very open with their --
20 and negotiated with us, and they've addressed our
21 concerns satisfactorily. We also requested and we
22 had a meeting among our tenants and collected their
23 concerns and addressed those with Aria. And we are
24 happy and we support the project.

25 CHAIRPERSON HOOD: Thank you. Next?

1 MS. MERKLE: Hi. My name is Tracey Merkle.
2 I live in one of the row houses on 13th Street that
3 backs up to the alley. I think our ANCs have really
4 talked about all the issues that we had in the alley
5 and in meeting with Aria this week, with Josh and
6 everybody, we've had some really good meetings about
7 helping add some green space that we're very
8 concerned about. There were three very, very large
9 trees, probably 60, 70, 80 year old trees back there
10 that were going to have to come down. So we think
11 we've -- I'm speaking for myself at this point. Have
12 come to a compromise that I'm definitely support the
13 project. That's not to say that we don't still have
14 a lot of issues, but the issues from my perspective
15 are really around DDOT and the alley. And I don't
16 see that there are things that Aria can change to fix
17 it. At least not without the support the City and
18 figuring out a better way to do it.

19 Our real concern is, and you talked about the
20 one-way alley and the added cars and added people
21 that use that as a walking space. But it's also the
22 bicycles. It's great that there are bicycles, but if
23 you have a bicycle going down that alley, that also
24 causes a car to back up. You can't get a bicycle and
25 a car through that alley safely, or pedestrians.

1 Although pedestrians tend to sort of hover by the
2 building and let the cars go by.

3 So Aria has been great and has offered to go
4 to DDOT with us and to try to work through those
5 issues. It's going to be a problem for their tenants
6 as much as its going to be for us. They have
7 actually offered to put in a mirror in the alley, so
8 I know they're willing to work with us. And with
9 that and with some of the other changes we talked
10 about that Josh mentioned earlier, we're supporting
11 the project.

12 CHAIRPERSON HOOD: Okay. Thank you. Any
13 questions up here this panel?

14 MS. COHEN: Yes.

15 CHAIRPERSON HOOD: Vice Chair Cohen.

16 MS. COHEN: I presume that since both of you
17 live in the immediate area you're also supportive of
18 getting rid of a building that has rodent infestation
19 and the conditions where some people are living, you
20 want to be --

21 MS. MERKLE: Of course, yeah.

22 MS. COHEN: -- upgraded. So I just wanted,
23 you know --

24 MR. BENAIME: Certainly.

25 MS. COHEN: Yeah. Okay. Thank you.

1 MS. MERKLE: Yeah, and then since something
2 does really need to happen there, again it's our just
3 concerns need to be addressed no matter what.
4 Regardless who it is.

5 CHAIRPERSON HOOD: And you also want that
6 done. I'm going to elaborate on the question because
7 I'm going to get you to the answer that I want too.
8 You also want that done, but you want it done right
9 where it doesn't cause any more impacts on the
10 community, right?

11 Okay. I just wanted to add on to that
12 question. Okay. Any other questions of this panel?
13 Commissioner Miller?

14 MR. MILLER: I don't have a question but just
15 on the issue of the bicycles, they presented in their
16 presentation tonight that alternate circulation on
17 their own property as opposed to having to -- for the
18 80 bicycles or however many are going to be used by
19 the tenants of that building, I just wanted to make
20 sure you were aware of that.

21 MS. MERKLE: Yes. And we have talked about
22 that. They do have to come out into the alley and
23 then go back through gates to get to the front of the
24 building. So whether they'll do that or choose to go
25 down the alley, I don't know. But yes, I think that

1 would be very beneficial and hopefully we can get
2 some, not rules in place, but some guidelines in
3 place that will help keep them out of the alley.

4 MR. MILLER: Thank you. Thanks.

5 MS. MERKLE: Bless you.

6 CHAIRPERSON HOOD: Any other comments or
7 questions up here? Okay. So thank you very much.
8 Oh, wait a minute. Hold on. Is there any cross-
9 examination from the applicant? Does the ANC have
10 any cross-examination? Commissioner Ranslem, do you
11 have any cross-examination?

12 Okay. Thank you all very much. We
13 appreciate your testimony. Okay. And those were
14 people who were here in support. Now let's go to any
15 organizations or persons who are here in opposition.
16 I do have one name, Elizabeth Isaman. Okay. Anyone
17 else who is here in opposition who would like to
18 testify? You can come forward at this time.

19 Ms. Isaman, we can start with you and we'll
20 end with the gentleman. We'll start with you.

21 MS. ISAMAN: Hello. I'm also a resident of
22 1307 Clifton. I just wanted to express dissent with
23 my board on this issue. I'm actually -- my apartment
24 or my condo is at a lower level. If you look at
25 where the loading dock is going to be in those

1 drawings, that's basically going to be my upstairs
2 neighbor. So I have some questions about the light
3 and the space issues that we were talking about
4 before.

5 I wanted to speak in favor of the ANC getting
6 a second crack at this, if we can send it back and
7 have some more discussion. I don't think there was
8 quite enough time for discussion last week.

9 In addition to the space and light issues
10 like we were talking about with the rear yard, the
11 going from 17 feet to one foot just seems crazy. And
12 for us that really destroys a lot of what we
13 purchased that home for, that kind of destroys the
14 whole feeling of that area.

15 The second issue that I haven't heard raised
16 is an issue of the sewer system in that area, just
17 the basic infrastructure. The pipes are really
18 really old in that whole street and we found this
19 out, unfortunately, by finding a foot of sewage in
20 our house last October. There has actually been a
21 couple of floods in our building due to overfull
22 pipes in the neighbor, due to just the crazy amount
23 of development that's happening. It's caused over
24 \$100,000 worth of damage so I do want to make sure
25 that the Commission is aware of that issue and that

1 the Commission is looking at this increased density
2 and the pressure that it's going to place on that
3 infrastructure.

4 CHAIRPERSON HOOD: Thank you. Next.

5 MR. FARINA: Hi, good evening. Good evening.
6 My name is Peter Farina. I live in the 1300 block of
7 Euclid Street where I've lived for 26 years now, and
8 I'm here to kind of step back and look at this in
9 some broader context and I guess play the role of the
10 voice in the wilderness in a sense, the urban
11 wilderness.

12 In my 26 years there I've seen many trees,
13 large trees, and green space disappear with buildings
14 going up. And some would say that urban development
15 is a good thing, maybe even an efficient thing. But
16 I would like to suggest in the next few minutes with
17 some support, academic support, that maybe that
18 theory isn't holding up anymore.

19 I'd like to just note in terms of backing up
20 and getting a bigger picture here, that what is there
21 now are two relatively low-rise apartment buildings
22 with a very large empty lot in the middle of it.
23 Clearly those buildings need extensive rehab if not
24 demolish and rebuild. And I think that the families
25 that are there absolutely need to be taken care of as

1 a priority.

2 That said, one of the harmful effects of any
3 development on that lot, you know, just as a matter
4 of simple numbers, is that it's going to increase the
5 unaffordability of the neighbor. The developer, Josh
6 Benaim, has indicated to us in the Zoning Committee
7 meeting I believe it was, that this development is
8 going to drive up property values and prices and the
9 cost of living in the neighbor. There are some,
10 probably many people that see that as a good thing.
11 But for those persons that are on lower, middle or
12 lower incomes, it's going to be an added burden.

13 Many people here have already talked about
14 the traffic issue so I won't dwell on that. Clearly
15 what is there now is the potential for some green
16 space if the developer so chose to use it as that. I
17 don't expect he would, but the real question before
18 the Commission has to do with whether or not to give
19 them the upgrade in the zoning. And my simple
20 calculations would be that we're talking about a 50
21 percent increase in roughly volume area of the
22 building.

23 That would clearly be a detriment to the
24 green space that would be there if he was limited to
25 matter of right development as I understand it. And

1 as it turns out just this past December -- I'm sorry,
2 September, in the journal, Buildings, study was done
3 of New York area high-rise and suburban structures
4 and transportation, and actually found counter to
5 what most people seem to think, that dense urban
6 development -- is that the limit, time limit?

7 CHAIRPERSON HOOD: No, you can keep going but
8 yeah, that's your time. But keep going.

9 MR. FARINA: Dense urban development is
10 actually less energy efficient than lower rise
11 suburban development. Yes, there is a transportation
12 issue, but they find that buildings, particularly
13 bigger buildings are, over their life cycle, much
14 more wasteful than lower rise economical buildings.

15 All this goes to the point that D.C.'s own
16 report has a report out that came out in June on the
17 potential climate impact of the District, and as we
18 well know from just walking in the building today we
19 are in an unusually hot period for the middle of
20 December. But this report indicates that just within
21 the next five years the number of days over 95
22 degrees is expected to double. And as it happens,
23 when temperatures get much over 95 degrees
24 photosynthesis tends to drop off rather significantly
25 in plant life.

1 All that is to say that the direction we need
2 to be going is probably not fully realized, and that
3 is towards some kind of a development that clearly is
4 energy efficient, but also towards the kind that is
5 much more focused on habitat preservation and
6 development. So expanding the allowable use of this
7 parcel may not do a whole lot in terms of global
8 warming overall. But clearly to the extent that the
9 development on that property can be constrained
10 within, let's say matter of right, I think it goes in
11 a much better direction for the neighbor, for the
12 city, and frankly for the planet as a whole.

13 So I think I will close on those thoughts.

14 CHAIRPERSON HOOD: All right. Thank you very
15 much. Let's see if we have any questions up here of
16 this panel. Mr. Turnbull. Oh, I thought you -- any
17 questions? Okay.

18 Does the applicant have any questions? Okay.
19 Does the ANC have any -- I'm sorry, any cross-
20 examination, the ANC? The applicant has cross?

21 MR. KADLECEK: No cross. But I just want --
22 question, point of clarification. I believe you only
23 called persons in support and there are also some
24 organizations in support who I believe didn't get the
25 opportunity to testify as well, that are here

1 tonight.

2 CHAIRPERSON HOOD: I said anybody -- I know I
3 said organizations in -- you know, what?

4 MR. KADLECEK: They may have misheard you.

5 CHAIRPERSON HOOD: I'm going to go back. I'm
6 going to go back and check it and make sure. But
7 yeah, we'll bring them up. But I'm going to go back
8 and see if I said it because I think I usually --

9 MR. KADLECEK: Thank you. Yeah. They may
10 have -- we may have misheard it.

11 CHAIRPERSON HOOD: That's okay. But we can
12 go back and retrack. So the ANC didn't have any
13 cross?

14 MR. NELSON: No.

15 CHAIRPERSON HOOD: Okay. Now let me do one
16 last one call. Thank you very much. We appreciate
17 your testimony.

18 Are there any organizations or persons who
19 are here in support of this project? You can come
20 forward. Are there any organizations or persons who
21 are here in opposition of this project? Okay.

22 MR. KENNEDY: Hi. Good evening and sorry if
23 I didn't hear it correctly the first time. My name
24 is Phillip Kennedy and I am the tenant organization
25 program manager at the Latino Economic Development

1 Center. And my colleagues worked with the tenant's
2 associations of both 1309 and 1315 Clifton throughout
3 the whole TOPA process, and we were really pleased
4 when they were able to negotiate such a strong deal
5 with Aria. And so I just wanted to speak in support
6 of the project and like the residents themselves,
7 hope that they can quickly move back in to what looks
8 to be a beautifully redesigned building.

9 And I am happy to take any questions about
10 the tenant's rights or how that process went. I was
11 not the organizer working principally with either of
12 those buildings. My colleague, Talia Brock has been
13 working with them most recently. But also if there's
14 anything that I can look up and get back to you about
15 I'm happy to do so.

16 CHAIRPERSON HOOD: Thank you. If you'll hold
17 your seat? Next.

18 MR. LUNDY: Good evening. My name is Walter
19 Lundy. I'm the Resource Development Officer for
20 Edward C. Mazique Parent Child Center. We are
21 located at 1308 13th Street. We have been in the
22 neighbor for nearly 50 years, providing our free
23 childcare under Headstart. We represent about 32
24 families.

25 We had the opportunity to meet with Aria and

1 other residents who put us forth as an organization
2 to work with to help be a part of the renascence and
3 the renovation of that neighbor. And we are pleased
4 to provide our support for this opportunity. Not
5 only for the renovations and the investment in our
6 center, but the opportunity for our families to have
7 access to this new and affordable housing as they
8 continue to work and to arrange their lives, and to
9 see that opportunity to be right there across the
10 street. So we support this development and we
11 believe that it will be a mainstay that will bring
12 quality and enrichment to the neighborhood.

13 CHAIRPERSON HOOD: Okay. Thank you both.
14 Hold your seats. We may have some questions. Any
15 questions up here? Vice Chair Cohen.

16 MS. COHEN: Do either one of you live in the
17 neighborhood as well?

18 MR. LUNDY: No, ma'am, I do not.

19 MS. COHEN: Okay.

20 MR. KENNEDY: No, I live in Ward 5.

21 MR. LUNDY: I also live in Ward 5.

22 CHAIRPERSON HOOD: Oh, you all can take as
23 much time -- no, I'm just playing. Any other
24 questions up here? I do have a question for you.
25 Did you know Dr. Mazique?

1 MR. LUNDY: I did not know Dr. Mazique.

2 CHAIRPERSON HOOD: Okay. I spent many days
3 in his office with my mom, so I know Dr. Mazique;
4 know of him.

5 MR. LUNDY: Then you know the history of
6 Mazique --

7 CHAIRPERSON HOOD: Yes.

8 MR. LUNDY: -- and you know how we feel about
9 our families.

10 CHAIRPERSON HOOD: Yes, I do. Well, I just
11 know Dr. Mazique, so okay. I'll leave it at that.
12 Okay. No other questions.

13 Let's see, applicant have any cross? Does
14 the ANC have any cross? Okay. Thank you very much,
15 we appreciate it.

16 MR. KENNEDY: Thanks.

17 CHAIRPERSON HOOD: I shouldn't even say this.
18 To Ward 5 people and Ward 1 again, I guess all three
19 of us need to stay out of Ward 1. No, I'm just --
20 all right. Let's go with some rebuttal if we have
21 any, Ms. Prince. Do you know about how much time you
22 have and then we'll do rebuttal and there might be
23 some cross on rebuttal. And then we'll do a closing.
24 I forgot where we're going to go from there.

25 MS. PRINCE: We just have some brief rebuttal

1 of these three witnesses. First, Heather will
2 address some light and air issues that were just
3 raised in some of the commentary. Jim Watson will
4 address trip generation in the alley because of this
5 concern about funnel, the funnel condition in the
6 alley. It is an extraordinarily wide alley, but
7 there is a narrow entry point and we've examined trip
8 generation associated with this project. And
9 finally, Josh will address some of the community
10 interactions.

11 MS. DALEY-RAO: I apologize. I'm going to
12 hold in my hand the document that we'll give to you
13 later so you'll actually be able to read the
14 dimensions that are on it.

15 CHAIRPERSON HOOD: Let me ask you this, do
16 you have copies of it now?

17 MS. DALEY-RAO: Yes.

18 CHAIRPERSON HOOD: Why don't you give that to
19 us now so we can look at it while you're talking
20 about it?

21 MS. DALEY-RAO: Thank you. We did take a
22 look at the width of the alley as we've already
23 mentioned. It varies. Behind our building is the
24 widest part of the alley. It goes from 22 feet to 37
25 feet wide, directly behind us. One of the two

1 properties that we're combining for this project has
2 a 15-foot setback there already from the edge of the
3 alley. So that's where we get the 37 feet from.

4 We've also looked at the distance between us
5 and our various neighbors. As Josh mentioned
6 earlier, we're 60 to 100 feet from the neighbor's
7 homes, either multifamily buildings or single family
8 buildings. And we've tried to be responsive to
9 looking at the conditions for them with regard to
10 shadowing and overshadowing their homes and their
11 buildings too.

12 So you can see on the page that you're
13 receiving right now we've got the dimensions marked
14 out for you. The alley does get narrower towards the
15 east end of the alley itself as we've already
16 discussed at great length. But what we were
17 primarily concerned with was that the width of the
18 alley behind us allowed us the flexibility, we hoped,
19 in order to get our open space at the front of the
20 building instead of providing the deeper rear yard
21 setbacks there.

22 There's already a 15 foot inset as I
23 mentioned. And that's the only area where we're at a
24 one-foot setback. The remaining section to the west
25 is where we have three and six foot setbacks already.

1 MS. PRINCE: Thank you. Jim?

2 MR. WATSON: Regarding the trip generation
3 for the building, our estimates were actually done
4 based on a more conservative building of 170 units at
5 a 30 percent auto mode split, assuming that 30
6 percent of the residents would drive. Most of the
7 census data around there says that 24 percent of the
8 people drive, and even renters are even less than
9 that at 17 percent. However, at our conservative
10 estimates in the maximum peak hour in the evening, we
11 expect to see about 32 vehicles at the max in the
12 evening, which would equate to about one vehicle
13 every two minutes. And of course that would die off
14 in the middle of the day and later in the evening.

15 In the morning we would expect to see about
16 26 vehicles, which is still a little less than one
17 every three -- or one every two minutes on that alley.

18 One other thing to note is, yes, the entry
19 point from the street is narrow and we do have a
20 wider alley in the back. The north/south alley does
21 only allow for one vehicle to pass at a time. The
22 long straightaway, however, does give some
23 opportunity to see -- for sight distance, to see a
24 vehicle entering or exiting. But there is still the
25 chance that a vehicle may need to back. However, you

1 know, we believe that the lower volumes of trips, you
2 know, one every two to three minutes shouldn't overly
3 burden the alley.

4 MR. BENAIME: Well, thanks, guys. I guess I
5 would -- I would like to just address some of the
6 concerns and, you know, we've worked tirelessly over
7 two years on this project and we've met with an open
8 hear with every single person that has come to us
9 that we've been able to meet with. We've come to
10 them, community organizations from every walk of
11 life. And I guess I've got to say, we've also worked
12 incredibly closely with Patrick and Mark over the
13 last year. I think we may have accidentally ruffled
14 some feathers. Maybe at a meeting where we brought a
15 lot of supporters that were really community
16 organizations, and it almost seemed like maybe there
17 was more of a desire to hear from homeowners than
18 other residents to be honest. And our residents are,
19 you know, Ms. Lewis or others.

20 And essentially I apologized for that and,
21 you know, and we certainly never intended that other
22 people wouldn't get to speak. So we've continued to
23 bring a lot of respect to everybody that we can. And
24 basically we've been meeting this whole last week
25 with Tracey who is here. Pete. Where is Pete? Oh,

1 back there. Pete came up with the idea for an alley
2 beautification trust that we're happy to sponsor, to
3 support trees in the alley and combat global warming
4 and keep some of the bird life back there.

5 I think the alley -- I think stepping back
6 for a second, what we would implore you to do is give
7 us essentially direction as to if the big picture is
8 good, we'll go back and work on specific things that
9 we can. And basically it sounds like it is, and
10 there's certain things that might need to ripen some
11 more. Some of these things, as much as we're miracle
12 workers, maybe we should be attending your church.
13 But I can't widen the alley. There's nothing I can
14 do about it. So I'm happy to have fewer cars and --
15 but for the first six months all I heard from the ANC
16 was, more cars, more cars, more cars, more cars.

17 So I think we're down to points where I'm
18 almost at a catch-22 where I want to please everybody
19 and we want to support everyone and we've continued
20 to meet with everyone, probably for seven hours, even
21 this week. Tracey, correct me if I'm wrong. We came
22 over to meet Tracey and Erdal and Nicole at 7:00 a.m.
23 and worked for three hours together in the alley and
24 walked the alley to find solutions. Some of these
25 things, what remains feel to me things that are

1 catch-22s where I cannot even -- I can't widen the
2 alley. So whatever you guys, if you want fewer cars
3 I'm fine with that. If you want more cars I'm fine
4 with that. If you want the RPP, I'm fine with that.
5 I guess I am trying to balance all our neighbor's
6 concerns from rich and poor, any walk of life, and if
7 I do one -- there was a request for a curb cut on
8 Clifton, for example, to alleviate traffic on the
9 alley. But the folks of Wardman Court would kill me
10 if I do that. I mean, all the professionals would --
11 you know, I'd be disbarred or something. So I don't
12 know. I don't know what to do.

13 So I think it's going to be okay if we're
14 talking about one car per two to three minutes.
15 We're happy to provide mirrors. We're happy to
16 provide sleeping policemen, speed bumps, anything
17 that we can do we'll help out on and I would -- I
18 mean, we continue to -- I think our friends don't
19 want this process to end. Everyone is having so much
20 fun and we'll keep coming. I will not abandon the --
21 we hope to be good neighbors with all of our
22 neighbors and we'd love -- ultimately my goal is that
23 there are a number of elderly residents of the
24 residents who are coming back and time is not on our
25 side. And to bring them into a new home and I feel

1 that responsibility and I want to do it and I'll do
2 what it takes to get everyone on board to get that to
3 happen.

4 MS. PRINCE: Any questions? Any cross-
5 examination of rebuttal?

6 CHAIRPERSON HOOD: Okay. Let's see if we
7 have any questions up here. Mr. Turnbull.

8 MR. TURNBULL: I like the building. I think
9 I've said that before. I think I like the design. I
10 think I like the approach. I am troubled by the
11 traffic and the access and the ANC's concerns about
12 that.

13 And I have great respect for traffic
14 engineers, although sometimes I think the analysis is
15 somewhat empirical at times. And I think I've said
16 at some hearings, I think a lot of times I feel like
17 there's a lot of smoke and mirrors in this traffic
18 engineering and traffic counts and car counts and --

19 I'm concerned that just like the ANC, about
20 traffic building up, and safety of people coming in
21 and out. So I don't know how we handle that. As you
22 said, you know, you can't correct what's existing but
23 I think we need a little bit more information or -- I
24 don't know how to handle that. I'm just a little bit
25 concerned, awkward, about what you do in that. I

1 mean, I understand what he's saying about the traffic
2 counts, oh you're going to have two to three minutes
3 or whatever and you're going to be fine or whatever.
4 And I don't know what the Department of
5 Transportation can say about this, but it is a pinch
6 point and I'm not sure, and maybe everything is going
7 to be fine. But I think it's still an issue for me.
8 I'm not sure how you handle it and I don't know --
9 it's like one of those -- it's like an impossible
10 question. How do you handle that alley? If it's
11 only 14 feet you can't get two cars through it.

12 And I think Department of Transportation has
13 to weigh in on it and I think maybe there has to be
14 some more conversation between the applicant's
15 traffic people and the Department of Transportation
16 to really get a good look at this. I mean, I like the
17 building the way it's going and I think the issues
18 with light and air, I mean, I think the way it's
19 going my concern is just access into this building.
20 And we may have one of the largest alleys back there,
21 and it might be a beautiful place, but if you can't
22 get in and out safely, I'm not sure how you handle
23 that. But I think there has to be some more dialog
24 and another look at this to see what can be done.

25 And I'm worried about mirrors. I mean, I've

1 got buildings that I walk through that have mirrors
2 in them and you see if somebody is turning a corner.
3 And a lot of times you're watching, sometimes you're
4 not. I can't imagine doing that in a car and driving
5 a car watching mirrors too. To me that's -- I have
6 enough trouble keeping my eye on the road without
7 looking out for a mirror too. So I mean, you're
8 going at a slower pace, I know, and you can look at
9 it. So I'm not sure how much the mirrors work. I
10 think this whole thing has to be looked at a little
11 bit more carefully and analyzed.

12 But I like the way the building is going. I
13 like the way -- I like the design, I like the aspect,
14 the input that went in the community involvement. I
15 just need some reassurances on the traffic and the
16 safety aspects of this.

17 CHAIRPERSON HOOD: Okay. Any other comments
18 or questions for the applicant and their rebuttal?
19 Commissioner May.

20 MR. MAY: Mr. Chair, you know, I'm kind of in
21 the same place as Commissioner Turnbull. Everything
22 about the project seems to be you know, going in a
23 fine direction. But I mean, it's a really long
24 narrow stretch of alley and if we really are in a
25 situation where two cars cannot pass in that alley,

1 that's kind of a problem. And, you know, I don't
2 know what the current number of cars are that are in
3 the alley. Maybe you actually know that. Do you
4 know how many alleys -- I mean, how many cars live on
5 that alley so to speak?

6 MR. WATSON: I'm not sure how many live on
7 the alley, but currently in the peak hour there are
8 about 26 in the morning and 27 in the afternoon. In
9 those peak commuter hours.

10 MR. MAY: Without this building?

11 MR. WATSON: Yes.

12 MR. MAY: And then with the building?

13 MR. WATSON: We go to 52 in the morning and
14 59 in the afternoon, so it's about one a minute in
15 the afternoon total. And then, you know, about a
16 little less than one a minute in the morning. One
17 vehicle per minute --

18 MR. MAY: That's a lot. I mean. It's almost
19 200 feet long and it's essentially one lane from what
20 I understand. I mean, 14 feet, I don't know. I have
21 to believe that you know, there are going to be
22 circumstances when two cars can pass in 14 feet, but
23 I don't know what the actual dimensions of cars are.
24 I mean, is that actually possible?

25 MR. WATSON: The way this alley is laid out

1 one vehicle would have to wait for another to pass
2 through. You know, any passing would have to be done
3 either on Clifton or in the wider east/west alley.

4 But you do have a long straightaway that it should be
5 fairly evidence whether there's a vehicle actually
6 coming up the alley or coming out of the alley for --

7 MR. MAY: I mean, but they're almost 200 feet
8 away. I mean, we're not talking about --

9 MR. WATSON: But it's a straight line. Yeah,
10 and it's a common condition around the District.

11 MR. MAY: No, it's not. I don't think --

12 MR. WATSON: Where you have an alley, narrow
13 allies.

14 MR. MAY: -- it's that common. I mean, maybe
15 it does happen in a number of other circumstances but
16 I don't recall another PUD where we've faced this. I
17 mean, usually there are other entrances to allies.

18 Very often there is a 10-foot alley or a 12-foot
19 alley, but there's another exit point. And this is
20 sort of a weird condition where you have a very wide
21 center alley and then you, you know, you have a
22 single access point which is constrained.

23 MR. WATSON: Right.

24 MR. MAY: So you know, I mean, maybe what we
25 need is some understanding of the current condition

1 and how frequently these problems occur now. Maybe
2 somebody just needs to watch it for a couple hours on
3 a couple of mornings and see what it looks like, and
4 then report back to us.

5 I mean, I think that there's -- the ANC
6 obviously needs to spend more time looking at this
7 and whatever you can do to help, you know, try to
8 figure out what the right resolution is would be
9 great. And then of course I think we're going to
10 need to have further word from DDOT that this is
11 actually the safest possible condition compared to
12 doing something like a curb cut in the front of the
13 building.

14 MR. BENAIME: One thing if it's appropriate to
15 -- what is occurring to me as you're mentioning this,
16 and maybe Chairman Hood's comments shed some light on
17 what we could do. If the ANC was in support of such
18 an approach we could do the RPP prohibition and then
19 reduce the number of cars in the parking garage.
20 That way people -- the people who would most be upset
21 by -- who negotiated hard to get more cars are people
22 they didn't maybe know that they had that RPP option.

23 So one possible solution as we always try to,
24 you know, bring -- one possible solution would be to
25 take Chairman Hood's suggestion, vis-à-vis the RPP

1 and then reduce the number of parking in the building
2 and then there would be no chance that that would be
3 taking other people's spots. And we would really --
4 it would essentially require the majority of the
5 people to take public transportation, which is fine
6 with us. We'd be -- I always thought that's what's
7 going to happen to this project and we're happy to do
8 that.

9 MR. MAY: You know, if you want to discuss
10 that with the ANC and you all come back to us with an
11 agreement that this all makes sense and you have the
12 right restrictions written into, you know, your lease
13 documents or whatever, however you do it, I mean, we
14 have examples of how that's been done. I mean, I
15 know the ANC had some concern about doing that
16 because of, you know, their own internal discussions.
17 I think they may need to be reassured on that point
18 again based on past zoning cases.

19 CHAIRPERSON HOOD: Okay. Vice Chair?

20 MS. COHEN: Thank you, Mr. Chairman. I have
21 a question with regard to the alley. Are there
22 parking spaces that people have in that alley along
23 the whole alley? Do people go back there to park?

24 MR. BENAIME: Yes. Many of our neighbors do
25 have cars and park in the alley. Also on the subject

1 property, the two properties, I want to say there was
2 some 20 some odd cars parked, some illegally, some
3 legally, on a very rundown lot in between the two
4 buildings. And I think when you guys did the
5 measurements those cars, people had already moved out
6 from those two buildings that had all those cars
7 parked sort of haphazardly over the whole property on
8 a surface lot. So there are -- there were many more
9 cars on the alley and there are a lot of our
10 neighbors, you know, are currently using it.

11 Somehow people managed to navigate that and
12 I'm not aware of -- you know, somehow people have,
13 while it's cumbersome, have managed to navigate it,
14 so.

15 MS. COHEN: Well, that's what I was going to
16 say. I live at a very narrow alley. I live in a
17 very alley-centric neighborhood. And people are
18 constantly backing up to allow somebody to go. And
19 moving around -- and it is, it's inconvenient but
20 it's not impossible. So I just share that with you.
21 I know you're going to work it out. I don't know
22 specifically the width of your alley. I haven't
23 walked it. But there are shorter allies, or, you
24 know, in my neighborhood and they work it out. You
25 know, it's not convenient. That's the main thing and

1 people get pissed off with each other. But they also
2 make friends eventually about, you know, getting out
3 of their cars to help each other. So, keep that in
4 mind.

5 CHAIRPERSON HOOD: Okay. Commissioner May,
6 you want to add to the friends and you want to add to
7 that? You have any comments?

8 MR. MILLER: I think the applicant will be
9 proposing maybe observing what's going there and I
10 don't share the concern as much. I think it's just
11 one more condition that -- of this project that will
12 -- and of this neighbor, that will discourage the
13 ownership of cars. It just doesn't work. If it's
14 not convenient -- if it's more convenient to do car
15 sharing, which they're offering the, you know, the
16 three years of membership to. Or the Metro is -- two
17 Metros are within, you know, a few minutes walking.
18 I think the data shows that that's what's happening
19 already in this particular neighbor.

20 So I think we do need more information as to
21 how it will work and I think they can provide, and
22 then hopefully there can be some working out between
23 the applicant and the ANC.

24 Just one question quickly. Did you mention
25 something about a sleeping policeman? What is that?

1 MR. BENAIME: I mean a speed bump.

2 MR. MILLER: A speed bump.

3 MR. BENAIME: I'm sorry, I'm talking about a
4 speed bump.

5 MR. MILLER: I thought that's what you might
6 be referring to.

7 MR. BENAIME: I mean, we would do anything --
8 I guess we'd do anything it takes to make everybody
9 that we can happy.

10 MR. MILLER: Okay.

11 MR. BENAIME: By the alley and if it's
12 mirrors, trees, speedbumps, RPP, we're delighted to
13 work with everybody on that.

14 MR. MILLER: Right. Okay. Thank you.

15 CHAIRPERSON HOOD: I think there were a lot
16 of suggestions up here made by my colleagues. But at
17 the end of the day I think the ANC, which gets the
18 great weight in the community, the ones who are going
19 to have to endure, will be in our neighbors, dealing
20 with the issues we deal with. But one of the things
21 that I will say, I think the traffic consultant, you
22 mentioned that it's already existing now, but part of
23 our job is, we're here to help mitigate and not to
24 add more adverse impacts.

25 So because this is already existing doesn't

1 mean that this Commission's job -- at least I don't
2 take it for my job, my charge from being on the
3 Commission since 1998, to add on to existing
4 problems. We try to mitigate them. That's why I
5 wanted to kick it -- the ANC Commission is the one to
6 kick it back to the Zoning and Planning Committee. I
7 want to kick it back to the ANC Commissioner, to kick
8 it back to the Zoning and Planning Commission because
9 what I'm hearing and it looks like we probably can
10 work some of this out, I think we strongly can. And
11 I'm not a proponent of alley use anyway. Never have
12 been.

13 But at the end of the day the people who are
14 going to be dealing with that are the people in the
15 community. And yes, we want to see the homeowners
16 get better housing and a better residence. We want
17 to see that. But also, we also want to see it work
18 as a win/win. So I think we're going to kick it
19 back. I think I've heard it loud from my colleagues.
20 I do share the concerns of Mr. Turnbull and
21 Commissioner May and Commissioner Turnbull. So I
22 think that that's the way we will go. That's what
23 I'm going to advocate for, Ms. Prince.

24 And then, you know, I know you've been out
25 there. I know you've done all that and I know you've

1 done a -- but you know, sometimes you just have to do
2 just a little bit more because I'm a realist. I
3 believe in what really happens. The traffic
4 consultants and Mr. VanPelt will tell you, come down
5 and tell me how great traffic is. And I think about
6 him every time that he's told me something is great
7 and how fast it's going to work, and I'm sitting
8 there for hours trying to figure out how do I get out
9 -- because I drive too. I don't drive that much in
10 the city no more, but I do drive.

11 So anyway, and it's not about me. It's about
12 that community. And it's not about us because we
13 have our own neighborhoods and our own issues.

14 Okay. So what I'd like to do now, any cross
15 on rebuttal from the ANC?

16 MR. RANSLEM: No. None.

17 CHAIRPERSON HOOD: Okay. Ms. Prince, you
18 want to -- you have a -- you really want to work? I
19 know you're the chair of the committee, but you want
20 to work through your commissioner. You can come up
21 and ask him, but I want you to make sure your
22 commissioner -- he said no. You're sounding like
23 them over there. He said no, you said yes. But
24 we've got to make sure the Commissioner comes. Okay.

25 MR. RANSLEM: Thank you. One idea that's

1 been bantied about is among Patrick and I as well as
2 some folks in the community is to actually put the
3 garage in the front and to ask for an additional curb
4 cut because the 1307 property has a garage door right
5 there so that two -- those two curb cuts or however
6 it might be designated, could go right up and go into
7 those garages. It eliminates the issue of the alley
8 all together. And that's --

9 CHAIRPERSON HOOD: It sounds like that's
10 going to be a DDOT, and discussion with the DDOT, the
11 applicant, and yourselves to try to see where that's
12 going to come -- how that's going to, you know,
13 first. Again, we're not going to get any resolve
14 here tonight. That's why we wanted to kick it back.
15 Everybody is kicking it back, so --

16 MR. RANSLEM: Thank you. Yes.

17 CHAIRPERSON HOOD: -- I think one of the
18 issues that -- actually, this is actually time for
19 cross and rebuttal. Let me back up. Did you all
20 have any cross on rebuttal?

21 MS. PRINCE: No.

22 CHAIRPERSON HOOD: Okay. I mean, did you
23 have any cross on rebuttal? I mean, did you have any
24 cross on rebuttal?

25 MR. RANSLEM: I did. Just on the comment --

1 CHAIRPERSON HOOD: I'm getting confused now.
2 MR. RANSLEM: The comment about the committee
3 meeting that night, just to step up on that. Yes, we
4 did have time for advocates, supporters who are
5 residents. But also we had people who are
6 representing the community organization speaking,
7 which was really not germane to what we were doing.
8 So it cut into the time. We had already lost
9 valuable time and opponents were not able to speak.

10 CHAIRPERSON HOOD: Okay. Well, I think that
11 that time will be given back and you all can plan and
12 get all that straightened out and try to work out
13 some of these -- mitigate some of these issues with
14 the applicant and DDOT, and some of those suggestions
15 I think can go back on the table.

16 MR. RANSLEM: Thank you.

17 CHAIRPERSON HOOD: That's just the way I see
18 it. So you have -- hold your seat. Do you have any
19 closing, Ms. Prince?

20 MS. PRINCE: Just some brief closing remarks
21 and then we can all go home. I'm glad we've had this
22 discussion on the curb cut issue because it just
23 shows the exact kind of balancing of interest that we
24 confront in a PUD like this. From the outset we were
25 very aware that it would be extremely difficult to

1 secure a curb cut on Clifton Street. There's one
2 next door at 1307. It's a mere feet from our
3 building, a very short distance. We were quite
4 confident that with alley access that would be a
5 nonstarter. So Josh's initial position was to really
6 limit the parking.

7 In his effort to bend over backwards to
8 accommodate neighbors he's come up with a larger
9 parking number than maybe this Commission will
10 ultimately be comfortable with.

11 I think we all need to take a little time and
12 observe what's happening in the alley. There's a lot
13 of illegal parking in the alley. That's something
14 that perhaps could relieve some of the concerns. We
15 can definitely do counts again, observations, and the
16 RPP suggestion. I've worked on office buildings that
17 are accessed through a 10-foot alley. It's actually
18 not that unusual. It may be unusual for PUDs --

19 MR. MAY: With a single point of access?

20 MS. PRINCE: Single point of access, on the
21 1700 block of Massachusetts Avenue.

22 It definitely happens. But we have to
23 balance interests. And I think probably the best way
24 to reflect a balancing of interests here is to look
25 at all four sides of this building, set back from

1 every -- you know, the street frontage setback is so
2 significant. There is a setback at the rear. The
3 alley condition in the rear is extraordinarily wide.
4 And then the setback where no side yard was required.
5 And then on the side where we don't set back 1307,
6 the eastern side, we've made major changes to that
7 façade to address specific concerns we got.

8 There is no constituent who has approached us
9 or who we have approached who we've not tried to work
10 with. I think you've heard that from Josh tonight.

11 And to address any concern that we might be
12 rushing this through, the case was set down nine
13 months ago. We have had an extraordinary number of
14 meetings. I mean, that document that was circulated
15 earlier I think really shows that. So we will
16 absolutely go back to the ANC. We will absolutely
17 look at DDOT issues, this alley issue in particular,
18 which really didn't come to a head, I have to say,
19 until this hearing because I knew a curb cut was an
20 absolute nonstarter so I figured we'd either have no
21 parking and no curb cut, or alley access. So that
22 seemed a balancing that would come out in favor of
23 some parking off an alley.

24 But we will work at this. I know the ANC has
25 a committee meeting minute January and a full ANC

1 meeting in February. We'll do whatever monitoring is
2 required. We'll work directly with DDOT. I think we
3 can get a terrific project here. It will not be a
4 perfect project. There is no perfect project. But
5 we're very proud of this project and the efforts to
6 design it in a way that's so sensitive to so many.
7 So thank you for your time tonight. We apologize
8 again for starting late. And we appreciate your time
9 always.

10 CHAIRPERSON HOOD: Okay. Again, I want to
11 thank everyone for their participation as we go
12 through this. I just want to talk to my colleagues
13 now, publically.

14 I think that -- I'm not sure how we want to
15 proceed. I'm not sure if we want to wait and see
16 what's given to us, or do we want to maybe schedule a
17 limited scope hearing on what was given back to us.
18 Do we think it's to that level? Let's kick that
19 around, that discussion.

20 MR. MAY: I'm not thinking that we need to
21 have another limited scope hearing. I mean, I think
22 we're really looking for the ANC's report, we're
23 looking for further information from the applicant,
24 and we're looking for some further information from
25 DDOT. Once we have that I think I'd be prepared to

1 deliberate.

2 CHAIRPERSON HOOD: Okay. Anyone else,
3 Commissioner Miller?

4 MR. MILLER: I would agree with that comment.

5 MS. COHEN: I agree with that.

6 CHAIRPERSON HOOD: Okay. Mr. Turnbull?

7 MR. TURNBULL: Yeah, I don't think we can
8 take proposed action tonight. I think we need that
9 information.

10 CHAIRPERSON HOOD: Yeah. No, I was just
11 trying to see, going forward --

12 MR. TURNBULL: right.

13 CHAIRPERSON HOOD: -- were we going to have a
14 limited scope? I definitely wasn't going to take
15 proposed, at all.

16 MR. TURNBULL: Yeah, I think we need -- yeah
17 we need to get some more information.

18 CHAIRPERSON HOOD: Yeah. Okay. So but I
19 guess my question was, did you think it was to the --
20 did it rise to the level of having a limited scope
21 hearing. But I've heard from three that it didn't.

22 MR. TURNBULL: Well, I guess the only
23 question is if my colleagues don't feel there's going
24 to be any give and take back between the ANC and the
25 applicant at a hearing is there any information

1 that's going to -- or is it simply in our hands to
2 hear the feedback?

3 CHAIRPERSON HOOD: You know what? I'm going
4 to put that in the parking lot because let's go with
5 proceeding how we normally do, just see what comes
6 back. Because here's the problem, we may have
7 questions. We don't know what's coming back.

8 MR. TURNBULL: Right.

9 CHAIRPERSON HOOD: And if I could predict it
10 I'd have probably played the numbers or something
11 tonight.

12 MR. TURNBULL: Okay.

13 CHAIRPERSON HOOD: But I can't. So I think
14 we'll proceed how we normally proceed. But we may
15 have to go back to that. Depends upon what comes
16 back.

17 MR. TURNBULL: Yeah. Okay.

18 CHAIRPERSON HOOD: Okay? All right? So
19 let's just put that in the parking lot. Don't add
20 another space. We'll put that in its own parking
21 lot.

22 Okay. Okay. So does that sound to the ANC
23 and to the applicant, does that sound like that's the
24 way we're going to proceed?

25 MR. TURNBULL: Well, what kind of a timeline

1 are we looking at then?

2 CHAIRPERSON HOOD: And that's what I wanted
3 to do next. I guess, Ms. Prince and Mr. -- think
4 about what kind of -- I heard you say maybe
5 January/February.

6 MS. PRINCE: I'm aware that there is a
7 Planning and Zoning Committee meeting in January and
8 then the full ANC meets in February. And it appears
9 to me that if we get to work immediately, which we're
10 happy to, we could gather more data, meet with DDOT,
11 look at all the options and meet with the community.

12 I mean, we have been meeting for nine months.
13 It's, I mean, we've -- I mean, I think we're prepared
14 to really -- we're not going to solve the alley
15 issue, but we have to inform it further for you so
16 you can make a decision, so we'll do that.

17 CHAIRPERSON HOOD: Well, let's not go on to
18 say we're not going to solve it. Let's say we're
19 going to maybe mitigate.

20 MS. PRINCE: Exactly.

21 CHAIRPERSON HOOD: That's what I'm kind of
22 looking for.

23 MS. PRINCE: Exactly.

24 CHAIRPERSON HOOD: Let's not go on and say
25 we're not going to do something.

1 MR. RANSLEM: You got it.

2 MS. PRINCE: Right.

3 CHAIRPERSON HOOD: Let's go on and say well,
4 let's work with the mitigation, see what mitigations
5 we can come back.

6 Commissioner Ranslem, if you can come back up
7 to the table? Commissioner Ranslem, you heard the
8 schedule we're looking at.

9 MR. RANSLEM: Yes.

10 CHAIRPERSON HOOD: Is that okay, because I
11 know you all -- but we don't want to dictate your
12 schedule because you all meet in January, the Board -
13 -

14 MR. RANSLEM: Right. I appreciate that.
15 Actually Chairman Turner had submitted that form,
16 Patrick and I were not aware that he was putting that
17 forward in January but that makes absolute sense. We
18 have a full docket for our December meeting. There's
19 a lot of development taking place in Columbia Heights
20 as you know, so we do have a full docket.

21 And we don't want to impede this for months
22 on end. But of course I do want to say that
23 discussions have gone on for nine months, but this is
24 what a PUD is all about. It's community involvement.
25 They chose this process, which we really appreciate

1 because otherwise it would have been by right. So
2 we're willing and glad to go forward and to work out
3 these and mitigate these remaining factors.

4 CHAIRPERSON HOOD: Okay. Yeah. Nine months,
5 longevity has its place. That's fine. We'll get
6 through it and some of your better projects I've seen
7 take a while. You know, you all have been working
8 nine months. We see it a few months and wait for it
9 to come back and then deal with it. So I'm going to
10 put it back in that point. I think that's the course
11 we need to go.

12 I think the dates we need to look at are
13 sometime in February, Ms. Hanousek, but I guess first
14 we need to make sure that our lists coincide on what
15 we're looking for.

16 MS. PRINCE: Exactly.

17 CHAIRPERSON HOOD: Can you do that, Ms.
18 Hanousek, you and Ms. Prince?

19 MS. HANOUSEK: Okay. Do you want the list of
20 everything, not just what was asked of the applicant?
21 So I have -- right? I have, Cohen asked about
22 crashes and pavement markings and why is the city not
23 fixing the problem. Are you satisfied --

24 MS. COHEN: No reason to pursue that.

25 MS. HANOUSEK: Okay. Miller wants

1 clarification on the affordable requirements for the
2 penthouse space. May concurs with Turnbull regarding
3 the alley, the single access point is an issue.
4 Maybe someone needs to observe the conditions. Hood
5 asked about the RPP and said sometimes there's no
6 place to park there so they need parking.

7 CHAIRPERSON HOOD: Let me just reiterate. I
8 want to leave that up to the community and the
9 applicant. You don't have to take my suggestion or
10 anything, but you all can --

11 MS. HANOUSEK: Okay.

12 CHAIRPERSON HOOD: That's just something that
13 we threw out there that happens in other areas.
14 That's all.

15 MS. HANOUSEK: Miller asked for a valuation
16 of each benefit for the order. Miller asked for a
17 copy of the agreement with the tenant's association.
18 Turnbull has a concern about security for lower level
19 unit on the alley, maybe needs some lighting for
20 safety. Turnbull would like to see a lighting plan
21 for the roof, down lighting, minimal lighting. Early
22 on May talked about wanting the rooftop guardrail set
23 back one to one. I assume you want to --

24 MR. MAY: They agreed to that.

25 MS. HANOUSEK: Okay. Turnbull would like to

1 break up the IZ units that are together.

2 MR. TURNBULL: I think they had already done
3 that from the original plan. I think there is only a
4 couple of instances where there was two together and
5 if OP is fine with that I'm okay.

6 MS. HANOUSEK: Okay. Well, then other than
7 the ANC -- oh, Cohen asked if they were going to
8 provide some kind of a security door lock system.
9 She had concerns about safety and high security and
10 referred the applicant to pages 11 and 12 in the OP
11 report about this.

12 CHAIRPERSON HOOD: Did you proffer a jobs
13 agreement? Did I see that, four or 500 --

14 MS. PRINCE: We did not.

15 CHAIRPERSON HOOD: Must have been another
16 case. Cases running together now. Okay. All right.
17 Anything else?

18 MS. HANOUSEK: Just about needing ANC and
19 DDOT analysis over this alley issue.

20 MR. MILLER: We also asked for the
21 construction management agreement that they have
22 executed.

23 MS. HANOUSEK: Okay. Yes, construction
24 management agreement. Did I miss anything?

25 CHAIRPERSON HOOD: No, I think you kept it

1 very well, Ms. Hanousek. Very well.

2 MS. PRINCE: I just have one note about the
3 construction management agreement. I believe it has
4 a confidentiality provision in it. And if that's the
5 case we won't be able to provide it. We could
6 provide a synopsis of the key construction provisions
7 if that would be acceptable.

8 CHAIRPERSON HOOD: Okay.

9 MS. PRINCE: They concern things like hours.

10 CHAIRPERSON HOOD: That will be acceptable.
11 Yeah. Okay. Anything else? Do we need some dates?
12 Well, we do need some dates. Yeah, we do have
13 something else.

14 MS. HANOUSEK: You're looking at February you
15 said?

16 CHAIRPERSON HOOD: February, yes. I think we
17 have two meetings in -- no, we only have one meeting.

18 MS. HANOUSEK: No. No, we have two.
19 February 8th and February 29th.

20 CHAIRPERSON HOOD: Which one will probably --
21 the 29th will probably be better for everybody?
22 February 29th?

23 Come forward. I know you're not going to
24 tell me the ANC meeting is the 29th.

25 MR. RANSLEM: No, the ANC meeting for

1 February will be February 4th, Thursday.

2 CHAIRPERSON HOOD: Oh, so you've got plenty
3 of time.

4 MR. RANSLEM: Okay.

5 CHAIRPERSON HOOD: So why don't we do the
6 29th? Ms. Hanousek, let's do the 29th.

7 MS. HANOUSEK: Okay. So then we would need
8 the responses that the Commission has asked for, we
9 would need by Monday, February 8th at 3:00. And then
10 responses to those from the ANC and the agencies
11 would be due by the 15th, and the draft order would
12 be due by the 15th. And then it could go on the
13 29th.

14 Did that make sense?

15 CHAIRPERSON HOOD: Yes. Even though I didn't
16 hear it, but it makes sense.

17 MS. HANOUSEK: Oh, sorry. Should I say it --

18 CHAIRPERSON HOOD: No, that's fine. No,
19 don't say it again. I think you've got it. Are we
20 all on -- ANC, applicant, we all straight?

21 MS. PRINCE: We're fine.

22 CHAIRPERSON HOOD: Okay. ANC? Okay. All
23 right. Anything else, Ms. Hanousek?

24 MS. HANOUSEK: No, sir.

25 CHAIRPERSON HOOD: Okay. I want to thank

1 everyone for their participation tonight and this
2 hearing is adjourned.

3 [Hearing adjourned at 9:48 p.m.]

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