

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA

2 Zoning Commission

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9 Public Hearing

10 Case No. 08-04B [Forest City SEFC, LLC. - Southeast
11 Federal Center Overlay District Review at 355 and 385
12 Water Street Southeast, Square 771, Lot 807 (Parcel
13 P2B) and Lot 808 (Parcel P2A).]

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16
17 6:37 p.m. to 7:30 p.m.

18 Thursday, February 18, 2016

19
20 Jerrily R. Kress Memorial Hearing Room
21 441 4th Street, N.W., Suite 220 South
22 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 SHARON SCHELLIN, Secretary

10

11 Office of Planning:

12 JOEL LAWSON

13 BRANDICE ELLIOTT

14

15 DDOT:

16 RYAN WESTROM

17

18 Other:

19 LYLE M. BLANCHARD

20 JONATHAN S. GERTMAN

21 TIM BAKOS

22 BRIAN LEVENTHAL

23 BILL YOUNG

24 ERWIN ANDRES

25 KATE M. OLSON

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

2 CHAIRPERSON HOOD: Good evening, ladies and
3 gentlemen, this is a public hearing of the Zoning
4 Commission for the District of Columbia. Today's
5 date is February 18th, 2016.

6 My name is Anthony Hood and joining me this
7 evening are Vice Chair Cohen, Commissioner Miller,
8 May, and Turnbull. We're also joined by the Office
9 of Zoning staff, Ms. Sharon Schellin, Office of
10 Planning staff, Mr. Lawson and Ms. Elliott. Did I
11 get that right? Okay. And then also District
12 Department of Transportation, Mr. Westrom.

13 This proceeding is being recorded by a court
14 reporter and it's also webcast live. Accordingly, we
15 must ask you to refrain from any disruptive noises or
16 actions in the hearing room, including the display of
17 any signs or objects. Again, we are located in the
18 Jerrily R. Kress Memorial Hearing Room.

19 Notice of today's hearing was published in
20 the D.C. Register and copies of that announcement are
21 available to my left on the wall near the door. The
22 hearing will be conducted with the provisions of 11-
23 DCMR-3022 as follows: preliminary matters,
24 applicant's case, report of the Office of Planning,
25 report of other government agencies, report of the

1 ANC, organizations and persons in support,
2 organizations and persons in opposition, rebuttal and
3 closing by the applicant.

4 The time constraints will be maintained in
5 this meeting. The applicant has up to 60 minutes.
6 And let me just let you know that we can just talk
7 about the modifications, the variances and what's
8 needed and what has changed. We don't need an hour
9 presentation. We have reviewed the materials. I see
10 30 minutes. That's really stretching it so let's see
11 how we can govern ourselves accordingly.

12 The Commission intends -- organizations five
13 minutes, individuals three minutes.

14 All persons appearing before the Commission
15 are to fill out two witness cards. These cards are
16 located on the left on the table near the door.

17 The decision of this Commission is based
18 exclusively on the public record. Please turn off
19 all electronic devices at this time so not to disrupt
20 these proceedings. I kind of like that. I just got
21 that off the cuff. I don't say beepers any more.
22 Does anybody have a beeper?

23 [No audible response.]

24 CHAIRPERSON HOOD: Okay. Would all
25 individuals wishing to testify please rise to take

1 the oath? Ms. Schellin, would you please administer
2 the oath?

3 MS. SCHELLIN: Yes. Please raise your right
4 hand.

5 [Oath administered to the participants.]

6 CHAIRPERSON HOOD: Okay. At this time the
7 Commission will consider any preliminary matters.
8 Ms. Schellin, do we have any preliminary matters?

9 MS. SCHELLIN: The applicant has proffered
10 two experts that I -- we did not find in our list of
11 experts previously accepted. Actually, they
12 proffered three. One, we -- the commission has
13 already accepted before, the transportation expert,
14 Mr. Andres. And then there's two others. Would ask
15 the Commission to look at the resumes, rather, are at
16 Exhibits 15M as in Mary, and Exhibit 18.

17 CHAIRPERSON HOOD: Okay. Mr. Blanchard.

18 MR. BLANCHARD: Yes, sir.

19 CHAIRPERSON HOOD: Are you taking the lead
20 tonight? Are you leading tonight?

21 MR. BLANCHARD: Yes, I am.

22 CHAIRPERSON HOOD: Okay. Could you walk us
23 through your experts that you're proffering? Other
24 than Mr. Andres. We know he's already been
25 proffered.

1 MR. BLANCHARD: Certainly.

2 CHAIRPERSON HOOD: Let's hear one at a time.

3 MR. BLANCHARD: Okay. Originally we
4 submitted Mr. Jordan Goldstein from Gentzler. He is
5 not appearing tonight. In lieu of his appearance we
6 have Mr. Tim Bakos. Mr. Bakos has -- here it is --
7 16 years of experience as an architect. There are
8 numerous --

9 CHAIRPERSON HOOD: Okay. We'll just -- let's
10 just -- we can look at his resume. But it's Exhibit
11 19. So you want to proffer him as an architect.

12 MR. BLANCHARD: Yes, please.

13 CHAIRPERSON HOOD: An expert in architecture.
14 Okay. Colleagues, that's Exhibit 19.

15 MR. TURNBULL: I think that's fine.

16 CHAIRPERSON HOOD: Okay.

17 MS. COHEN: Nice photo.

18 CHAIRPERSON HOOD: Nice photo. Can we make
19 note of that?

20 MR. BAKOS: Different vest.

21 CHAIRPERSON HOOD: Different vest? Okay.
22 Okay, so we will have him as an expert. How do you
23 pronounce your name again, Bakos?

24 MR. BAKOS: Bakos.

25 CHAIRPERSON HOOD: Bakos. Mr. Bakos will be

1 an expert in architecture. Next person, Mr.
2 Blanchard?

3 MR. BLANCHARD: And then Exhibit 18, if
4 you'll refer to that. And that is Bill Young who is
5 immediately to Mr. Bakos's right. My right. And Mr.
6 Young also has several D.C. projects under his belt.

7 CHAIRPERSON HOOD: And you're proffering him
8 as --

9 MR. BLANCHARD: As an expert architect.

10 CHAIRPERSON HOOD: Architecture.

11 MR. TURNBULL: But I don't see that he's a
12 licensed architect.

13 MR. YOUNG: Correct. I'm not. Intern
14 architect is the correct term, I believe.

15 MR. TURNBULL: Then I don't think, from my
16 standpoint -- unless you're a licensed architect it
17 really doesn't qualify you as an expert in
18 architecture. You have to pass the test. You have
19 to be a licensed architect. That's my viewpoint. I
20 don't know how the others feel. I mean, that's
21 normally been our standard.

22 CHAIRPERSON HOOD: Okay. Thank you, Mr.
23 Turnbull. Any other comments? Okay.

24 Do we all concur? We will take his
25 testimony, but we won't give him an expert status.

1 MR. BLANCHARD: Understood.

2 CHAIRPERSON HOOD: We all agree with our
3 colleague. Okay. So, doesn't mean we won't listen
4 to you, but we won't give you expert status. Okay.
5 Anything else, Mr. Blanchard?

6 MR. BLANCHARD: As for preliminary matters,
7 no.

8 CHAIRPERSON HOOD: Ms. Schellin.

9 MS. SCHELLIN: No, sir.

10 CHAIRPERSON HOOD: Okay, Mr. Blanchard, you
11 all may begin.

12 MR. BLANCHARD: Thank you, Mr. Hood. And we
13 will try and keep this short.

14 The case tonight is bringing back before the
15 Commission for both design review and area variances,
16 the retail pavilions on what's known as the Yards
17 Park. Adjacent to the Yards Park because it really,
18 the Commission heard in 2008 and approved in early
19 2009, Zoning Commission Case 08-04A, which granted
20 relief from parking and roof set back and some other
21 issues. The lumber shed building, which is not
22 before you tonight, and two, for lack of a better
23 term, construction pads that were referred to as
24 retail buildings. GSA refers to them as P2A and P2B.
25 And P2B is Lot 807. And that's really the

1 subject of tonight's hearing. We had put both of
2 them in there but we're really just focused on P2B,
3 Lot 807 because that is the parcel that's being
4 developed at this time.

5 And when the Commission looked at the case in
6 2008, the Commission acknowledged that those
7 pavilions would take up about 25,000 square feet of
8 retail space. The parameters for the Commission's
9 review under WO and the Southeast Federal Center
10 requirements or parameters in '08 and now, are an FAR
11 maximum of 0.5 for density, a maximum lot occupancy
12 of 25 percent, side yard requirement of 12 feet, and
13 a floor to ceiling height for ground floor retail of
14 14 feet.

15 And so those are the three -- the cases
16 before you both for design review to look at the
17 building as it's being proposed now, and for area
18 variance relief in those four areas, FAR, lot
19 occupancy, side yard, and floor to ceiling.

20 And under the test for area variances, you
21 have to have an exceptional circumstance. And the
22 exceptional circumstance here is sort of a
23 combination of circumstances. You have a master
24 development federal law that was passed to allow the
25 development of the Southeast Federal Center. You

1 have a development agreement between the District and
2 the Federal Government to develop the 42-acre site of
3 which this is a portion. And you have a change in
4 circumstance that has occurred subsequent to the
5 Commission's order in early 2009, which is that the
6 GSA subdivided what I would call, in broad terms,
7 Parcel P, and which used to be Lot 801 and then
8 became Lot 810. And they separated out these three
9 pads, one of the lumber shed building which is Lot
10 809. The P2A pad, which isn't being constructed yet,
11 which is Lot 808. And the P2B pad, which is the
12 subject of tonight's hearing, which is Lot 807. That
13 kind of threw a monkey wrench into everything because
14 the whole proposal was based on looking at the entire
15 Yards Park, or parcel P, for your density, your lot
16 occupancy, and there were no side yards at that
17 point.

18 So now we have all these very tiny in
19 proportion to the larger park, very tiny development
20 pads. And that has necessitated asking for relief in
21 these areas, meaning the density was 0.5. We're
22 requesting 1.67 FAR, including a small trellis if
23 that counts towards density, instead of 25 percent
24 lot occupancy, 90 instead of a 12-foot side yard as
25 zero. And those are all brought to bear by this

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1 division of lots. And I think shown pretty well in
2 the exhibits to our supplemental submission.
3 Particularly helpful, maybe, is -- so this is Exhibit
4 15J, which is Tab J of the supplemental submission.
5 It actually shows some easement areas.

6 When GSA -- I'll be very quick and wrap this
7 up, Mr. Hood. When GSA quit claimed the land to the
8 District of Columbia, they carved out these
9 development pads and also carved out some easement
10 areas around them for two purposes. One is for
11 equipment maintenance, electrical, utility
12 connections, trash removal. And another one is for
13 sort of outside dining areas. Like a patio. These
14 are not part of Lot 807, or the lumber shed lot, or
15 P2B. These are easements. And those easements and
16 the park that, like three fingers wrapping around the
17 lots, or four fingers, creates side yards that are
18 actually part of the District's land.

19 And so you have a situation where I believe
20 the intent of the Zoning Commission's approval in '08
21 and what we're asking for tonight, is consistent
22 because you do have side yards. It's just the
23 District's land rather than GSA's land. And you do
24 have setbacks and you could look at it in a way such
25 that the park itself that surrounds these pads,

1 provides sufficient lot occupancy and does not -- the
2 density and the side yard issues really are not of
3 such an extent as to impair the intent of the Zoning
4 Commission's approval.

5 So that's my -- our perspective. And I would
6 like to turn to Jonathan Gertman, who is the
7 development manager from Forest City, to talk a
8 little bit more about the project. And then I'll
9 have Brian Leventhal talk about the winery. Mr.
10 Andres, I'm not going to call. He's the
11 transportation person. And have Mr. Bakos talk about
12 the design of the base building. And if necessary,
13 Mr. Young can talk about what the interior buildout
14 might be. The tenant, the Brooklyn Winery, will be
15 responsible for the tables and chairs, and the
16 easement area which is not really subject to this
17 hearing.

18 The screening wall around the roof,
19 mechanical equipment, which we have made to ensure
20 that it complies with the Commission's recent ruling
21 on penthouses and roof structures. And that's it.

22 MR. GERTMAN: Thank you. My name is Jonathan
23 Gertman with Forest City. I'm the development
24 manager for the project. In the interest of brevity,
25 I'll just say thank you for hearing us tonight. As

1 Lyles said, we believe that the design and the
2 variances being presented are consistent with the
3 plans that have always been presented for this lot.
4 But due to certain technicalities we're here
5 requesting variances. The site is currently a vacant
6 green development pad. We're very excited about
7 bringing Brooklyn Winery, the Brooklyn Winery folks
8 to D.C. We think this is going to be a unique asset
9 and event space for the community, and will go very
10 far in furthering the activity level and resurgence
11 of the Yards area.

12 We are preparing to go into -- to submit for
13 our building permits imminently, and hope to be under
14 construction in the early summer. We're targeting
15 June 1st or sooner. We've had a very positive
16 interaction with the ANC on this project. We have a
17 strong letter of support which I believe has been
18 submitted to you. And with your approval tonight we
19 will continue forward diligently. Of course, I'm
20 here for questions. Thank you.

21 MR. BLANCHARD: Thank you. Brian.

22 MR. LEVENTHAL: Hi. Good evening, everyone.
23 I appreciate you guys taking a few minutes out of
24 your evening.

25 So I'm one of the owners of Brooklyn Winery.

1 There is a small kind of photo montage I put together
2 to give you a -- you can go to the next slide. To
3 give you just a quick background, I don't want to
4 take up too much time, of what we do up in New York.
5 And we are very excited about continuing our project
6 and being the first ever winery in the District of
7 Columbia as far as we can tell.

8 Just to give you a little background, we are
9 a full commercial winery in Brooklyn, and we'll also
10 be one down here as well, which means we're going to
11 bring in fresh grapes and actually manufacturing them
12 onsite.

13 You can go to the next slide. To produce
14 wine. It's actually very light manufacturing with
15 few odors. Actually the odors are quite good, most
16 people think. There's -- it's nothing like a brewery
17 or a distillery where you have to heat liquids to hot
18 temperatures. It's a very actually straight forward
19 procedure.

20 The concept is combining the manufacturing
21 component of the winery with a hospitality component
22 so that people can experience and learn about what
23 we're doing. And you can't have wine without food,
24 obviously, so we will have -- so just a few pictures
25 that you saw recently. We'll make the wine. It's

1 pretty straightforward. And then, keep going, we're
2 going to have both an events space, which will be the
3 second story of the space, along with a mezzanine
4 component inside the space, where we -- and this is
5 part of what we do back in Brooklyn. It's been very
6 popular and very successful. We look to be a coveted
7 wedding venue in D.C. Corporate event space,
8 political event space, whatever. Just having great
9 different full-service space for people to enjoy.

10 We will also have, on the first floor, a
11 restaurant space that will be open to the public
12 seven days a week. It will not interfere with the
13 event component of the space. And that will be --
14 we're still finalizing it, but around a 90-seat
15 interior restaurant along with some of the patio
16 seating area described. We'll have some tours of the
17 winery, people will be able to enjoy and actually
18 purchase bottles of wine to take home with them as
19 well.

20 Yeah, that's -- we've already got in, just so
21 you guys know down here, we already have full
22 approval from the ABC. We've gone in front of the
23 ANC and have had zero complaints. We actually saw
24 tremendous enthusiasm for the project. There's been
25 a lot of extremely positive press articles already

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1 written about us coming down. And based on
2 construction schedules we're looking to have our
3 doors open by September 2017.

4 MR. BLANCHARD: Thank you. Mr. Bakos.

5 MR. BAKOS: All right. So my name is Tim
6 Bakos with Gentzler, and as I pop up the slides that
7 we put into this package, I can just walk you
8 through.

9 I mean, obviously you're familiar with the
10 layout of the building on the site. These are the
11 fingers of -- thank you -- of public space that will
12 remain as a result of the earlier approvals around
13 the pad sites that have been created. So there's
14 plenty of defined open space outside of the building
15 pad itself.

16 And I believe that the only variance request
17 that we hadn't addressed yet from the result of
18 Lyle's discussion, was the creation of -- while there
19 will be volumetric spaces inside that meet the
20 intended floor to ceiling heights of 14 feet minimum,
21 they'll actually be in excess of that generally.

22 The only area that would not, that we're
23 asking for a variance for, is this area in the center
24 of the plan between the ground level and the upper
25 level, which the right most plan here with the gray

1 shaded area is a space that serves as transition
2 between those two levels, because you'll be
3 progressing through a series of either you know, the
4 wedding venue event, and there is a need to have a
5 landing. And so why not use that as a functional
6 space to better the experience with the wine venue?
7 And so the spaces beneath that mezzanine will have a
8 ceiling height at roughly nine feet, and the areas
9 that are under there are not generally publically
10 accessible. They're spaces that are sort of back of
11 house functions of the facility. So we don't think
12 that it impedes the experience of the space.

13 And then just from a general standpoint,
14 these are some early concept sketches that were
15 proffered. The building will generally stay true to
16 the materials that have been used on the existing
17 construction of the lumber shed building which is
18 there. Metal and glass and Ipe wood, Ipe wood
19 planking. So we expect it to be sort of, of the
20 appropriate you know, building aesthetic. And these
21 have all been reviewed and approved through the GSA
22 architectural review process as well.

23 So, I can take any questions later too.

24 MR. BLANCHARD: Thank you. And thank you for
25 mentioning the floor to ceiling height --

1 MR. BAKOS: Sure.

2 MR. BLANCHARD: -- portion of the relief
3 requested. That nine-foot height truly is back of
4 house and is not -- I think the intent of the -- our
5 understanding of the intent of the 14-foot height
6 requirement is really for, to enliven the space and
7 make it attractive to passersby so that they see
8 what's going on within that level of the building.
9 And so all around it is open and visible.

10 And then if we can stop there or you can hear
11 from Mr. Young. It's your pleasure, Mr. Hood and
12 members of the commission.

13 MR. TURNBULL: Well, Mr. Chair, I think one
14 of the things we were asking for is what is different
15 -- what you were asking before and what's different
16 now.

17 MR. BLANCHARD: Right. Okay. So the heights
18 now are greater because of all the equipment on the
19 roof, Mr. Turnbull. In 2008 the concept drawing
20 really didn't have any equipment on the roof at all.
21 And so that is a difference. And other than that the
22 definition of the, you know, how the exterior will
23 look, is more precise.

24 MR. TURNBULL: But you don't have the old
25 concept drawing.

1 MR. BLANCHARD: I do not have it here as part
2 of the --

3 MR. MAY: But was the massing of the building
4 essentially the same except for this roof structure?

5 MR. BAKOS: Yes. So when we reviewed this we
6 did go through a rereview process with the
7 representatives of GSA and they had very similar
8 concerns, obviously, that you know, why would there
9 be a change. And I do believe that, you know, partly
10 because we've had the benefit of understanding who
11 the end-user or the end-tenant of this building will
12 be in Brooklyn Winery, that we've been able to tailor
13 the construction of the building in a way that will
14 support that use, and a way that might have been
15 different had we just built it as a shell without a
16 proposed tenant yet.

17 And so, you know, the inclusion of that
18 mezzanine caused us to want to have those viable
19 spaces, both above and below the mezzanine that might
20 have pushed the building envelope up. We're still
21 under the 40-foot requirement, which was part of the
22 original proposal. But in terms of the inclusion of
23 rooftop equipment and screening, that's all still
24 consistent with the original agreements.

25 MR. MAY: Mr. Chairman, are we going into

1 questions now? I don't think we need to hear more
2 about the, you know, internal fit out and the
3 mezzanine and all that kind of stuff. I mean, we
4 know what you're asking for.

5 CHAIRPERSON HOOD: Mr. Blanchard, you finish
6 your presentation?

7 MR. BLANCHARD: Yes, that concludes our
8 presentation.

9 CHAIRPERSON HOOD: Mr. Turnbull, when they
10 told you what was before are we clear now? Did you
11 get that answer or you want to peruse a little more?

12 MR. TURNBULL: No, I'm good.

13 CHAIRPERSON HOOD: Okay. All right. So
14 let's go to our questions. Commissioner May?

15 MR. MAY: Okay. So when you say that it
16 meets the 40 feet, we're just, we're talking about to
17 the top of the roof, not the top of the roof
18 structure. The roof structure enclosure, right?

19 MR. BAKOS: Correct. By the code definition
20 of building height --

21 MR. MAY: Right.

22 MR. BAKOS: -- we meet all of the
23 restrictions that are --

24 MR. MAY: Right. So how much taller is the
25 enclosure? It's not clear from the drawing.

1 MR. BAKOS: Are you speaking about the roof
2 screen?

3 MR. MAY: Yeah.

4 MR. BAKOS: That's enclosure structure.

5 MR. YOUNG: We're going 10 foot above the
6 roof of the building.

7 MR. MAY: Okay. I mean, yeah, there's a note
8 that says that on the drawing, but then there's a
9 dimension string that sort of contradicts that on PD-
10 27.

11 So I mean, the building footprint is exactly
12 the same as it was before, when it was previously
13 reviewed. And I mean, I obviously don't remember
14 what we reviewed before.

15 MR. BAKOS: Yes, this is correct. I mean,
16 there's very little ability to modulate the building
17 footprint because it fits within the grass pad that
18 exists already out on the site.

19 MR. MAY: Right. I just want to know that it
20 was the same.

21 MR. BAKOS: Right.

22 MR. MAY: And so from the -- you know, in
23 terms of the -- if we just strip it of all of the
24 architecture of the building, essentially the mass of
25 this is exactly the same except that you've added a

1 10-foot roof structure.

2 MR. BAKOS: Correct.

3 MR. MAY: Okay. So I mean, issues of setback
4 and building footprint and things like that, you
5 know, it's consistent with the original intent.

6 MR. BAKOS: Correct.

7 MR. MAY: Okay.

8 CHAIRPERSON HOOD: Let me just ask, can you
9 point me to the before and after?

10 MR. MAY: I don't think he can.

11 MR. BLANCHARD: Unfortunately, Mr. Hood, I
12 don't have the -- I don't --

13 MR. MAY: Yeah. I mean, I think that's one
14 of the things that I'm sort of struggling with.

15 MR. BLANCHARD: We don't tonight the --

16 CHAIRPERSON HOOD: You don't have the before?

17 MR. BLANCHARD: -- the exhibits that were
18 part of the original case.

19 CHAIRPERSON HOOD: Okay.

20 MR. MAY: I mean, I think if we look at the
21 diagram on the upper right of PD-27, you know, if you
22 just imagine that, you know, because the building is
23 sort of stripped of the architecture. If you just
24 look at that and see what it was. Before it was that
25 building without the roof enclosure.

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1 CHAIRPERSON HOOD: Not sure where this came
2 from but we do have --

3 MR. BAKOS: Right. I think it's important to
4 understand too that there always would have been a
5 roof enclosure. It probably wasn't something that
6 was so carefully considered until we had a tenant and
7 understand --

8 MR. MAY: Right. And I'm not hung up on the
9 roof enclosure. It's just understanding that there
10 really isn't -- I mean, you're saying that the relief
11 is a technicality. Unfortunately, your drawings
12 don't really demonstrate that it's a technicality.
13 It's just the words kind of say that but the drawings
14 don't.

15 And the drawings that we do have, I mean,
16 these renderings and things like that, you just --
17 you didn't bother to show the roof structure, right?
18 Because we would be able to see it there, wouldn't
19 we?

20 MR. BAKOS: That's correct.

21 MR. MAY: Okay. So generally speaking we
22 want to see what the building is actually going to
23 look like, not what it looks like without the roof
24 structures. So again, that's another thing that's
25 kind of -- I did see that. It's a little, deceptive

1 is too strong of a word, but just not as clear as it
2 could be. Put it that way.

3 MR. BAKOS: Understood.

4 MR. MAY: Now, you're asking for relief for
5 this lot, but also for the other lot.

6 MR. BLANCHARD: Well, no, we've stepped back
7 from that, Mr. Hood, because --

8 MR. MAY: I'm May, he's Hood.

9 MR. BLANCHARD: Sorry. That's true.

10 CHAIRPERSON HOOD: I can say this about him
11 because I've been knowing him; he doesn't look as
12 good as Hood.

13 [Laughter.]

14 MR. BLANCHARD: No, I understand.

15 MR. MAY: I don't play basketball as well,
16 either. I'm never going to forget that. Never going
17 to forget that.

18 I'm sorry. So you're not -- that relief is
19 not requested anymore. So that means that we're
20 going to have another case like this at some point in
21 the future having to deal with that other lot. Okay.

22 MR. BLANCHARD: Because we couldn't give the
23 Commission the specifics of that buildout.

24 MR. MAY: Well, right, because I was going to
25 ask for the specifics, so.

1 MR. BLANCHARD: Right. So --

2 MR. MAY: Good thing.

3 MR. BLANCHARD: Exactly.

4 MR. MAY: You made that easy. I don't think
5 I have any other questions.

6 CHAIRPERSON HOOD: Okay. Any other
7 questions? Mr. Turnbull.

8 MR. TURNBULL: Yeah, I just -- getting back
9 to this roof and this penthouse, what are the
10 setbacks from this, from the --

11 MR. BLANCHARD: The '08 04A case, which is
12 not -- which is the prior case, there was a variance
13 relief granted from roof structure setbacks in that
14 case. So we --

15 MR. TURNBULL: But there was no roof
16 structure, I thought.

17 MR. BLANCHARD: Well, there was probably
18 something as high as this table.

19 MR. TURNBULL: You know, you're not helping
20 yourself by not having everything in front of us to
21 make your case very clear. This should not have been
22 that difficult to process to go through tonight.

23 MR. BLANCHARD: Right.

24 MR. TURNBULL: So you're saying that there
25 was a variance granted in the last -- on the other

1 one, even though you said that there was really no
2 rooftop structure.

3 MR. BLANCHARD: Correct. There was a little
4 bump up.

5 MR. TURNBULL: So how can you have a variance
6 if there's no rooftop structure?

7 MR. BLANCHARD: I didn't prosecute that case,
8 Mr. Turnbull.

9 MR. GERTMAN: If I may? I think part of what
10 Mr. Bakos was saying was it was conceived of a roof
11 structure. At that time, in 2007, we were clearly in
12 very conceptual stages of design. So it was
13 contemplated there would be a roof structure, and you
14 know, it may not have been clearly shown at that
15 point because of the very early nature of the
16 planning of the yards.

17 MR. TURNBULL: Well, I'm a little bit
18 hesitant on all this. The other thing I'm seeing,
19 you show pictures with a trellis, a fixed trellis,
20 and then you show potential trellis on some plans and
21 then you show movable trellis. You've got like three
22 different things and you want the Zoning Commission
23 to say, yeah, whatever we want. What do you want to
24 do?

25 MR. GERTMAN: I think part of the -- maybe a

1 little bit of what's causing confusion, and I
2 apologize if we aren't clear enough, is that this is
3 being permitted as two separate projects from a
4 building perspective. Forest City is building the
5 core and shell, the tenant is fitting out their own
6 tenant -- their own space. It's not a built to suit.

7 We are here because we have the luxury of
8 having a signed lease with the Brooklyn Winery Team,
9 and so we can come and present to you a full project.
10 But I think there is some disparity because of the
11 two separate architect teams.

12 MR. TURNBULL: Well, you've got to understand
13 our point of view.

14 MR. GERTMAN: Certain.

15 MR. TURNBULL: We don't have two projects.
16 We have one zoning case before us and everything
17 should be presented before us so that we know exactly
18 what we're approving, and it goes out on the order
19 that says, this is what's happening, that's what's
20 happening, this is going to be, and that there's no
21 confusion. Right now I see some confusion as to
22 actually what we're approving as to some of these
23 things. And this could have been very clearly done
24 with some very simple drawings.

25 MR. GERTMAN: Certainly. And I apologize if

1 in the interest of brevity we were too brief, perhaps
2 too brief in our explanation. The tenant will be
3 building up a trellis and I'm sure Mr. Young would be
4 happy to go into detail on the trellis component.

5 MR. YOUNG: If you pay attention to SD-14,
6 and that's the rendering with some examples shown.
7 This was, I believe, an exhibit that was added this
8 week into the package.

9 MR. BLANCHARD: Commissioners, that's Exhibit
10 21-A5.

11 MR. YOUNG: There is a rendering showing the
12 proposed 10-foot high roof enclosure structure that
13 we intend to clad it with the Ipe decking, similar
14 type to the skin of the building. That portion of
15 the work, it's on our scope to do. Also included
16 there is the trellis location and the intent of the
17 trellis, we're still early in our design phase.
18 We're in schematic design currently, and that the
19 trellis options that we're proposing, it could be
20 something that is very movable and not a solid
21 coverage versus another option that we were thinking
22 about using slats to provide sun shading for the
23 patio use. And then there is also the patio seating
24 that we're showing there. The intent is to really
25 just -- there's no solid structures, rather than just

1 umbrellas and loose seating.

2 We also pointed out that there will be two
3 entry signage canopy, if you will, there on the front
4 doors of the two of the west face of the building.
5 Those are the items that, as the tenant architect are
6 responsible for providing into this building
7 structure.

8 MR. TURNBULL: Well, look, I think this is
9 going to be a sexy, cute, little building. Okay?
10 And I think it will be a fun place to go. I just
11 wish we had -- what I'm worried about is when I see a
12 retractable trellis on one set of drawings, and I see
13 something else on another one, and then you tell me
14 that this is what's going to be here, but then this
15 could be -- it could be movable. So I'm thinking
16 like, is it going to move farther out to the front of
17 the building? Is it going to move sideways? Are you
18 going to be able to take it down? Is that the idea?

19 MR. YOUNG: Negative. The movable portion of
20 the canopy is --

21 MR. TURNBULL: Is the canvas part?

22 MR. YOUNG: It's a canvas that can be retract
23 by a track.

24 MR. TURNBULL: So the trellis, the
25 infrastructure, the hard part is fixed?

1 MR. YOUNG: The structure is fixed. That's
2 correct.

3 MR. TURNBULL: So it's the canvas that can go
4 back and forth.

5 MR. YOUNG: Correct.

6 MR. TURNBULL: Okay. I'm assuming they don't
7 grow grapes in Brooklyn.

8 MR. LEVENTHAL: We've tried on our roof once.

9 MR. TURNBULL: Okay.

10 MR. LEVENTHAL: Actually to good success.

11 MR. TURNBULL: You're not going to have any
12 island or memorabilia in the winery, are you?

13 MR. LEVENTHAL: We're now a Capitol's fan.

14 MR. TURNBULL: Oh, good. I like that. All
15 right. Thank you, Mr. Chair.

16 CHAIRPERSON HOOD: Okay. Vice Chair Cohen.

17 MS. COHEN: I happen to know a fact that in
18 Brooklyn they have grown grapes for wine because a
19 lot of Brooklyn families would prepare their own
20 wine.

21 MR. LEVENTHAL: A lot of garage wine making
22 for sure.

23 MS. COHEN: Yes. Yes.

24 MR. MAY: That happened in my house about --

25 MS. COHEN: You did --

1 MR. MAY: About a mile and a half north of
2 this. So I have a -- and I still have the grape
3 vine. And --

4 MR. LEVENTHAL: A lot of the really good
5 grapes are grown in Virginia, next door, so.

6 MS. COHEN: Well, that was my question,
7 actually. Where are these grapes coming from?
8 That's --

9 MR. LEVENTHAL: The beauty of an urban winery
10 concept is the ability to diversify where you bring
11 in grapes and produce wines that come from a lot of
12 different sources, so we have a wide portfolio. So
13 currently in New York we're bringing in fruit from
14 New York State, California, Washington State, and
15 Oregon. And for here it will be a similar mix with
16 Virginia included.

17 MS. COHEN: And what does your label say that
18 this mixture is?

19 MR. LEVENTHAL: Well, we'll state on the
20 label what grape it is and where those grapes were
21 sourced. So we'll have the language of the region
22 that the grapes are from as well as the name of the
23 grape itself. For example, Cabernet Sauvignon,
24 Chardonnay.

25 MS. COHEN: Okay.

1 MR. LEVENTHAL: And then it will also say,
2 but produced and bottled in the District of Columbia.

3 MS. COHEN: Okay. What is your status of
4 your discussions with DDOE because you said you were
5 going to talk to them about how much sustainability
6 you'll be meeting on this property, for this
7 property?

8 MR. BAKOS: Yeah. I mean, in order to file
9 for our building permit we are presently dealing with
10 the agency to make sure that our building is in
11 complete compliance with all of the green code
12 sustainable strategies that apply to us here. So
13 that's an active part of our process. We can't get
14 too far ahead of ourselves because we need this kind
15 of approval to be sure the project can happen.

16 MS. COHEN: All right. So you haven't done
17 anything with, let's say, water usage because the
18 grapes need to be --

19 MR. LEVENTHAL: So that's --

20 MS. COHEN: -- washed a lot and gone through
21 -- no?

22 MR. LEVENTHAL: That's actually not true.
23 There's no water used to -- there's no water in wine.
24 It's all from the grapes.

25 MS. COHEN: No, but I mean to wash the vats

1 and, at least what I've read about it.

2 MR. LEVENTHAL: Yes, there is some water use
3 to --

4 MS. COHEN: Just some?

5 MR. LEVENTHAL: -- clean, to clean the
6 facility. But it shouldn't be extreme usage. I
7 mean, we have a winery in Brooklyn right now without
8 any issues.

9 MS. COHEN: Okay.

10 MR. GERTMAN: I can also say that the tenant
11 is seeking LEED CI track for their internal -- for
12 the fit out, for the fit out.

13 MS. COHEN: All right, because I have become
14 an expert by reading one book about how to make wine.
15 So that's why I'm arguing with you a little bit.

16 MR. LEVENTHAL: Well, we -- I'm happy to talk
17 offline all about it.

18 MS. COHEN: No, that's okay. Okay.

19 MR. GERTMAN: They're going to be hiring
20 soon.

21 MS. COHEN: And I may be looking for a job
22 soon, so.

23 [Laughter.]

24 MS. COHEN: All right. Actually I was just -
25 - let's see. No, I think that's basically it. I

1 think it's a, you know, a really lovely design, as
2 long as my colleagues are pleased with the roof
3 images I often will go along with them. Not always,
4 but often. Thank you.

5 MR. LEVENTHAL: Thank you.

6 CHAIRPERSON HOOD: Mr. Miller.

7 MS. MILLER: Thank you, Mr. Chairman. This
8 is a very exciting project and it looks like a very
9 attractive building, and a unique activating use in
10 this yard's area, which I'll look forward to
11 sampling, if you want to bring samples before final.
12 No. Anyway, I was just kidding.

13 MR. BLANCHARD: Mr. Miller, I've already
14 dissuaded the client of doing that and --

15 MS. MILLER: Yeah.

16 MR. BLANCHARD: -- under the ethics laws.

17 MR. LEVENTHAL: I offered.

18 MS. MILLER: So I just wanted -- I guess I'll
19 ask Office of Planning this as well. I just want to
20 make sure that you've -- is a winery use a permitted
21 use in just kind of semi, you know, manufacturing.
22 This is a lot of retail and mixed uses are the
23 preferred uses in this overlay zone. I was trying to
24 pull it up but I couldn't pull it up right now.

25 Is it definitely a permitted use, or you

1 don't need a use variance? I would be supportive of
2 it if you did, but it is a specifically permitted use
3 or not a specifically prohibited use?

4 MR. BLANCHARD: So, we have had discussions
5 with the Zoning Administrator about this issue. The
6 principal use of the building is a restaurant, and
7 that is a permitted use, a preferred use under the
8 Southeast Federal Center Overlay.

9 The amount of square footage that's allocated
10 to the winery production itself, since that's more of
11 an industrial use, and wouldn't be allowed normally,
12 because it's less than 25 percent of the total square
13 footage it's considered a contributing -- an
14 associated use. So it's not a principal accessory.
15 Yeah.

16 MS. MILLER: Did you get a written thing from
17 the ZA?

18 MR. BLANCHARD: I believe I did.

19 MS. MILLER: Is that part of our record?

20 MR. BLANCHARD: It might be part of the --

21 MS. MILLER: It is part of our record? Yeah,
22 maybe it's there.

23 MR. BLANCHARD: There was a long e-mail
24 that's one of the exhibits in our --

25 MS. MILLER: Okay.

1 MR. BLANCHARD: -- supplemental filing that
2 mostly talks about other issues, but I believe it's
3 in that e-mail.

4 MS. MILLER: Okay. I just wanted to make
5 sure that it is a permitted use, or if we have to do
6 anything to make sure that we do.

7 MR. BLANCHARD: It should be in Exhibit 15E.
8 No, I'm sorry, 15G, which mostly talks about loading
9 but I believe it also talked about the accessory use
10 as well.

11 MS. MILLER: Okay. Thank you very much.
12 Thank you for your presentation.

13 CHAIRPERSON HOOD: I want to just touch on
14 the roof deck. Are we going to need -- are we going
15 to have that much mechanical equipment up there? How
16 much is all involved? Is it going to be that much?

17 MR. YOUNG: That's correct, because of the
18 three zones that we have to control for separate
19 usage, there will be multiple air handling units, and
20 also there are compressors from the restaurant usage
21 all going to be up in that roof, yes.

22 CHAIRPERSON HOOD: Okay. Well, from what I
23 see here I do like the design. So that's all the
24 questions and I think my colleagues have asked some
25 very detailed questions. Other than samples, we

1 didn't get the samples. But other than that I think
2 this is a very nice looking structure. So anyway.

3 Any other questions up here?

4 [No audible response.]

5 CHAIRPERSON HOOD: All right. Do we have
6 anyone from, let's see, ANC is 6 -- hold on for a
7 second.

8 And I look at the ANC report and -- oh, 6D.
9 here it is. Do we have any representatives from ANC
10 6D? Mr. Litsky. I don't see him. But we do have a
11 letter here in support and at the appropriate time
12 we'll get to that.

13 Let's go to the Office of Planning and DDOT
14 at this time. Ms. Elliott, and then Mr. Westrom.

15 MS. ELLIOT: Thank you, Mr. Chair and Members
16 of the Commission.

17 OP is going to stand on the record of its
18 report. We are recommending approval of both the
19 design review and variance request. But we're happy
20 to answer any questions that you have.

21 MR. WESTROM: Good evening, Commissioners,
22 thank you. Ryan Westrom for DDOT.

23 We just would like to note that we did ask
24 for a few conditions within our report and it is our
25 understanding that the applicant has agreed to these

1 conditions, and with the addition of these conditions
2 DDOT does not object to the approval of this project.

3 CHAIRPERSON HOOD: Okay. Thank you both.
4 Let's see, any questions of either -- Mr. Turnbull.

5 MR. TURNBULL: Yeah, Mr. Westrom. Those two
6 conditions were for the two bike racks and for the
7 transit screen?

8 MR. WESTROM: There were three. So there was
9 the transit screen and then two additional short-term
10 bike racks, and then also accommodations for two
11 long-term bicycle parking. And ideally those would
12 be in the building. They expressed some reticence to
13 that as it might be difficult to fit in the building,
14 and we said we would also be content with providing
15 access to one of the adjacent buildings that are also
16 in the area. The intent for those would be for
17 employees of the restaurant --

18 MR. TURNBULL: Right.

19 MR. WESTROM: -- to be able to bike to work
20 and have a place to keep their bike.

21 MR. TURNBULL: Okay. Thank you.

22 CHAIRPERSON HOOD: Vice Chair Cohen.

23 MS. COHEN: Is there sufficient short-term
24 bicycle racks in the neighborhood, because I think a
25 lot of people would probably want to bike if -- not

1 drive there, but bike there because of drinking wine
2 and the -- well, I don't think they want to -- you
3 know, you can't drive and drink but you could ride
4 your bike. No?

5 MR. WESTROM: DDOT would say no.

6 CHAIRPERSON HOOD: See, that's part of the
7 problem.

8 [Laughter.]

9 MS. COHEN: Well, I think I could do it.

10 MR. WESTROM: I will not comment on that
11 aspect of it, but I would note that that was exactly
12 why we did ask for some additional short-term bicycle
13 racks that, considering kind of the overall proximity
14 of the area, there actually are some that do exist
15 already and we felt adding two additional racks as
16 part of this project was appropriate to hopefully
17 match the use of the building itself.

18 MS. COHEN: Thank you.

19 CHAIRPERSON HOOD: You know, if you fall on
20 your bike and you go purchase some wine and you fall,
21 and your wine, that's it. It breaks. So, I hear
22 people say they carry all these grocery bags. I'm
23 curious now about the wine they carry on the bikes.

24 MR. MAY: You can get wine in cans now.

25 MS. COHEN: Yeah. And you have, you know,

1 baskets to put it in. And I'm sure they would put
2 the bubble wrap around it.

3 CHAIRPERSON HOOD: Oh, okay. All right. All
4 right. Any other questions of Office of Planning and
5 DDOT? Commissioner Miller?

6 MS. MILLER: Thank you, Mr. Chairman. Yeah,
7 it was just the same question that I asked the
8 applicant if Office of Planning could address, that
9 the winery manufacturing part of this is an accessory
10 use, and so they don't need any additional
11 permission.

12 And while I'm on it, Mr. Blanchard, I looked
13 at Exhibit 6G and 15G, I didn't see --

14 MR. BLANCHARD: It's a good eye.

15 MS. MILLER: -- the ZA's --

16 MR. BLANCHARD: Thank you, I apologize.

17 MS. MILLER: So if you can just submit the
18 ZA's comments on that? But does Office of Planning
19 agree that it doesn't need any use variance, that it
20 would be permitted because it doesn't take up -- it's
21 not the principal use?

22 MS. ELLIOT: Sure, Commissioner Miller, we
23 would tend to agree with the applicant in their
24 discussion with the Zoning Administrator. Certainly
25 it is ultimately up to the Zoning Administrator to

1 decide, but based on those conversations that he's
2 had we would fall in line with that.

3 MS. MILLER: Thank you.

4 MR. MAY: I would tend to think this is not
5 different from the, you know, the brewery that's you
6 know, less than a block away or something like that,
7 right? So this is a very common thing to have the
8 production of the, you know, the sort of alcohol
9 here.

10 MS. MILLER: Yeah, I'm very supportive of it.
11 I just wanted to make sure that it's permitted.

12 MR. MAY: Sure. Sure. Well, and I think the
13 answer has to be yes because I think it would be
14 difficult to get to a use variance for this. Right?
15 I mean, the standard is a little bit higher so I
16 think it would be a challenge. So I think we should
17 trust that it's accessory, if we were inclined to
18 approve it.

19 MS. MILLER: Okay. Thanks.

20 CHAIRPERSON HOOD: Okay. Does the applicant
21 have any -- Mr. Blanchard, you have any cross of
22 either the Office of Planning or DDOT?

23 MR. BLANCHARD: No. No, Mr. Hood, we don't.

24 CHAIRPERSON HOOD: Again, not seeing Mr.
25 Litsky or any representative from 6D, which we would

1 -- in this case. Do we have any other reports that I
2 may not have mentioned?

3 MS. SCHELLIN: No.

4 CHAIRPERSON HOOD: Okay. Not seeing any,
5 let's go to the ANC's report. Again, letter dated
6 January 21st, 2016. This comes from Chairperson
7 Litsky, and he basically says at a regularly
8 scheduled and properly noticed meeting scheduled on
9 January 11, 2016 with a quorum being present and
10 quorum being four commissioners, Advisory
11 Neighborhood Commission 6D voted six, zero, to zero
12 in support of this case. And that is our Exhibit 13
13 in the record.

14 Do we have any organizations and persons who
15 are here to testify in support?

16 [No audible response.]

17 CHAIRPERSON HOOD: Any organizations or
18 persons who are here to testify in opposition?

19 [No audible response.]

20 CHAIRPERSON HOOD: Okay, Mr. Blanchard, I
21 don't believe you have any rebuttal but I don't want
22 to speak for you. If you have any rebuttal, if not
23 you can give us your closing.

24 MR. BLANCHARD: No, no rebuttal, Mr. Hood;
25 Chairman Hood.

1 Just in closing I'm going to stand on the
2 record myself. Exhibit 15, which was our
3 supplemental submission, I believe goes into great
4 detail. Pages 11 through 15, about the exceptional
5 conditions, practical difficulty, and no detriment to
6 the public good arguments that we've made to justify
7 the for variance request that we have for density,
8 lot occupancy, side yard, and floor to ceiling
9 height. And I do apologize to Mr. Turnbull and Mr.
10 May and the other members of the Commission for not
11 ensuring that we had the before and after drawings.
12 We will not do that the next time we're here, as far
13 as the concept drawings that were approved
14 previously.

15 But I think what you've seen tonight and
16 what's in the record certainly shows that this is a
17 laudable, hopefully laudable design and we request
18 the Commission's approval of the design.

19 CHAIRPERSON HOOD: Mr. Blanchard, I'm going
20 to say this only because I know you. That's the
21 first time I heard a closing that was stood on the
22 record, that you said you stood on the record but you
23 still gave a closing. So I learn something new every
24 time I'm down here.

25 MR. BLANCHARD: It's kind of a belt and

1 suspenders approach, I guess.

2 CHAIRPERSON HOOD: Yeah, that's something
3 new. I'll remember that one. Every time I ask
4 somebody if they're going to give a closing and they
5 stand on the record, I'm going to ask them to do it
6 Lyle Blanchard style.

7 MR. BLANCHARD: Okay.

8 CHAIRPERSON HOOD: All right. Thank you.
9 Thank you all very much. We appreciate your
10 testimony tonight.

11 Is there anything that we need, colleagues.
12 Mr. Turnbull, anything?

13 MR. TURNBULL: No, just to note that there's
14 no score in Brooklyn right now, so.

15 CHAIRPERSON HOOD: Commissions, what is your
16 pleasure?

17 MS. MILLER: I wanted --

18 CHAIRPERSON HOOD: Oh.

19 MS. MILLER: The ZA before we get to final --

20 CHAIRPERSON HOOD: That's fine.

21 MS. MILLER: -- the correspondence.

22 CHAIRPERSON HOOD: Because we'll -- this is
23 one vote.

24 MS. SCHELLIN: There's only one vote.

25 CHAIRPERSON HOOD: There's only one vote.

1 MR. MAY: There's single vote.

2 MS. MILLER: Oh, there's only one vote.

3 CHAIRPERSON HOOD: That's why I was asking,
4 is there anything we need. So we need --

5 MR. MAY: So may I suggest? I mean, you
6 know, if we -- I mean, if in fact they have a problem
7 with the Zoning Administrator they're going to have
8 to come back. So I mean, I would be comfortable
9 moving ahead.

10 MS. MILLER: I'm comfortable moving ahead. I
11 didn't realize that -- I forgot that there was only
12 one vote. I'd be in favor of a text amendment that
13 would allow winery and brewery use as a permitted
14 use. So, on an emergency basis.

15 MR. MAY: Okay. I think that's probably more
16 workable than a use variance, actually, but --

17 CHAIRPERSON HOOD: Okay. If we get to that
18 point. But I think the consensus is to go ahead and
19 move forward and not hold up anything. So would
20 somebody like to make a motion?

21 MR. MAY: Can I just ask one clarifying --

22 CHAIRPERSON HOOD: Sure.

23 MR. MAY: -- question of the applicant? So I
24 just quickly skimmed over the materials that you had
25 submitted and I didn't see where the relief request

1 for the other lot was withdrawn. Is there something
2 in the record that indicates that you were
3 withdrawing relief for that?

4 MR. BLANCHARD: No, I made that orally.

5 MR. MAY: Okay. So that's fine, I just want
6 to make sure it's clear on the record that --

7 MR. BLANCHARD: Right.

8 MR. MAY: -- it's been withdrawn. I don't
9 know if we need to actually have something on paper
10 withdrawing it. Ms. Schellin, do we need actually to
11 have that on paper, or is his testimony to that
12 affect, sufficient?

13 MS. SCHELLIN: I think his testimony is okay
14 and he'll include that in the draft order he
15 provides.

16 MR. MAY: Okay. All right.

17 MS. SCHELLIN: And he can state that he --

18 MR. MAY: Right.

19 MS. SCHELLIN: -- made that request on the
20 record.

21 MR. MAY: Well, and when we make the motion
22 we'll only --

23 MS. SCHELLIN: Yes.

24 MR. MAY: -- cite that single lot.

25 CHAIRPERSON HOOD: Okay. So with all those

1 clarifications would somebody like to make a motion?

2 MR. TURNBULL: Mr. Chair, I would move that
3 we approve Zoning Case No. 08-04B, Forest City SEFC,
4 LLC., Southeast Federal Center Overlay, Review at 355
5 and 385 Water Street Southeast, Square 771, Lot 807,
6 Parcel -- no, Lot 808, I guess, Parcel P2A.

7 MR. MAY: No. 807.

8 MR. TURNBULL: Am I right?

9 MS. COHEN: 807.

10 MR. TURNBULL: 807, Parcel P2B.

11 MS. MILLER: I would second the motion.

12 CHAIRPERSON HOOD: Okay. It's been moved and
13 properly seconded. Any further discussion?

14 MR. MAY: No.

15 CHAIRPERSON HOOD: Further discussion.

16 [Vote taken.]

17 CHAIRPERSON HOOD: Ms. Schellin, would you
18 record the vote?

19 MS. SCHELLIN: Yes, sir. Staff records the
20 vote five to zero to zero to approve final action in
21 Zoning Commission Case No. 08-04B, for Lot 807,
22 Parcel P2B, Commissioner Turnbull moving,
23 Commissioner Miller seconding, Commissioners Hood,
24 Cohen, and May in support.

25 CHAIRPERSON HOOD: Okay.

1 MS. SCHELLIN: And if we could have Mr.
2 Blanchard provide us a draft order that would be
3 great.

4 MR. BLANCHARD: Yes.

5 CHAIRPERSON HOOD: Okay. Ms. Schellin,
6 anything else before us tonight?

7 MS. SCHELLIN: No.

8 CHAIRPERSON HOOD: Okay. I want to thank
9 everyone for their participation. This hearing is
10 adjourned.

11 [Hearing adjourned at 7:30 p.m.]

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