

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission

Public Hearing

Case No. 15-15 [JBG/Boundary 1500 Harry Thomas Way,
LLC., and JBG/Boundary Eckington Place, LLC.,
Consolidated PUD & Related Map Amendment at Square
3576, Lots 814 and Lot 805, also known as Lots 2001-
2004.]

7:04 p.m. to 10:17 p.m.
Thursday, May 12, 2016

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

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1 Board Members:

2 ANTHONY HOOD, Chairman

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 JENNIFER STEINGASSER

13 STEVE COCHRAN

14

15 DDOT:

16 ANNA CHAMBERLIN

17 EVELYN ISRAEL

18

19 DOEE:

20 JAY WILSON

21

22 Other:

23 JEFF UTZ

24 BRYAN MOLL

25 HEATHER HOWARD

1 APPEARANCES Continued

2 Other:

3 JOHN WILKINSON

4 BOUNDARY COMPANIES

5 ERIC COLBERT

6 GABRIELA CANAMAR

7 DAN VanPELT

8 ROB SCHIESEL

9 ELIZABETH FLOYD

10 DANIEL AGOLD

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P R O C E E D I N G S

CHAIRPERSON HOOD: Okay. Good evening, ladies and gentlemen. This is a public hearing of the Zoning Commission for the District of Columbia. Today's date is May the 12th, 2016. We are located in the Jerrily R. Kress Memorial Hearing Room and again I want to -- we appreciate everyone's indulgence as we started a little late. So forgive us and we'll see what we can do to expedite this as quickly as possible.

My name is Anthony Hood. Joining me this evening are Vice Chair Cohen, Commissioner Miller, May, and Turnbull. We're also joined by the Office of Zoning Staff, Ms. Sharon Schellin, Office of Planning, Ms. Steingasser, Mr. Cochran, Ms. Israel. From District Department of Transportation, Ms. Chamberlin, and the District Department of -- District office of Energy and Environment. Whatever it is, Mr. Wilson. I get confused now. Tell Mr. Wells I get confused now the name has changed.

Okay. This proceeding is being recorded by a court reporter. It's also webcast live. Accordingly we must ask you to refrain from any disruptive noises or actions in the hearing room, including display of any signs or objects. Notice of today's hearing was

1 published in the D.C. Register, and copies of that
2 announcement are available on the left to the wall
3 near the door.

4 The hearing will be conducted in accordance
5 with provisions of 11-DCMR-3022 as follows;
6 preliminary matters, applicant's case, report of the
7 Office of Planning, report of other government
8 agencies, report of the ANC, organizations and
9 persons in support, organizations and persons in
10 opposition, rebuttal and closing by the applicant.

11 The following time constraints will be
12 maintained in this meeting. The applicant will have
13 up to 60 minutes. Organizations five minutes,
14 individuals three minutes. All persons appearing
15 before the Commission are to fill out two witness
16 cards. These cards are located to my left on the
17 table near the door.

18 Upon coming forward to speak to the
19 Commission please give both cards to the reporter
20 sitting to my right before taking a seat at the
21 table. The decision of the Commission in this case
22 must be based exclusively on the public record. The
23 staff will be available throughout the hearing to
24 discuss procedural questions. Please turn off all
25 electronic devices at this time so not to disrupt

1 these proceedings.

2 Would all individuals wishing to testify
3 please rise to take the oath? Ms. Schellin, would
4 you please administer the oath?

5 MS. SCHELLIN: Yes. Please raise your right
6 hand.

7 [Oath administered to the participants.]

8 CHAIRPERSON HOOD: Okay. At this time the
9 Commission will consider any preliminary matters.
10 Does the staff have any preliminary matters?

11 MS. SCHELLIN: Yes, sir. At Exhibit 25 we
12 have a party status application from Jennifer
13 Nieralko. I don't know if she's here. She's only
14 asking for three minutes, so I'm not sure if she's
15 here or not.

16 And then we have some proffered expert
17 witnesses. It appears that two of the four have been
18 previously accepted by the Commission. And then we
19 have two at -- and their resumes are at Exhibit 15H,
20 and we'd ask the Commission to consider those for
21 this evening.

22 CHAIRPERSON HOOD: Okay. Commissioners, as
23 Ms. Schellin just mentioned, we do have a party
24 status application for Ms. Nieralko. Oh, you're at
25 the table.

1 MR. MOLL: She actually e-mailed us and said
2 that she was stuck. She didn't say where she was,
3 but she couldn't get a flight back in time.

4 CHAIRPERSON HOOD: I can't get the -- oh, Ms.
5 Nieralko e-mailed you?

6 MR. MOLL: Yeah. She e-mailed us. She was,
7 I think, a party status in support. She said she was
8 at an Ebola -- she didn't say where, but she was at
9 an Ebola conference and couldn't make it back.

10 CHAIRPERSON HOOD: Okay. So what we'll do is
11 she has some information here. We can just deal with
12 that. I don't think we need to deal with the party
13 status application. Plus, she's a proponent, so that
14 makes it a little easier.

15 So we won't give her party status but we'll
16 take her testimony. Push comes to shove, we'll just
17 leave the record open for her testimony. If she
18 doesn't have anything -- if she has something
19 additional she wants to add. I'm sure you will want
20 that to get into the record, especially since she's a
21 proponent. Opposition would have been a little
22 different. Unless my colleagues disagree.

23 MR. TURNBULL: Well, no. Yeah, I think we
24 should just -- she only wants three minutes. I mean,
25 she puts down that she's in support, but she does

1 have some issues.

2 CHAIRPERSON HOOD: Yeah.

3 MR. TURNBULL: So, I --

4 CHAIRPERSON HOOD: So we can go through this
5 and we may leave it open for her at a later date.
6 Yes. Oh, the party status.

7 MS. COHEN: Yeah. I mean, I just want to
8 make sure that -- you obviously have met with her and
9 explained the construction management plan because
10 that, I believe were, a number of her issues related
11 to that.

12 MR. MOLL: Yeah. My colleague, Heather
13 Howard is going to go through here, shortly, the
14 meetings that we had with the neighbors immediately
15 surrounding the development, and we've walked through
16 that with them when she was part of that group.

17 CHAIRPERSON HOOD: Okay. So, can we do
18 general consensus that we will not give her party
19 status but we will possibly leave the record open for
20 any of her comments, if they're not addressed.

21 MS. COHEN: Yes.

22 CHAIRPERSON HOOD: Any problems with that,
23 we're proceeding. Okay. Let's go with expert
24 witnesses. Mr. Utz, let's not talk about the ones
25 who we've already proffered as experts. Let's go to

1 the ones who have not proffered. You want to turn
2 your mic on, Mr. Utz.

3 MR. UTZ: Okay. Gabriela Canamar from Land
4 Design is our expert in landscape architecture and
5 landscaping.

6 MR. TURNBULL: I have no issues, Mr. Chair.

7 CHAIRPERSON HOOD: Okay. Any issues? Not
8 seeing any, we will make her -- we will give her
9 expert status. And I think we had one other, right?

10 MR. UTZ: Correct. It's Elizabeth Floyd of
11 Sustainable Design. She is the project's
12 sustainability consultant and LEED expert.

13 CHAIRPERSON HOOD: So you're proffering her
14 as the expert in LEED.

15 MR. UTZ: Correct.

16 MR. TURNBULL: I didn't see her on the list
17 of the proffered or -- I had a Ryan Brannon from
18 Bowman Consulting Civil Engineering.

19 MR. MAY: Elizabeth Floyd's resume is at the
20 very end of that package.

21 [Pause.]

22 MR. TURNBULL: I'm okay, Mr. Chair.

23 CHAIRPERSON HOOD: Okay. Any other comments
24 or -- is the Board -- okay. So we will proffer her
25 as an expert in LEED. Okay. Anything else, Mr. Utz?

1 MR. UTZ: That's it. Thank you.

2 CHAIRPERSON HOOD: Okay. Mr. Utz, you can
3 begin, but identify yourself first.

4 MR. UTZ: I'm Jeff Utz of Goulston and
5 Storrs. I am the land use counsel for the applicant.
6 Thank you for letting us come here tonight.

7 With me tonight, let me just go ahead and
8 introduce the team, it's Brian Moll and Heather
9 Howard of JBG, John Wilkinson of the Boundary
10 Companies, comprising the applicant Eric Colbert and
11 Joe Harris of Eric Colbert Architects, the project
12 architects, Gabriela Canamar, as we just discussed,
13 of Land Design, Dan VanPelt and Rob Schiesel of
14 Gorove/Slade, the project's traffic consultants. And
15 last but not least, Elizabeth Floyd of Sustainable
16 Design Consultants, the project's sustainability
17 consultant and LEED expert.

18 We greatly appreciate the opportunity to be
19 before you tonight. There's a lot to talk about so
20 we'll try to fit it within the 60 minute time window.
21 The application before you is for a consolidated plan
22 unit development and related zoning map amendment
23 from the -- the M Zone District to the CR Zone
24 District. The property consists of approximately
25 135,000 square feet of land area and is improved with

1 two structures, the Washington Flower Market, and a
2 one-story insurance company fronting on Harry Thomas
3 Way.

4 The current zone of M allows for a maximum
5 height of 90 feet, and maximum FAR of 6.0. The
6 project as we're proposing it is consistent with the
7 goals, the D.C. Comprehensive Plan, and the Ward 5
8 Work Study. We looked at both exhaustively to come
9 up with this design and I think we will show a lot of
10 that tonight.

11 The property is designated as a medium
12 density residential and PDR by the Comprehensive
13 Plan's future land use map. The project is a mixed
14 use project with up to 702,300 gross square feet of
15 total development comprised of 77,200 gross square
16 feet of commercial space and approximately 625,000
17 plus gross square feet of residential use, which
18 equates to 695 residential units with approximately
19 56 of those as affordable units.

20 This amounts to an FAR of up to 5.2, building
21 heights of 102 feet for the northeast building, and
22 75 feet for the rest of the components, the other
23 three components.

24 As you can see, and as we'll walk through
25 tonight, the team has responded to the Zoning

1 Commission's comments from set down and the reports
2 from OP, DDOT, and DOEE. And the team has also
3 exhaustively met with the community and made a lot of
4 changes to the project that I believe reflect this
5 very cooperative approach that has been taken with
6 the nearby neighbors. And I believe the record
7 reflects broad-based support as well.

8 Without further ado, let me turn it over to
9 Bryan Moll of the applicant.

10 MR. MOLL: Thank you, Jeff. Good evening,
11 Commissioners. My name is Bryan Moll. I'm a
12 principle at the JBG Companies. I'm joined this
13 evening by my colleague, Heather Howard, and we are
14 pleased to be able to present our Eckington Yards
15 project to you this evening.

16 The JBG Companies has been an active
17 owner/operator and developer of award winning
18 projects throughout the Washington area for more than
19 50 years. We specialize in complex mixed use
20 developments that are often credited as forward
21 thinking, pushing the bounds of what is known and
22 expected of the world in real estate development.

23 For example, our latest projects in Shaw,
24 Atlantic Plumbing, and the Shay, demonstrate how we
25 were able to work with the existing fabric of the

1 neighborhood and through world class design,
2 thoughtful planning, and appropriate retail curation,
3 incorporate new development in a way that has
4 enhanced the neighborhood.

5 Eckington Yards, in many similar ways, has
6 the same opportunity to enhance an important
7 neighborhood, rich in diversity and history, but in
8 its own unique and appropriate way.

9 The 695 unit project, which includes
10 approximately 56 affordable units has been designed
11 and programmed to accommodate people in all segments
12 of life, including smaller units for young
13 professionals and those in life transitions. And
14 larger units for growing families, and those
15 requiring more space.

16 We also plan to offer units both for sale and
17 for rent.

18 Perhaps the most exciting and interesting
19 component of the project is the ground floor retail.
20 We plan to target job creating, innovative, and maker
21 focused retailers and users, including those
22 specializing in production and sales, arts and other
23 creative uses, health and fitness, and commissaries
24 to name a few. These types of users help achieve the
25 goals listed in the Ward 5 work study.

1 We also look -- we also will look for
2 essential neighborhood serving users as requested by
3 neighborhood residents like a grocery/market store,
4 restaurant, and coffee shop, creating a new
5 destination for the Eckington Neighborhood, and
6 beyond.

7 We are confident there is more than enough
8 demand to fill the retail space with these types of
9 users. In many of our other urban projects in the
10 District we have been able to fill and activate even
11 the most challenging ground floor spaces and believe
12 this retail space will be an unparalleled
13 opportunity.

14 In addition, we have committed to subsidizing
15 up to 10,000 square feet of retail space to attract
16 the very best tenants to the project. The project is
17 designed in an efficient contextual and thoughtful
18 manner along a promenade which runs through the
19 Center of the site. The project's retail and
20 building entrances are located along the promenade
21 which will help activate with events and activities
22 for the project and for neighborhood residents.

23 The site sits adjacent to the future NoMa
24 Park, which will allow direct access from the site to
25 the Metropolitan Branch Trail. This connection not

1 only allows direct access to the well-connected
2 recreational trail, but also provides a short walk
3 less than 10 minutes to the NoMa Gallaudet Metro. We
4 have spent much time working with the Gale's
5 ownership on a plan that utilizes shared elements,
6 including access to parking and loading. We have
7 also designed the project in a manner that is
8 compatible to the unit layouts of the Gale.

9 It is important to note JBG has an ownership
10 interest in the Gale and our interest in seeing both
11 assets succeed is paramount. We began neighborhood
12 and adjacent resident outreach over a year ago and
13 have worked tirelessly on a plan that incorporates
14 resident feedback and has been modified to be
15 sensitive to adjacent neighbors. We are happy to
16 report unanimous support from ANC 5E, unanimous
17 support from the Eckington Civic Association, many
18 adjacent residents and an adjacent condominium
19 association along R Street. This is a true testament
20 to our commitment to the Eckington neighborhood and
21 our surrounding neighbors.

22 We hope to begin construction on the project
23 in mid-2017 with completion in mid-2019. We would
24 like to note our request for phasing flexibility in
25 case market conditions dictate a phased delivery

1 approach. Thank you, Commissioners for your time.
2 I'd like to turn it over to the architect of the
3 project, Eric Colbert of Eric Colbert and Associates.

4 MR. COLBERT: Good evening, Mr. Chairman and
5 Members of the Commission.

6 Thank you very much for considering this
7 project.

8 CHAIRPERSON HOOD: Mr. Colbert, hold on for a
9 second.

10 MR. COLBERT: Thank you.

11 CHAIRPERSON HOOD: I know you were
12 introduced, but I want to make sure everyone
13 introduces themselves when they first start for the
14 court reporter, so we can make sure we get everyone
15 that is --

16 MR. COLBERT: Right. I'm Eric Colbert with
17 Eric Colbert and Associates Architects, and we are
18 the project architects for this development. So, let
19 me just give you a brief orientation here. This is R
20 Street, Northeast, and this is Eckington Place. And
21 this is our site in the middle. This is the existing
22 trilogy, which is now called the Gale Apartments, to
23 our south. And then this is Quincy Street, which an
24 important design element, as you'll see of our
25 project is a continuation of that in our promenade

1 going from east to west through our site.

2 This is an existing storage building, and so
3 Harry Thomas Way comes around to the south and then
4 east side of our site. The NoMa Park is being
5 designed right now in this location, and then there
6 is a recently announced development that's going on
7 to the north of the NoMa Park that will be another
8 asset for the neighborhood and help with our, you
9 know, encouragement for more density in the area to
10 help support our commercial uses.

11 I'd like to say, I love all of Washington,
12 but I particularly have a soft spot in my heart for
13 this particular site because I actually lived right
14 here for about seven and a half years, and my first
15 architecture office was in this building. So when I
16 was there I saw the old train sheds that used to
17 exist before the current buildings are there. So I
18 really have a feeling for this neighborhood.

19 So these are just some site photos. You
20 know, this is Quincy Place in the upper left-hand
21 corner. This next photo is the intersection of R and
22 Eckington Northeast, and you can see the industrial,
23 what's called CubeSmart Storage building, and then
24 there's an apartment building on the opposite corner.

25 And then this is our site. This is the south

1 side of the storage building, and then you can see
2 the openness here where the flower market is.

3 And this is the apartment building on the
4 southwest corner of Eckington R Street. And then
5 these other next two photos are the existing Gale
6 building. Okay.

7 And the upper left-hand corner, this is a
8 PEPCO substation that's kind of south and to the east
9 of us. And then these other shots are of the
10 existing Gale and it was called the Trilogy project.
11 This is the view across Harry Thomas Way, showing
12 where the park is going to be constructed. And then
13 this shot is of the alley that separates us from some
14 row dwellings and condominiums to the north of the
15 east part of our site.

16 This is an instructive site plan, because it
17 shows the basic massing of our project. This is the
18 promenade that I was telling you about that's the
19 continuation of Quincy Place. And as you can see, on
20 the west side of our site, that's where we've located
21 the 77,000 square feet of retail and commercial uses
22 that we're including in the project. So the eastern
23 part is mostly residential.

24 One thing I'd like to note out, in working
25 with the community we've located our loading dock

1 here. Originally it was much further back in the
2 alley, more toward the center of our site. But we
3 heard community concerns about having trucks spend
4 too much time in the alley, so we did relocate that.

5 Another important step is we've made a very
6 dramatic connection to the Gale project right here.
7 Not only vehicular, but also pedestrian linking up so
8 that they can take full advantage of our commercial
9 uses.

10 And then also in the middle of the promenade
11 we have a very generous plaza that will act as a
12 public gathering space and a focal point for the
13 people that will be in our community.

14 These drawings show a three dimensional view.
15 Our proposed development is in purple, and then the
16 other part of the existing buildings are the gray
17 area and then we've shown some potential developments
18 on the outside of our site where the FedEx building
19 is and then to the north of the NoMa Park.

20 But even without those projected developments
21 you can see that the way we've terraced our buildings
22 up, and instead of trying to go the 100 feet with the
23 CRPUD, three quarters of the buildings are at 75.
24 And then the tallest one, which is up against the
25 storage building, we actually reduce from our

1 original proposal to be eight feet lower than the
2 higher height that's allowed as a basic part of the
3 PUD.

4 This is a very exciting picture showing the
5 rail yards. When I see this, I've always been kind
6 of a buff of industrial architecture and I can
7 remember the old train yards and the supporting
8 buildings that used to exist there. And so it's very
9 exciting for us to you know, develop some images that
10 capture that kind of feeling. And, you know, it's
11 very important that we not do something that is just
12 kind of a poor reproduction of an old industrial
13 building and so I'd like to point out that one of the
14 best examples of this that we've done in D.C. is the
15 block of Church Street between 14 and 15th. Many of
16 the projects were designed by my firm and you can see
17 where we've taken hints from industrial architecture
18 without a little copying of it and it's created a new
19 kind of architecture that's very exciting.

20 So here we have the old Brick buildings.
21 We've used that as a cue. The concrete is something
22 that we've used as an idea generating point. And
23 then in the upper right-hand corner many industrial
24 buildings have these connectors. Some are pedestrian
25 but actually a lot of them have materials that are

1 transported from one industrial component to the
2 other, like coal or grain or different things, you
3 know, raw materials.

4 So this is the façade that we have facing the
5 west toward, you know, the view as taken from Quincy
6 Place. And here you can see the left-hand portion
7 where we're incorporating the concrete design. And
8 then the taller part of our building, we've set --
9 not only have we set that back in a dramatic way, but
10 also the materials being used on the upper portion
11 are very light and glassy with a very slender metal
12 frame to give it character. So, most of the weight
13 is created in this, the massing of the lower portion.
14 And then with a higher part, not only having it set
15 back but also giving the materials a lightness helps
16 adjust the massing in a way that's very kind of
17 considerate of the street and the environment.

18 On the right-hand side here we have a couple
19 different elements. Actually, when we first had the
20 setdown drawings this had three different
21 architectural components to it. We've simplified
22 that because one of the expressions that we heard
23 from you was to make some simplifications and so
24 we've done that.

25 And I'd like to point to one of the buildings

1 that we've recently completed on 14th Street, the
2 Harper. So, our intention as we continue design
3 development with this, is to give it the feeling of a
4 building that's kind of timeless, has an industrial
5 feeling to it, but not again, copying an old
6 industrial building, but going with that kind of
7 aesthetic, but creating a totally new -- a modern
8 contemporary structure.

9 This is a view three dimensionally looking
10 down. And again, as I mentioned before, you can see
11 that we've worked carefully with a landscape
12 architect, and she'll be talking about our extensive
13 amount of greenery. These are mechanical so we've
14 taken a lot of care to have screening around those.
15 And then again, the lightness of the upper portion of
16 our development.

17 So as with a lot of our buildings these days,
18 we plan on using whatever roof area is not required
19 for green area ratio and storm water management. We
20 like to get people up there and you know, there will
21 be very nice views from this location, particularly
22 south toward the city.

23 One thing we've done here is, you can see
24 that even though we're not at the height limit, we
25 have set our guardrails on the roofs back at a one-

1 to-one ratio from the outside of the building. This
2 next three dimensional is a very similar view. You
3 can see our promenade here.

4 One thing that I think the most important
5 architectural place that I can think of that is
6 similar in to what we're creating here would be
7 Katie's Alley where it's mostly pedestrian. There
8 can be some vehicles there, but for the most part it
9 will just be for people and restaurants and people
10 enjoying the outside.

11 One thing we've done on the south side is we
12 have the commercial podium, but then we've carved out
13 the south side of this so that it will let light and
14 air into our promenade area, so it has a nice
15 proportion but also has -- punctuated by areas of
16 openness.

17 This three dimensional drawing shows the
18 entrance to our promenade. And as you can see, we've
19 carved out pieces of it so that you know, it's kind
20 of like a trumpet at the end. It's open and it kind
21 of draws you into it, and it's an effect that we feel
22 is going to be really effective in terms of welcoming
23 the community.

24 So, this is a three dimensional drawing
25 looking down the promenade. And one thing that this

1 illustration points out is that for the maker spaces
2 and the commercial tenants that are on either side,
3 we want as many and as large openings as possible
4 with different kinds of nano-wall type glass so that
5 the promenade becomes a space that actually gets
6 incorporated into the adjacent commercial spaces and
7 really activates the whole area.

8 So this is a drawing of our central plaza,
9 and this is going to be a real gathering place.
10 We're going to have areas dedicated not only for bike
11 repair, but also water features and also potentially
12 places where people -- we can have outdoor movies in
13 that location.

14 This is a rendering of our view from the NoMa
15 Park that's being designed right now. So, this is a
16 side of our development that's mostly residential.
17 The facades are kind of a rustic brick, and then we
18 have a stone. We'll show you these materials later.
19 This is a high pressure laminate they're proposing.
20 And then we have these screens that create additional
21 privacy for the residences.

22 Okay. This is an important rendering because
23 one of the things that we were most concerned about
24 when we were thinking about our proximity to the
25 neighborhood is on the east side of our site. There

1 is an alley that goes halfway into the block. And on
2 the north side of that there are row houses and also
3 a condominium building. So, from the setdown
4 drawings we have actually sculpted this area of the
5 building. We've created more significant setbacks,
6 and we've also set back from the alley.

7 And so as Bryan mentioned earlier, we've been
8 working very closely with the neighbors here in
9 addition to the larger community to try to sense the
10 sensitive areas of our site and respond accordingly.

11 One of the things that the Zoning Commission
12 was concerned about was our proximity to the existing
13 buildings. So, we've developed these three-
14 dimensional drawings to help illustrate those
15 conditions. So this first one, this is a view that
16 shows along the area that I was just talking about.
17 So these are the existing condominiums and row houses
18 to the north. This is the 20-foot alley. And so you
19 can see the relative openness that we've created in
20 that area that should be, we feel, a very pleasant
21 juxtaposition.

22 Next is the illustration of -- this is the
23 Gale, which was formerly Trilogy. So, on the north
24 side of that we have a single-loaded building. And
25 then this is a three-dimensional view of that. We

1 have walkways going into the units and then as I'll
2 show you in plan, there are some small windows on the
3 north side of the Gale in that location. But they're
4 not windows that are in any way significant for the
5 apartments.

6 So, and this shows a plan. This is our
7 proposed project, and then this is the existing Gale
8 Trilogy to the south. As you can see, a lot of this,
9 about 50 percent of it is taken up by stairs and
10 elevators. And then the remainder of it is taken up
11 by closets and bathrooms that do have small windows.
12 But all of the living spaces do face south into the
13 courtyard and do not look out north towards the
14 building that we're planning to build.

15 And then this is a section, so on the south
16 side you can see the courtyard, the existing Gale
17 facing north. And then we're also setting back and
18 kind of mirroring the floorplan in that area.

19 This is our promenade, and you can see the
20 setbacks that I talked about earlier. And then on
21 the north side we have these balconies facing -- this
22 is the existing storage building.

23 So, one of the issues that was you know,
24 something that we've been talking about and was a
25 discussion earlier tonight, had to do with our

1 penthouse. And we would very much feel that it would
2 be nice to incorporate one that has a mezzanine
3 that's residential and also a step down facing south.
4 And there are two reasons why we think that's very
5 important.

6 One is, as I mentioned earlier, there is a --
7 we've already established a kind of terracing effect
8 throughout the whole project and that's you know, for
9 openness and kind of gentleness to the community.
10 But also we do have a closed court on the north side
11 of this building. So theoretically we could go -- we
12 could take the 20-foot up to the edge of that and
13 then come down also straight on the south side.

14 We feel that setting back more, you know, to
15 capture the same amount of square footage, what we
16 would prefer to do is set back on the north side and
17 then have a little bit of a terrace on the south side
18 because we feel that's more in keeping with the
19 overall design that we're presenting.

20 So again, given the concern about the courts
21 and how we're going to impact those, this is a
22 Juxtaposition of a three-dimensional drawing so you
23 have our project on the right-hand side here. This
24 is the Gale Trilogy on the south. And this shows you
25 that the feeling of the courtyard will be very ample

1 and let a lot of light in.

2 Actually, this rectangle is an important
3 dimension because that shows what zoning authorizes
4 in terms of the size of a court. So, we're more than
5 doubling the size of the court that we're creating
6 here in that location.

7 This illustration is to point out -- so the
8 buildings on either side here is the existing Trilogy
9 Gale project, and this is where we're developing a
10 ramp to go down and act as one of the connections to
11 our parking garage. And that's very important from a
12 Department of Transportation perspective because
13 that's enabled us to eliminate one of our proposed
14 curb cuts that we would have probably had to have on
15 Eckington Place.

16 But in addition to the parking garage
17 connection, we also have a pedestrian ramp that will
18 also allow the residents from the Gale to easily go
19 into our central plaza and commercial areas.

20 The other nice thing about this connection is
21 that given the fact that Gale is over parked, it
22 enables us to more easily take advantage of the
23 potential for parking there if it seems like that
24 might be something that would be necessary in the
25 future.

1 So another thing that we were requested was
2 to show what our project will look like, more from a
3 distance from the north and from the west. So this
4 is going up 2nd Street. This is the outline of the
5 existing CubeSmart building. You can see our
6 building just peeking up a little bit above that.
7 And then our very light glassy penthouse would extend
8 above that.

9 The next drawing is a block away. We're west
10 of our site on Quincy Place, and then we're looking
11 east toward the Promenade. And you can see the --
12 actually, we kind of ghosted out some of the trees.
13 If we had left those in there you wouldn't really
14 even see our project from a block away. But you can
15 see the very reasonable scale of it compared to the
16 Quincy Place row houses to the west of us.

17 We were also asked to do shadow studies. So
18 these first page shows May, which is you know, kind
19 of late spring, and then in the middle of the summer
20 when there isn't very much impact on any neighbors at
21 all. One thing about us, that since we're to the
22 north of the Gale Trilogy, we will never be casting
23 shadows on them. Of course, the CubeSmart Storage
24 building doesn't really have any necessary windows in
25 it, so that's not really an issue from a light

1 perspective.

2 And as you can see, there's no shadow on the
3 back yards of the existing town homes and the condo
4 to the north of the alley.

5 These are the worst times of the year in
6 terms of light during the middle of the winter. And
7 even in the kind of worst shadow situation, as you
8 look along Eckington Place, we don't really cross
9 that or shed any shadows on the building that are on
10 the other side there. We do -- you know, in the
11 worst time of the year we will have some shadows on
12 the back yard of the condominium to the north, and
13 some of the row buildings, but it's really minimal.

14 And I'd like to take you to the next exhibit
15 to show what we've done. In working with the
16 neighbors, and as I mentioned before, we have created
17 the setbacks. The green line, it's kind of hard to
18 see here, but this shows the absolutely worst
19 condition, the worst time of day, and the worst day
20 of the year. And still, the light comes down and the
21 buildings that are facing our street, so there's an
22 angle like this, every little of that is actually in
23 shadow. So I think those neighbors are very
24 appreciative of our study and of our manipulation of
25 the buildings to help protect their light and air.

1 MR. HARRIS: My name is Joe Harris with Eric
2 Colbert and Associates. This is maybe a late slide
3 that got entered in, but this is an image of a
4 precedent of Arcade Retail. This would describe the
5 connection down to Q Street for the Gale residence
6 that Eric was just describing. This gives a sense of
7 the type of indoor/outdoor walk that would connect
8 again, those residents to the plaza on our property.

9 MR. COLBERT: And these are drawings that
10 we've generated that will be included in the record
11 that show where we intend to insert affordable
12 housing in the project.

13 These are drawings, and also we've brought
14 the boards with us today that show the materiality of
15 our proposed building. So as I mentioned previously
16 we'll recreate the cast concrete effect. This is the
17 Eckington façade. This shows the brick samples that
18 we're planning. The red one on the right is the
19 middle portion and then these will be metal panels
20 and then industrial windows.

21 Again, some of the lighter higher parts of
22 our project will include this kind of siding that
23 we're proposing.

24 The majority of our roof railings will be
25 glass railings as I've shown on this exhibit. One

1 thing that I'd like to point out, this is the -- if
2 you're making a cut through the middle of our
3 promenade, this is on the north side and we've kept
4 that façade intentionally light so that light can be
5 reflected down into the promenade, and those just are
6 the openings that are on the other side, to assure
7 that it will be a light and airy feeling in there.

8 And then these are some more brick samples
9 that we've shown that -- and the stone sample that
10 connect in to the other parts of the bod. We're
11 also, in certain points, punctuating entrances with
12 glass canopies, and that's referenced into the
13 elevations that you've been provided with.

14 And I'd like to turn it over to Gabriela, our
15 landscape architect.

16 MS. CANAMAR: Hi. Good evening. My name is
17 Gabriela Canamar-Clark. I'm a landscape architect
18 with Land Design, and we're the landscape architect
19 exterior experience for the job. Or for the project.

20 I would like to start by just saying a few
21 comments about our landscaper exterior experienced
22 strategy. And our design is really -- we feel that
23 it complements the architecture as Eric has
24 described, from the ground up. All the way from the
25 promenade to the amenity courtyards, all the way to

1 the rooftop amenities.

2 It's heavily inspired by the maker shop
3 culture in that there is an industrial feel to it,
4 but it's also, there's a refinement to the character
5 of the spaces and the furnishings that they would
6 accompany that. And the spaces are designed to be as
7 flexible as possible to accommodate everyday life as
8 well as programmed events.

9 A few pieces of information on the plan. May
10 I borrow your pointer?

11 MR. COLBERT: Yeah.

12 MS. CANAMAR: Thank you. Pieces of the --
13 numbers on the plan. We are providing over 20,000
14 square feet of publically accessed open space through
15 the promenade itself and the plaza in the middle.
16 The project also has over 50,000 square feet of green
17 infrastructure between extensive roof or storm water
18 management and intensive roof landscaping for amenity
19 courtyards. So we believe the strategy for exterior
20 experiences is very robust.

21 We'll take you through some of the details on
22 the plan. This is our west end at Eckington Place,
23 which is lined by retail. So the -- and I'll take
24 you through some enlargements in a minute.

25 The promenade extends from east to west, from

1 Eckington to Harry Thomas. And that's the extent of
2 our promenade. And it's punctuated by the plaza, the
3 court, and the heart of the project that is a major
4 gathering space.

5 On the west segment of our promenade is lined
6 on both sides by retail. And the character of the
7 streetscape, it's very dynamic, as I explained
8 before. Retail here on the west end with café areas
9 and furnishings. We have bicycle parking, temporary
10 bike racks sprinkled throughout on both ends of the
11 promenade, as well as on the plaza.

12 And then this particular graphic, it also
13 shows as Eric explained before, the promenade is
14 mostly for pedestrian use with limited vehicular use.
15 Depicted here in a little darker shade is a one-lane
16 traffic for delivery and occasional drop-off, and
17 perhaps some limited loading. And then where the
18 areas where those lobbies for those two residential
19 buildings, the width of the vehicular way expands so
20 that if there's a delivery taking place another car
21 can go by.

22 And the photographs show you the character of
23 the imagery and the flavor of the furnishings from
24 lighting to flower pots to seating areas and so
25 forth.

1 The materials are going to be, for most part,
2 is the concrete unit paver to be determined on a
3 concrete slab that is basically the garage
4 underneath.

5 The plaza, it's in the middle. It's the
6 heart and soul of our project and is the major
7 gathering space. And it has a variety of outer
8 rooms, if you will, gathering spaces open with
9 softscape and an area for grass, for play and
10 multiple use like Bryan described before for outer
11 movies, potentially. Also for outdoor cafes and then
12 again, the vehicular thoroughfares that are in the
13 middle, the one lane, one-way, west to east.

14 The eastern segment of our promenade is
15 mostly residential. Actually, it is all residential.
16 Residential on both sides with entrances to those
17 residential units. So the quality is a lot -- the
18 character is a lot more quiet. It's mostly
19 landscaping and pretty straight forward, all the way
20 to Harry Thomas Way where we are proposing to
21 continue the existing and established street scape of
22 landscape grass panel, a six-foot sidewalk, and
23 foundation landscaping at the base of the building.

24 So these are the cross-sections for our
25 public sidewalks on west end at Eckington Place,

1 four-foot minimum amenity panel, and then our
2 sidewalk, eight to 10 feet is variable as we move
3 through the project.

4 And the Harry Thomas Way side, as I explained
5 before, the grass strip as exist on the continuous
6 properties, we will continue that same cadence.

7 These are quick three-dimensional views as to
8 the character of the streetscape on Eckington Place,
9 with the retail and the cafes and all of the sort of
10 the landscaping around it.

11 And these are three-dimensional views to
12 explain a little bit better, the Harry Thomas Way
13 sort of residential street scape.

14 From the rooftop down, and I'm going to break
15 it down very quickly, we have an extensive program
16 for amenities from rooftop, rooftops, amenity,
17 courtyards, on the seventh floor, third floor, and
18 then the promenade on the first -- on the ground
19 floor.

20 The best views, as Eric described before, are
21 to the west and to the south of the project, and so
22 the pool for the northwest building is located on the
23 west side of the rooftop. And this is, again, a
24 flavor, a character board, to show you the character
25 and quality of the materials, and a three-dimensional

1 view as well.

2 These are the two seventh floor amenity
3 spaces, the west end terrace, again for community
4 use, for the residential community use of the
5 project. And the terrace space on the northeast
6 building and a character image of that west end
7 terrace.

8 This space is an activated space between the
9 two buildings. It is what I call the hyphen, on the
10 seventh floor. And it would host a whole wide
11 variety of activities and multi-use space with some
12 outdoor games and lounging.

13 It would also house a potential water tank
14 that we intend to provide for harvesting rain water.
15 And these views are showing character of that.

16 This is the southwest building. Similarly,
17 maximizing the views, the pool amenity and gathering
18 spaces are biased towards the west end to maximize
19 that, accessible views. And you can see in the
20 pictures, the intended uses for that space. Some
21 character views of studies of that space as well.

22 These are the third-floor amenity courtyards
23 for the residents. And so they will host, again, a
24 whole variety of activities, other lounge and some
25 other activities as the owners may require later.

1 And with that I will show you a video
2 animation that we prepared so you have a full effect
3 of the scale and the vibrancy of this amazing project
4 in my opinion.

5 As you can see, the idea and the flavor of
6 the maker shops, it's very transparent that that
7 wall, it really is not meant to be a really glass
8 wall. It's supposed to be very open. The indoor
9 mixes with the outdoor in a very seamless way and our
10 strategy is really to bring that flavor throughout.
11 Pedestrians are number one and our flexibility of
12 spaces as well. Softscape balanced with hardscape.

13 The plaza would have an area of grass and the
14 multiple seating is fixed and moveable furnishings.
15 A water feature for white noise.

16 You have to forgive, it is playing from a
17 wireless connection so we are a little spotty here.
18 That's okay. We can probably just send it to them,
19 if that's okay.

20 And with that I would lend the microphone to
21 Dan VanPelt, our transportation consultant.

22 MR. VANPELT: It's hard to follow a video
23 like that. I fear that Commissioner Hood may be
24 asking when our traffic presentations are going to
25 include those level of detail.

1 So, good evening, Commissioners. For the
2 record, I'm Dan VanPelt, Principal with Gorove/Slade
3 Associates. We've been pleased to be working with
4 the team on the transportation elements of the
5 project as the design has evolved. We've also
6 prepared the Comprehensive Transportation review for
7 the PUD and we've been coordinating with DDOT.

8 I'm going to highlight the transportation
9 aspects of the project and discuss benefits and
10 mitigations that we've arrived at agreement on with
11 DDOT, after a continued back and forth with Ms.
12 Israel and Ms. Chamberlin since the staff report was
13 issued. And we appreciate them working with us so
14 diligently in advance of this evening.

15 The Eckington Yards Project is located
16 between Eckington Place and Harry Thomas Way, a
17 couple blocks north of New York Avenue, Florida
18 Avenue intersection. It's, I think the juncture that
19 we all refer to as the Dave Thomas Circle. The NoMa
20 Gallaudet Metro Station is located about a third of a
21 mile from the project with Redline service. There
22 are many bus lines within a walking distance.
23 There's a Capital BikeShare station on Eckington
24 Place, just about a block or so away. The
25 Metropolitan Branch Trail is also a short distance

1 from the site and there are bike lines on Eckington
2 Place, Harry Thomas Way, and in the neighborhood.

3 In the immediately adjacent Gale building
4 there are Zip Car spaces also. There's excellent
5 connectivity with various modal options.

6 So zooming into the site itself the
7 development will break up a rather large block with a
8 private alley, or what we're calling a promenade
9 because it's certainly much more than just an alley.
10 The promenade will run the length of the site on the
11 same alignment as Quincy Place as Eric described
12 earlier to the west, adding the porosity to the
13 neighborhood. The promenade will be pedestrian
14 oriented and in line with retail and residential as
15 already described, but will also serve limited
16 vehicular traffic for drop-offs, deliveries, et
17 cetera.

18 The existing loading facilities in the Gale
19 Building immediately to the south will be utilized to
20 accommodate the loading needs of the southern
21 buildings in the project, in the new project, and the
22 existing parking access for the Gale will also be
23 used as Eric described earlier.

24 Through the use of these existing facilities
25 the new project can be accomplished while reducing

1 the number of curb cuts that exist today on Eckington
2 Place and Harry Thomas Way.

3 So we thought it would be helpful to describe
4 how each one of these buildings in this project will
5 access parking and loading. So for the Northwest
6 building, which has shown here in purple, shaded, and
7 maybe it would help if I point that out. It is the
8 northwest building up here, the -- its loading for
9 both residential and retail will take place in the
10 promenade itself. Parking will be accessed via the
11 existing Gale Parking Garage access, which is shown
12 here with a blue arrow, which connects down to Q
13 Street. And I don't want to hit Joe in the eye with
14 a laser pointer. There we go.

15 So next slide. The Southwest building that's
16 just to the south of the other one we were just
17 talking about, as shown here in purple again, we'll
18 share the existing loading facilities with the Gale
19 for this residential use which is shown at the orange
20 arrow there on the bottom corner of the slide. The
21 retail loading will occur in the promenade for this
22 building.

23 Like the northwest building the parking for
24 this portion of the project will be through the
25 existing Gale access off of Q Street.

1 For the Northeast building it's loading is
2 for residential only and will occur from the
3 northeast public alley, as will the parking access
4 for this half of the project. I would also note that
5 the entire alley will be repaved at the request of
6 the community to DDOT standards.

7 And lastly, the southeast building will share
8 loading facilities with the Gale's northeast
9 building. Parking access will be through the same
10 access from the northeast alley as shown there on
11 blue. In blue.

12 It was requested that we show a plan
13 describing the paths from the loading areas on the
14 promenade to the retail. At this time the retail
15 tenants aren't know, but this diagram shows how
16 retail, much of it expected to be maker space could
17 load directly from the promenade. Additionally there
18 are service corridors that run behind the retail
19 areas in each of the buildings that could be accessed
20 through each of the buildings' lobbies, and then
21 connect to the future retail back of house spaces.

22 So as Gabriela and Eric I think both
23 described earlier, the entire promenade will be
24 drivable and can be traversed by vehicles, cars and
25 service vehicles as needed. For vehicles it will

1 operate one-way east-bound entering from Eckington
2 Place and exiting Harris Thomas Way. It will include
3 moveable planters and café seating. There will be
4 areas specifically designated near the building
5 lobbies and retail spaces that will allow one vehicle
6 to pass another that is stopped, while making a
7 delivery or dropping off or picking up passengers.

8 The loading management plan includes measures
9 to limit and monitor vehicular activities on the
10 promenade. While it's meant to be a shared space the
11 focus is that on an activated pedestrian environment
12 where vehicles are permitted but where they don't
13 have priority. At times of peak use the promenade
14 could be closed entirely to vehicular traffic.

15 This evening we submitted into the record a
16 packet of materials. We've been coordinating with
17 DDOT on several items. One of them, which is the
18 overall loading strategy and associated loading
19 management plan. What was submitted tonight was a
20 response to the DDOT staff report, and attached to it
21 is a copy of the loading management plan and the
22 transportation demand management plan.

23 As you will note in DDOT's staff report, the
24 back end loading and the need for a loading
25 management plan were issues. We've met with DDOT and

1 we believe we've demonstrated to DDOT's satisfaction
2 why our proposal is the best solution for this
3 project. To support it with input from DDOT we
4 prepared a unified loading management plan that
5 addresses the existing loading docks that will be
6 shared with the Gale, the new residential and retail
7 uses of this PUD, and management of the promenade.
8 You can find the details in tonight's submission, but
9 some of the main components of the plan are given
10 here on the slide.

11 The project will include 187 vehicular
12 parking spaces in the west garage, and 144 spaces in
13 the east garage. This meets the zoning requirements
14 and we believe parks in line with current market
15 ratios.

16 As for the long-term bicycle parking the
17 plans currently have 195 spaces in the west garage
18 and 76 in the east garage, although Elizabeth informs
19 me that we're actually going to need more than that
20 for LEED and so there will be, I guess additional
21 long-term spaces exceeding the zoning requirement, or
22 exceeding the requirement.

23 Twenty-nine bike racks, as Gabby said, will
24 be provided throughout the promenade and public space
25 to accommodate 58 short-term bike spaces, and there

1 will be a bike maintenance facility also provided in
2 the project.

3 A comprehensive transportation review was
4 scoped with DDOT and the CTR was reviewed by DDOT as
5 they have noted in their staff report. Mitigations
6 were identified and with an ongoing dialog with them,
7 up until this morning, we believe we have addressed
8 all of DDOT's concerns that were given in their staff
9 report.

10 As mentioned just a little bit ago the
11 materials submitted in the record tonight are a
12 product of that dialog. As such, the applicant is
13 agreeing to the following transportation benefits and
14 mitigations measures. Eckington Place and Harry
15 Thomas Way will be converted to an all way stop.
16 There will be a contribution of \$115,000 to a new
17 traffic signal at Rhode Island Avenue and 3rd Street.
18 The livability improvements that were identified in
19 concept in the Mid-City East Livability Study will be
20 implemented along with the project's periphery of
21 Eckington Place.

22 If DDOT can't demonstrate that the traffic
23 signal at Rhode Island Avenue is warranted then the
24 monetary contribution that would have gone to it
25 would be directed to the 100 -- to creating 100

1 percent design plans of the livability streetscape
2 plans and towards implementing them.

3 \$25,000 contribution will be made toward
4 safety improvements on the Met Branch Trail. There
5 will be a new Capital BikeShare Station that will be
6 funded, and a TDM incentive package will include
7 about \$59,000 of BikeShare or CarShare subsidies that
8 would be at the choice of the new residents.

9 With regards to the TDM plan the main
10 elements of the plan are given here and the detail
11 plan is the second attachment, and what you received
12 this evening we have been working with DDOT to
13 address their TDM related comments and we understand
14 that we're in agreement with that revised plan.

15 So in summary we believe this transformative
16 project will greatly enhance the neighborhood with
17 additional connectivity and porosity with pedestrian
18 and bike oriented amenities. It will take advantage
19 of the existing loading and parking access at the
20 Gale to minimize the number of new curb cuts, and
21 actually reduce them from what exists today on
22 adjacent streets. It offers a robust transportation
23 plan with public benefits and amenities, and a TDM
24 plan that will help minimize vehicular trips.

25 And finally, we've also determined that it

1 will not have a detrimental impact to the
2 transportation network. And so appreciate you
3 listening to my testimony and I now pass it over to
4 Elizabeth.

5 MS. FLOYD: Good evening. My name is
6 Elizabeth Floyd with Sustainable Design Consulting
7 and I am the sustainability consultant to the team.
8 The team agrees that the shared goal of the whole
9 team and the development is that it should improve
10 the surrounding community and nurture the inhabitants
11 while conserving resources and preserving the
12 environment.

13 And the first of those strategies, of course,
14 includes as strategic site selection, in a transit
15 corridor with an existing infrastructure and access
16 to services. Other strategies around building design
17 and construction involve optimizing energy and water
18 efficiency and material use while keeping waste down.

19 Both the west and the east buildings are
20 poised to achieve LEED for new construction
21 certification at the Silver level, and we continue to
22 look at strategies appropriate to multi-family mixed
23 use.

24 In response to the Department of Energy and
25 the Environment points, several of the recommended

1 strategies regarding energy efficiency are presumed
2 in the current design and the team will continue to
3 evaluate the building envelope, lighting, and
4 mechanical systems in order to optimize those.

5 D.C. PACE financing is under evaluation and
6 we are exploring whether that's a compatible
7 eligibility factor for that. In terms of solar
8 electricity, we are having a bit of a one pocket or
9 the other with regards to the green area ratio and
10 the amount of available roof for vegetated roof
11 versus PV. There is a strip of roof very high, but
12 then there are the complicated issues of building
13 height and the visibility of solar panels, so that
14 it's a bit of Peter paying -- or robbing Peter to pay
15 Paul. But we are looking at it.

16 The green area ratio is currently being met
17 with a great deal of vegetated roof but as well as
18 landscape grade and tree canopy, and we will evaluate
19 DOEE's recommendation of using the street area
20 landscaping for addressing run off from the street.
21 Storm water run-off at the street.

22 We do anticipate a great deal of storm water
23 reuse for make up at the cooling tower, as well as
24 for landscape irrigation and operational water uses.
25 The applicant looked at LEED and C certification at

1 the Gold level and established that it is a
2 considerable hardship. However, since this community
3 is such an important element of the project and some
4 of the sustainable development characteristics are
5 not entirely addressed by the LEED and C rating
6 system for buildings, the applicant is exploring an
7 addition rating system called LEED for Neighborhood
8 Development, or LEED ND.

9 LEED ND integrates key aspects of
10 sustainability at the neighborhood level. It has a
11 mandatory requirement and credit structure that's
12 similar to the LEED system for buildings, but it
13 looks at some entirely different credits. It's a
14 site infrastructure. And for instance, the three
15 categories of LEED ND are smart location and linkage,
16 where to build, neighborhood pattern and design, what
17 to build, and green infrastructure and buildings, how
18 to manage the environmental impact.

19 So the most sustainable neighborhoods have a
20 high level of walkability, a sense of place and
21 resiliency, and LEED ND evaluates the strategies and
22 accomplishments that are suited to this project in
23 ways that the building systems do not. Community
24 outreach, for example, is part of a LEED ND system.

25 So pursuit of LEED ND at the certified level

1 would be an additional level of rigor and third-party
2 review at a community level, and site related level
3 of the project. So this would be in addition to the
4 LEED and C pursuit for the buildings. So, thank you.

5 MR. HOWARD: Good evening, Mr. Chairman and
6 Commissioners. My name is Heather Howard with the
7 JBG Companies. And as my colleagues have mentioned
8 here, we've worked extensively for over a year with
9 the various community parties, including the ANC 5E,
10 SMD 5E-03, the Edgewood Civic Association, the
11 Eckington Civic Association, and various other
12 stakeholders in the community.

13 In collaborating with these community parties
14 we've made substantial changes to the plans which
15 have been discussed by my colleagues before me, so in
16 the interest of time I won't go into them. But one
17 thing I would like to highlight is our benefits and
18 amenities package that we've worked on with
19 significant input from the community, as well as DDOT
20 and the Office of Planning.

21 So one main one was connectivity and
22 permeability of the neighborhood. We've touched on
23 the extension of Quincy Place through the promenade.
24 In addition to this we are providing the option of a
25 connection from the promenade through to R Street

1 should that enhancement be further developed, as well
2 as a connection from the promenade to Q Street for
3 increased permeability.

4 As Eric Colbert went into, we have the
5 quality and diversification of architecture. We
6 initially had a higher affordable housing proposal
7 but in working with the community we have gone to a
8 deeper level and we are proffering eight percent of
9 the units at 60 percent of AMI, and this will include
10 the family style units, and it will also include as
11 we're proposing rental and for sale for both product
12 types and all of the affordable housing will be
13 located within the project.

14 We are proffering innovative retail and maker
15 space, and this is a proffer because it requires
16 double-height space with increased construction costs
17 for this maker space. We are providing public access
18 to a community room within the project for
19 approximately 1,200 square feet for individuals to
20 call and reserve for community meetings, such as the
21 ANC meetings and Edgewood Civic Association. We are
22 offering to comply with -- or agreeing to comply with
23 First Source agreement. We are proffering a
24 BikeShare docking station, including one year of
25 operating costs. We will have two CarShare spaces

1 within the project, either within the project or
2 immediately adjacent to the site, wherever it's
3 preferred.

4 We are, as mentioned, contributing \$115,000
5 towards the light at Rhode Island and 3rd Avenue
6 Northeast. If it's in excess funds will go to the
7 livability study. As a part of our maker initiative
8 and the innovative retail, we are proffering a \$10
9 subsidy to provide below-market rent to these users
10 for a minimum of 10,000 square feet, as we know they
11 can't typically afford the higher city rents.

12 We are adopting a block in compliance with
13 the Mayor's program for two square blocks for two
14 terms, which will be a total of six years. We are
15 contributing \$25,000 towards improving safety
16 improvements on the Metropolitan Branch Trail, which
17 has been a huge request by the community for cameras,
18 lighting, or callbacks as DDOT recommends.

19 We are contributing \$25,000 to the NoMa bid
20 towards design and implementation of the NoMa park.
21 We are contributing \$15,000 towards a non-profit
22 organization operating in Eckington, and the
23 community specifically requested this be devoted
24 towards an organization working with substance abuse
25 prevention and ending or combating homelessness.

1 We are contributing \$20,000 towards the
2 design and installation of Eckington street light
3 banners to further brand the neighborhood and a sense
4 of community ownership. Any excess of this will be
5 donated to the non-profit mentioned.

6 And we are contributing up to \$20,000 towards
7 public art on Eckington Place which will be located
8 at a focal center at the entrance of the property,
9 and we are working on and we will provide the
10 installation of a community garden within ANC 503 for
11 a term of six years, which we will fund these costs
12 and the ECA will manage this plot.

13 And as mentioned we will agree to repave the
14 northeast alley and in addition have provided a
15 setback and withdrew our building line between two
16 feet and nine feet from the property line to
17 accommodate additional width in the alley.

18 And with that, I'll turn it over to Jeff Utz.

19 MR. UTZ: Great. Thanks, Heather. Thank
20 you.

21 I just wanted to touch on quickly with the
22 few minutes that we have left, running through the
23 open issues from the OP report, from May the 3rd.
24 Basically the slides that you have break it out in
25 two groups. The first side on the left is the items

1 that I think we've already covered during the
2 discussion today and during some submissions, but
3 just running through them we have the DDOT
4 discussion, the very kind of holistic review that Dan
5 VanPelt ran through, as item one. Item two is the
6 clarification of routes and distances between the
7 loading platforms and the commercial that was shown
8 again on Dan's slide with the colored arrows to the
9 various commercial areas. There were three. The
10 plans showing the location and type of the IZ units
11 that were shown on the screen, and then I pass it out
12 later. It's actually not part of the --

13 MR. MAY: Those are sections, not plans.

14 MR. UTZ: Yeah. Sorry. This was -- correct.
15 This was done --

16 MR. MAY: So typically we get plans. Are you
17 going to submit plans?

18 MR. UTZ: We can submit plans. Right now we
19 don't have floor plans since it's conceptual. We do
20 have the sections to indicate what ranges of each
21 unit is going to be on --

22 MR. MAY: So typically we will get those, so
23 I would expect that you would submit those. I mean,
24 in some form, and you can talk about what flexibility
25 you need as you --

1 MR. UTZ: Sure.

2 MR. MAY: -- continue the planning. But we
3 want to know where they're going to be on each floor
4 because you've got some units in there that are
5 frankly questionable from my perspective as, you
6 know, the livability of the units. And I'll get into
7 that when I get into my questions. But that's what
8 I'm asking about.

9 MR. UTZ: Got it. We can do that.

10 Number four, additional information to assess
11 the Gale and Eckington yards. This leaves off a word
12 that I think Commissioner May might be talking about,
13 the condition between the properties on the boundary
14 line. We submitted quite a few plans and views and
15 really axonometric diagrams to kind of capture that
16 relationship. It's a large site and it's oddly
17 configured so it's difficult to capture it. We've
18 tried to take several difficult cuts at representing
19 that visually and that exists throughout the record
20 and we're happy to talk about it more.

21 Number five, further information regarding
22 the proffers with the community benefits package,
23 specifically the page just before the one I'm reading
24 now, offers some additional details that Heather ran
25 through. And again, we'd be happy to provide further

1 information for those items as well, ultimately
2 making their way into the conditions of the order.

3 Number six, design of the western façade and
4 the building faces of the eastern side of the plaza.
5 Eric Colbert discussed that in his overview of the
6 design, particularly along Eckington and the
7 inspiration for that.

8 Number seven, submission of complete
9 landscaping, hardscaping plans. There's quite a bit
10 on the record as it exists now, because again, it's a
11 large site with a lot of green space and a lot of
12 programmed public space. So there is a lot there and
13 we can submit after the hearing, some additional
14 further detailed plans from land design and we'd be
15 happy to do that.

16 Number eight, the LEED ND discussion that
17 Elizabeth ran through.

18 And then flipping over to the next slide we
19 can offer a bit more -- well, this is actually kind
20 of a mix of items that I think we actually have
21 discussed a fair amount today, and possibly on the
22 record, and in other items that I'd like to say a few
23 words about. We're almost done.

24 Number nine, the maker and innovative retail
25 space discussion. Bryan talked about the themes

1 behind finding tenants and really coming up with a
2 thesis and strategy for the maker and innovative
3 retail space here. There is an adaptability question
4 that was in the OP report, can this space be utilized
5 for other uses, and I think what we're saying is this
6 is going to be a -- we already know there's interest
7 in this space. This is going to be a very unique
8 vibrant destination that is -- frankly, I think it's
9 going to work. It's going to be designed to work.

10 The intention is not to use it as
11 residential, or it's a need to use it as residential.
12 But if we needed to I think we would need to come
13 back for a modification.

14 Number 10, views from the residential areas
15 to the north and west. That was actually covered in
16 Eric's discussion of how the project relates to the
17 neighborhood.

18 Number 11, we have not talked about this yet.
19 In the OP report they request discussion of levels of
20 affordability, proffered in conjunction with DHCD's
21 administrative guidelines. As Heather noted, the
22 entirety of the IZ component, eight percent of the
23 residential component is offered at 60 percent AMI.
24 The DHCD guidelines allow for 80 percent of 50
25 percent units as you all know well. So the 60

1 percent unit doesn't technically fit within the
2 administration procedures of DHCD. So to do the 60
3 percent approach we would actually need relief from
4 2603.2, and that would mean that the applicant would
5 manage essentially the main effect. That would mean
6 that the applicant would manage the lottery and the
7 assignment of the units, which I think takes a lot of
8 the burden off DHCD's overtaxed staff to do this.

9 Number 12, affordable units will have access
10 to all project amenities as other market units in the
11 same component. That is absolutely the case. I
12 think that's more by way of a confirmation.

13 Thirteen, additional information about the
14 management and programming of the pedestrian
15 promenade and plaza. We discussed that. A lot of
16 that has a lot to do with overlapping with the
17 loading management plan. But in addition we talked
18 about kind of special events that will happen
19 organically at the site. We were trying to
20 specifically stay away from making that a proffer,
21 making events themselves a benefit or amenity of this
22 project, hoping that the users of this space, these
23 kind of unique makers and innovative retail users
24 will organically grow into that space and generate
25 the special uses or events that occur out there. And

1 we also did, we submitted in the April 22nd, an
2 overview of what exactly the events will look like in
3 that space.

4 And then finally, the safety measures of the
5 passageway and plaza, since this is envisioned to be
6 a 24/7 space open to the public. There will be
7 enhanced lighting and cameras throughout the space
8 and the intention is to keep it safe, keep it lit,
9 and keep it a place where people want to be.

10 So that is a quick -- sorry for how fast that
11 was. That was a quick overview of the OP open issues
12 from their report. That is the entirety of our
13 presentation. I did want to encapsulate all of the
14 relief that we are requesting, the various elements.
15 I can do that in the closing statement rather than
16 continue to drone on if you have questions.

17 CHAIRPERSON HOOD: Some of that may be
18 flushed out, Mr. Utz, as we go through our question
19 and comments. And if not, we can deal with that on
20 the back end.

21 MR. UTZ: Sounds good.

22 CHAIRPERSON HOOD: I do want to make some
23 corrections. I put Ms. Israel with Office of
24 Planning, I believe early on, and she's with DDOT.
25 So I do make mistakes.

1 Also, I just wanted to say, is Harry Thomas
2 Way now a public street?

3 MR. UTZ: Yes.

4 CHAIRPERSON HOOD: It's public.

5 MR. UTZ: Correct.

6 CHAIRPERSON HOOD: Okay. I remember when
7 Harry, and I'm going to say this for the record, I
8 remember when Harry Sr., who I used to hang out with,
9 the later Harry Thomas Sr., Ward 5 council member,
10 when they named that street after him as a private
11 street I think, Rob, you may remember that. I
12 remember being in class and he told me if I didn't
13 make that I would probably have to leave the city.
14 So I had to leave a class from Silver Spring to make
15 sure I made that when, what was it, FedEx named that
16 street, a private street.

17 I don't know if you all -- you all know the
18 history of it. You doing development in that ward
19 and you don't know the history of how that street
20 became Harry Thomas way? Do you all know who Harry
21 Thomas Sr. was?

22 MR. UTZ: Yes, sir.

23 CHAIRPERSON HOOD: Okay. We going to make
24 sure we do some history, so I'm glad I'm saying this.
25 And then I see my friend who Harry Thomas Sr.

1 introduced me to, the Flower Warehouse, the flowers
2 all down there, that's where we always went. I was
3 just in there Sunday. Does anybody know why I was
4 there Sunday?

5 MR. UTZ: Mother's Day.

6 CHAIRPERSON HOOD: Exactly. You know I
7 didn't find nothing this time, but I was in there
8 Sunday. Normally I find something. I guess I waited
9 too late.

10 I'll get to the zoning part, Mr. VanPelt,
11 since you called my name because I do want to run
12 back the bicycles riding down the promenade and we're
13 going to talk about all that and how everything is
14 going to work around this development. So, I'm sure
15 -- I'm not sure what my other colleagues will say but
16 we're going to make sure this is not half baked.
17 We're going to make sure this is right because this
18 neighborhood deserves it and I think if it's done
19 right this will be a nice project. I think that's
20 why you have all that support. I didn't see any
21 opposition other than some concerns.

22 So remember the history lesson, though. Mr.
23 Utz and others. It's important. Am I right? Okay.

24 All right. Let me open it up for any
25 questions. Any zoning questions. The history lesson

1 is over. I was told -- I get instructions up here
2 all the time. I was told to start to my left. Ms.
3 Schellin, would you want to start us off? They told
4 me start to my left. Didn't say who.

5 Mr. Turnbull, you ready or --

6 MR. TURNBULL: I can start, yeah. This is a
7 complex project and I think you mentioned, I think it
8 could be an exciting one. It could be, for the area,
9 I think it's going to have a lot of effect. It's got
10 a lot of aspects to it that are unique. I think this
11 retail component is going to be kind of interesting
12 if it can develop the way you say. And I think
13 you've listened to us a lot and what we've said in
14 your past comments.

15 But there's still some things I think that
16 maybe I want to look at. And I -- have you answered?
17 I looked at the OP report. Did you really answer all
18 of the questions on the OP report? I guess you've
19 listed all the amenities. I guess the only -- one of
20 the questions on the amenities was number 15.

21 MR. UTZ: The non-profit organizations.
22 Yeah.

23 MR. TURNBULL: Yeah, and I'm assuming that by
24 the time we get to final action you're going to have
25 a name in there. You're going to finalize some of

1 these aspects to it?

2 MR. HOWARD: Correct. The ECA is voting on
3 the name of the organization at their next meeting.

4 MR. TURNBULL: Okay. And I was just -- did
5 we have an ANC report? I don't recall seeing one. I
6 looked at it earlier.

7 MS. SCHELLIN: It came in today.

8 MR. TURNBULL: Oh, it came in today. That's
9 why I didn't see it.

10 MR. UTZ: I have copies if --

11 MR. TURNBULL: No, I'll pull it up on the
12 screen. And I'm not sure if there was any questions
13 or comments that they had in their report. Okay.

14 And by the time we get to final you will have
15 signed a first source agreement?

16 MR. UTZ: We submitted the form into the
17 record.

18 MR. TURNBULL: Draft?

19 MR. UTZ: Yes, it's the draft for this
20 project.

21 MR. TURNBULL: Okay. So you're going to
22 carry that forward.

23 MR. UTZ: Yes.

24 MR. TURNBULL: DOE talked about a lot of the
25 -- and I'm jumping around in my notes here. The

1 LEED, the storm water, and you made in your comments
2 that you were going to, quote, "look at that." You
3 were going to look at possible using ground water and
4 that's what I understood and what I heard earlier.
5 You were going to look at using reclamation of water.
6 And you said you were going to look at it. And I'm
7 going to say, are we going to see a proposal? Are we
8 going to see some designs that develop this further?
9 Or are you just going to say, well, we're going to
10 think about it?

11 MR. HOWARD: Yes, we would see designs that
12 develop that further.

13 MR. TURNBULL: Before we get to final action
14 you're going to have a proposal for how you can
15 accommodate some of the DOE?

16 MR. MOLL: Yeah, we would be able to commit
17 to the types of reuse of water. The building systems
18 won't be designed at that point, necessarily. But
19 we'll be able to commit to the types of water reuse,
20 if that's your question; what the water would be
21 reused for.

22 MR. TURNBULL: Well, we can talk to DOE when
23 we get to them.

24 The one thing I -- the other thing is I'm
25 still -- and I guess jumping the gun, with the -- and

1 since I didn't see the ANC report I'm not sure
2 whether they mentioned or not, but you have
3 homeowners on that alley side and I'm assuming you're
4 going to develop or get into some kind of a CMA
5 agreement with the ANC and the homeowners to ensure,
6 because you're going to be ripping up that alley.
7 There are going to be no access to their garage, a
8 lot of construction going on. So I'm assuming you're
9 going to work out something with them that will be
10 mentioned in our order. It's something we can't
11 enforce but we like to see that you've actually done
12 your homework and done that.

13 MR. HOWARD: Yes, we've already done so. I
14 cut mine a little short in the interest of time, but
15 we've worked extensively with R Street ownership,
16 including the condo association and several
17 individual homeowners, and we've come to an agreement
18 on a construction management plan that identifies
19 activities pre-construction, during construction, and
20 post-construction, including individuals that will be
21 contacted in the event of any concerns, the
22 specificity for working through the design with the
23 DDOT process for repaving the alley.

24 MR. TURNBULL: Okay.

25 MR. HOWARD: Pest control. I can go on.

1 It's very -- it's about nine pages.

2 MR. TURNBULL: So we will be at least copied,
3 or were we copied on this?

4 MR. UTZ: Yeah, that's actually buried
5 behind. I think it might have been lost. It's in
6 the April 22nd, 2016 filing. It's behind the plans
7 as Exhibit C.

8 MR. TURNBULL: Okay.

9 MR. UTZ: So Exhibit B is the traffic plan.
10 So it's a study. And then it's actually Exhibit C.
11 It's the construction management agreement.

12 MR. TURNBULL: How many pages is the
13 construction management agreement?

14 MR. UTZ: Seven, single-spaced. It's
15 pretty --

16 MR. TURNBULL: So, okay. Okay. I'll take a
17 look. I didn't see that. Okay.

18 MR. HOWARD: And it's also been provided to
19 the ANC as well.

20 MR. TURNBULL: Okay. Are they going to be --
21 who is listed in that as in people -- there's going
22 to be a -- you're going to have a contact for someone
23 that either the ANC can call or homeowner's rep can
24 call?

25 MR. UTZ: Yes.

1 MR. HOWARD: Yes.

2 MR. UTZ: Correct. Yes.

3 CHAIRPERSON HOOD: Is it signed?

4 MR. UTZ: So this is the construction
5 management agreement that actually accompanied
6 another agreement, the community benefits agreement
7 that is signed.

8 CHAIRPERSON HOOD: Okay. It's all signed?

9 MR. UTZ: Yeah.

10 CHAIRPERSON HOOD: Everybody signed?

11 MR. UTZ: That's signed.

12 CHAIRPERSON HOOD: Okay.

13 MR. UTZ: Yeah. It's an agreement and that
14 is fully signed now, yes.

15 MR. TURNBULL: Okay. All right. I'll leave
16 any of my comments of the IZ to the Vice Chair. I'm
17 sure she's got several she wants to talk about.

18 You did -- Mr. Colbert, you did modify the
19 design. Tell me about this high pressure laminate.

20 MR. COLBERT: So this is a project that's --
21 product that's been used in Europe for many years and
22 we're starting to see it more in buildings here. And
23 there is a new community center in Columbia Heights
24 that has that kind of a product. Prodema is one of
25 the names of the manufacturers of this, and it comes

1 with quite an extended warranty. It has a wood-like
2 appearance. But it can be used on the outside of a
3 building and it's very durable.

4 MR. TURNBULL: Have you ever used it or --

5 MR. COLBERT: We have a building that's about
6 to start construction that has it, and I've looked at
7 other buildings that have had it on there for several
8 years and it seems to be wearing quite well,
9 actually. And also, as I mentioned in Europe it's
10 been used for probably close to 20 years and it's
11 held up quite well, actually.

12 MR. TURNBULL: Okay. As I say --

13 MS. COHEN: Could I interrupt while we're on
14 that?

15 MR. TURNBULL: Yeah.

16 MS. COHEN: Where is it produced?

17 MR. COLBERT: Well, there's several different
18 manufacturers, but some of them are European.

19 MS. COHEN: Nothing here? No manufacturer in
20 the States yet?

21 MR. COLBERT: I'm not sure of that. Do you
22 know, Joe?

23 MR. HARRIS: Not to my knowledge. The
24 majority of it is produce in Europe.

25 MR. TURNBULL: Yeah, I guess, you know, we

1 worry about certain products. I mean, we've -- EIFS,
2 EIFS, whatever you want to call it and now this. If
3 it's really -- I would just hate to have a product go
4 up there that is not sustainable from the standpoint
5 of longevity for 20 years or something, that that's
6 going to warp or peel or -- I mean, if it's a high
7 pressure I have a feeling it's got a backer board,
8 it's got several layers and I'm not sure how it's
9 wrapped on the edges or how you seal it, but I'm just
10 worried about the materiality as far as the longevity
11 as how long it's going to be sustainable within the
12 project. That's my only concern.

13 MR. COLBERT: I think the O Street Market has
14 a similar type of product that's used on the outside.
15 And we also use something called a rain screen, where
16 the actual water barrier would be inside and we would
17 not rely on that to actually provide water proofing
18 for the building.

19 MR. TURNBULL: Right. Okay. All right. I'm
20 going to relinquish my time. But I have one question
21 because I know Commissioner May and Mr. Hood might
22 want to get to look at the roof issues and some of
23 that, but can we look at that double-penthouse
24 section?

25 What concerns me, and you don't have the

1 section that shows it to the adjacent building which,
2 as you rightly said, is only a storage building. But
3 my concern is, just like your property is not
4 residential now, that cube storage in the future
5 could definitely be sold and become a residential
6 property. It could be something different than what
7 it is, an office.

8 So what I'm concerned about is that on the
9 roof you've got this with really no setback and
10 you've got -- I'm just concerned. I really don't
11 like it. I think it stands out and I think if you're
12 on -- I think it's Eckington Place you're going to
13 see this huge wall, up in your elevation. And I
14 think it's going to be a little obnoxious. I mean, I
15 just think from the standpoint of seeing this huge
16 box sitting on top of this building is a little
17 deflating for me as someone who, if I'm going to buy
18 that property and I've got this huge block -- I mean,
19 at least if this was tapered back a bit at the one to
20 one setback, it allows some more light to go back
21 down on that property.

22 I mean, I just think it's a practical
23 standpoint from a zoning issue. I just feel that
24 this is a little -- to me it's offensive. I don't
25 really think that meets the intent of what we wanted

1 -- of what the zoning regs are trying to do.

2 But on that, Mr. Chair, I will relinquish and
3 I may come back with some other questions.

4 CHAIRPERSON HOOD: Okay.

5 MR. HARRIS: Could I just make a comment to
6 that effect? I wanted to just move back one slide to
7 the full section here. The property line is nearly
8 at the face of the storage building that's at the
9 left of this image.

10 MR. TURNBULL: Yeah.

11 MR. HARRIS: So that there is actually a one
12 to one ratio from the roof level back so that this
13 penthouse does --

14 MR. TURNBULL: But we don't measure the
15 setback from the property line. We measure it from
16 the roof.

17 MR. HARRIS: Uh-huh.

18 MR. TURNBULL: So although you may say it
19 goes back, or here, it really wants to be here.

20 MR. HARRIS: Sure. I just wanted to point
21 out that the image previous --

22 MR. TURNBULL: Right.

23 MR. HARRIS: -- didn't show the setback from
24 the --

25 MR. TURNBULL: Yeah. I'm just concerned. I

1 mean, we've already got a couple of instances where
2 these spaces are very tight. I mean, you have it
3 with the existing, with the other residential
4 building. And you've tried to make some kind of an
5 accommodation over there. But here you've basically
6 said it was a utility building and I don't care about
7 it. But I think from the standpoint of the Zoning
8 Regulations we would really want to see you do
9 something up there.

10 MR. COLBERT: Commissioner Turnbull, if I
11 also may add that the southern side of the storage
12 building does not have windows, and those windows
13 would be at risk and it would require, you know, our
14 approval.

15 And the other thing I would just like to note
16 is that CubeSmart, who owns the property, has
17 supported this application as currently designed.

18 MR. TURNBULL: Okay. I'm just expressing my
19 comments as a Zoning Commissioner, what I feel you're
20 not doing.

21 MR. COLBERT: Uh-huh. Thanks. One thing I'd
22 like to point out is that the CubeSmart building, I
23 think, also has industrial zoning so they would have
24 to go through a PUD process if they wanted to put a
25 residential building there.

1 MR. TURNBULL: Just like you're doing.

2 MR. COLBERT: Right.

3 MR. TURNBULL: Just like you're doing, and I
4 understand that.

5 MR. UTZ: I think one comment that we would
6 have is the concerns you're expressing is actually
7 why it's designed the way that it is, rather than the
8 alternative condition that Eric was showing, the
9 other section showing the -- closer to the property
10 line condition. This is the kind of you know, chosen
11 option that allows us to slide farther away from that
12 northern property line.

13 All together the setback, I think, is 23 feet
14 and some inches. Although I know --

15 MR. TURNBULL: As you get close to Eckington
16 Place, and I can't remember what the footprint looks
17 right at the building up there, you're right up at
18 Eckington Place. I don't know if you've made the
19 setback from Eckington Place. Are you at one to one
20 from there at least?

21 MR. UTZ: Yeah. The only one that is not one
22 to one is the closed court at the rear, and there is
23 -- this is what I was just referencing. The upper
24 section is the, I don't know, face on face, edge of
25 the roof structure on the façade at the north side.

1 And then the lower one is the preferred option that
2 is being proposed, sliding further towards the
3 promenade, but then sliding out also like a cash
4 register drawer in providing that dual height space.

5 MR. TURNBULL: Yeah, I guess you've given us
6 -- well, I guess what's hard to tell on all these
7 plans are the actual setbacks on all locations.
8 We've seen high points of certain places, but I
9 haven't seen them on all locations and I'd like to
10 see that.

11 MR. UTZ: It's the last, second to the last
12 sheet in what we just passed. It's actually the
13 appendix of this. So it's --

14 MR. TURNBULL: What you just gave us?

15 MR. UTZ: Yeah. This is a -- it's also
16 buried in some of the prior sea of plans.

17 CHAIRPERSON HOOD: Well, really need to
18 unbury it.

19 MR. TURNBULL: Yeah. You know, the more you
20 bury the more we ask.

21 CHAIRPERSON HOOD: Everything seems to be
22 buried. So we will be --

23 MR. UTZ: So, well, this particular --

24 CHAIRPERSON HOOD: Dig some of this stuff
25 out.

1 MR. UTZ: -- will get by for today in this
2 discussion. It is the second to last page in the
3 appendix of the packets we -- and it's showing on the
4 screen right now. So we tried to call out the
5 setbacks for every exterior wall or property line or
6 notable kind of façade element.

7 So this is shown -- these particular
8 conditions are shown there in the as-proposed
9 version.

10 MR. HARRIS: This plan diagram from the roof
11 shows that that penthouse wall, from Eckington Place,
12 is set back a minimum of 60 plus, 61 feet.

13 CHAIRPERSON HOOD: Can you point that while
14 you're telling me?

15 MR. HARRIS: Yes. Yes, I can. Thank you.
16 This is the face of the penthouse here. These
17 dimensions, 21, 19, 9, 22 are already over 60 feet at
18 this edge, and of course it would get to be more than
19 60 feet, you know, as it moves along Eckington Place.

20 MR. UTZ: But then it's also a compliance
21 setback from the relevant exterior wall.

22 MR. TURNBULL: Okay. Well, since we just got
23 these we'll have to go through them.

24 CHAIRPERSON HOOD: Mike, you finished? Mike?

25 MR. TURNBULL: Oh, yeah. I'm done for now.

1 CHAIRPERSON HOOD: Who was next?
2 Commissioner Miller?

3 MR. MILLER: Thank you, Mr. Chairman. This
4 is a big and complicated project with a lot going on.
5 But I appreciate the presentation and the explanation
6 given for all of the various materials and I commend
7 the applicant on the affordable housing component,
8 doing all them, all the 56 units, the 8 percent set
9 aside at the 60 percent AMI level, including the
10 family sized units.

11 So on the back-in loading you had
12 conversations with DDOT and with your loading
13 management plan now they're okay with the -- you
14 still have the back-in loading, right?

15 MR. VANPELT: We still have back-in loading.
16 We met with DDOT and we actually explained to them
17 the hardship of trying to get head-in/head-out
18 loading to work with the shared facilities with the
19 Gale. It just would eat up too much of the ground
20 floor retail and really couldn't work very well with
21 the existing constraints of the Gale. So --

22 MR. MILLER: Yeah, and I saw the one picture
23 that showed what it did to the façade that --

24 MR. VANPELT: Yeah. So in the materials you
25 received this evening, those are the same things that

1 we have shared with DDOT in our discussions with them
2 to show what the impacts would be. And I think based
3 on our review of really the existing loading activity
4 that happens at the Gale, it's a very small number of
5 movements in and out and we use that to project what
6 we think the future activity would be there.

7 So the loading management plan, I believe,
8 we've convinced DDOT that that would mitigate that
9 activity at that location.

10 MR. MILLER: Well, I see them nodding their
11 heads, but we'll be hearing from them soon to confirm
12 that.

13 The retail promenade is very exciting. I
14 hope it works. The bridges that you have, they're
15 all decorative type bridges. They're not really
16 functioning for residents, are they, or they're not
17 public accessible?

18 MR. COLBERT: No, they're all decorative and
19 that's a good place for --

20 MR. MILLER: And there are five of them, or
21 how many?

22 MR. COLBERT: I'm sorry?

23 MR. MILLER: How many of them are there?

24 MR. COLBERT: Three.

25 MR. MILLER: Three.

1 MR. COLBERT: And we plan to use them for
2 green roofs also, and plantings.

3 MR. MILLER: And you think they'll be green
4 year round or they'll just -- or maybe not?

5 MS. CANAMAR: Yes.

6 MR. MILLER: Yes. Okay. I still have,
7 despite your submission, I still have some concern
8 that the -- that was mentioned in OP's report, and
9 you did touch on, in your presentation, how close the
10 Gale is to the, guess it's the southwest and
11 southeast buildings. It just seems awfully close. I
12 appreciate your explanation that there's a lot of the
13 back of the house stuff at the Gale, the stairs and
14 the elevators. But I also counted on your diagram,
15 six bathrooms and four kitchens in addition to the
16 stairs and the elevators.

17 So what is the distance between -- what are
18 the varying -- I know it varies because you have -- I
19 think there's some courts in some places on one of
20 the buildings. But what is the closest distance and
21 what is the distances between the Gale and the
22 southeast and southwest Eckington Yards buildings?

23 MR. HARRIS: The Gale is six foot, one to its
24 property line to the north, and then another five
25 foot, six to the building wall of the southeast

1 building.

2 MR. MILLER: So eleven?

3 MR. HARRIS: Eleven feet, seven. Building
4 face to building face.

5 MR. MILLER: Right.

6 MR. COLBERT: One thing I'd like to point out
7 is that none of our apartment buildings have windows
8 and kitchens or bathrooms. So the market doesn't
9 really anticipate that. Plus, they're really small
10 windows. So, we don't really feel -- and then like
11 Bryan testified, his company is a component of the
12 ownership now of that project. So they have a vested
13 interest in not doing anything that's going to reduce
14 the marketability.

15 MR. MOLL: And I would, I think -- and I
16 can't remember if it was mentioned, but just for the
17 record, those are single-loaded units on this as
18 well. So all of the living spaces for the new
19 building on our property will be facing toward the
20 promenade.

21 MR. COLBERT: Right.

22 MR. MILLER: I appreciate that answer. How
23 much taller is your building than the Gale? I know
24 you're shorter than what would have been allowed with
25 this PUD, or even with the matter -- no, maybe not.

1 Yeah, with even what would be allowed on matter-of-
2 right.

3 MR. COLBERT: Our building is 75 feet high.
4 We're probably, what, 10 feet taller?

5 MR. HARRIS: The Gale is 64 feet. So 11
6 feet.

7 MR. MILLER: So a little more than the one
8 floor.

9 MR. COLBERT: Right.

10 MR. MILLER: You're no longer including the
11 storage in this storage space in this --

12 MR. UTZ: That's correct. Yeah, we abandoned
13 that.

14 MR. MILLER: Yeah, I appreciate -- I saw that
15 in your prehearing submission. Does that mean you
16 don't need the special exception for the light
17 industrial? Is that what that was originally?

18 MR. UTZ: No, that was a different special
19 exception.

20 MR. MILLER: That's a different.

21 MR. UTZ: Right.

22 MR. MILLER: You still need that?

23 MR. UTZ: We still need the light industrial
24 to allow for the makers that we hopefully draw.

25 MR. MILLER: I see.

1 MR. UTZ: Yeah. And allow for the light
2 industrial uses to exist on the property. We
3 eliminated Section 611, special exception for the
4 self-storage.

5 MR. MILLER: Okay.

6 MR. UTZ: In CR.

7 MR. MILLER: And explain to me how -- you're
8 going to do this in two phases. It's a second phase
9 will be for the northeast and southeast buildings,
10 after you complete the -- what would be the timing on
11 the construction of both phases?

12 MR. HOWARD: Right now we're contemplating
13 constructing the project at one, with the east and
14 the west together. But if we -- the market
15 conditions dictated we needed to do it separately we
16 would develop phase A first, which is identified as
17 the west phase so that we could build out the retail
18 and continue with the place making and provide the
19 amenities to the community. We would then do the
20 east portion of the project, following that.

21 Currently the timing is contemplated that we
22 would start construction mid-2017 and deliver in mid-
23 2019 for the complete project.

24 MR. MILLER: And will the eastern buildings,
25 the residents of the eastern buildings have access to

1 the pool top on the -- they don't have pools on their
2 roofs, but would they have access to the rooftop
3 amenities on the other, or not?

4 MR. HOWARD: They will not, but each building
5 will be amenities in its own right. So each building
6 will have access to their own amenities.

7 MR. MILLER: Okay. All right. Well, that's
8 all my questions for now, Mr. Chairman. Thank you
9 very much for your presentation. It's a very
10 exciting project, but it's a lot of complexity that I
11 don't think I have my hands around right now in terms
12 of all the different materials and everything. But I
13 look forward to my colleagues' questions about that.

14 CHAIRPERSON HOOD: Vice Chair Cohen.

15 MS. COHEN: Thank you, Mr. Chairman. First
16 let me start off in saying that I do like the
17 industrial building on the left. On the right -- on
18 the north. I'm sorry. I think that the one on the
19 south is a little, I don't know, it just seems to be
20 -- I think it should be simplified. I mean, your
21 vocabulary is broken up by the brick and I don't know
22 why that's necessary. Again, industrial buildings to
23 me, are much more simplified and cohesive. And yet
24 you added this brick but you know, I just don't
25 understand why. Maybe that could be explained.

1 And then the other question I would have is
2 that on the east view, again, you have that very
3 simplified and I don't understand what that middle
4 part is attempting to do, visually. So maybe you can
5 help me understand that.

6 MR. COLBERT: First of all I'd like to talk
7 about the Eckington façade. I think that one of the
8 problems that we have, especially in a development
9 like this that has an enormous footprint is you tend
10 to get a building that is kind of very horizontal and
11 has difficult proportions.

12 And so one of the advantages to having a
13 different façade treatment in the center of the
14 southern portion here is that it gives some relief to
15 the overall massing of the façade. It also is kind
16 of a suggestion of -- I was kind of referencing back
17 to the block of Church Street that's between 14 and
18 15th. And again, we have several different building
19 types that are expressed on the façade in different
20 layers. And it helps the verticality of the
21 different components, helps to give it a little more
22 elegance than if it's all one kind of horizontal
23 mass. And so that was the kind of logic behind it.

24 Also, I kind of also mentioned the Harper
25 that we did on 16th -- on 14th Street, across from

1 the Louie. You can see there that we've got these
2 brick piers. And then in the middle of the building
3 there is a metal, it comes to a point. And so this
4 is kind of the reverse of that where you know, we're
5 kind of melding two different things and as we
6 develop the design we'll attempt to, you know, make
7 sure that it is integrated looking.

8 MR. HARRIS: One thing I'd add further to the
9 question about the southwest building façade is, is
10 that your comment is correct that industrial
11 vocabulary is typically very simplified and cohesive.
12 And I think we struggled with that early. We looked
13 at a lot of design options. And I think one of the
14 design questions that kept coming up was really about
15 the neighborhood itself. It is a former industrial
16 site, but it's in a residential neighborhood and I
17 think Eckington historically was a neighborhood that
18 -- and continues to meld both industrial and
19 residential uses in a very successful way. And I
20 feel that as the design developed for this, you know,
21 to be explicitly industrial or explicitly residential
22 in material selection and massing, was I think a
23 mistake. And so we endeavored to really find a way
24 to connect to both segments and both pieces of
25 history in the neighborhood.

1 MS. COHEN: I just, again, I do love
2 industrial buildings. I love the neighborhoods of
3 certain neighborhoods in New York City, like meat
4 packing and what they're attempting to do downtown.
5 But it just doesn't sit well with me for some reason
6 and I haven't really analyzed my reaction to it.

7 But the other thing is, is that the
8 connections that are really just to serve as, you
9 know, sort of pots for green, I don't know visually
10 if they're that necessary. I think that they're
11 whimsical. But I'd rather see that money go into
12 upgrading your LEED in any way you can. I mean, I
13 don't know how necessary they are. They're just, you
14 know, there. They're funky, but I don't see how
15 they're really adding to the building or to the
16 neighborhood, frankly. So if you want to comment on
17 that I'd appreciate it because I really do think you
18 need to -- well, we'll talk about LEED.

19 MR. MOLL: Eric may have some thoughts on
20 this, but one, when we first started envisioning the
21 project one thing we wanted to try to incorporate was
22 art on or connecting to or being part of the
23 building. And this was, you know, I think after an
24 attempt to do that we looked at a lot of different
25 ways to incorporate art, because gives a lot -- it's

1 a long promenade and it needs to be broken up. It's
2 going to be activated on the ground floor, but I
3 think that it also becomes pretty monotonous above,
4 if you don't break it up somehow.

5 And so we thought about doing art on the
6 building to help break it up and, you know, Eric was
7 the one that brought the inspiration of the bridges,
8 and that was actually right next to the Tate Museum
9 of Modern Art in London, is where those bridges are,
10 and the inspirational image, and we really fell in
11 love with that. So that's where that came from.

12 MS. COHEN: I really do appreciate the water
13 tower, again, being a former New Yorker I love water
14 towers. They really add something to the skyline.

15 All right, let me -- let's go to Ms. Floyd.
16 I presume you're aware that there are many, many
17 multifamily buildings that have achieved Gold LEED.
18 Is that correct?

19 MS. FLOYD: Yes.

20 MS. COHEN: And can you tell me why those
21 have done it and yours can't?

22 MS. FLOYD: Well, I think things are
23 possible. It's a matter of the financing the effort
24 and structural integrity of things, and making sure
25 it's an integrated approach. So where there's more

1 challenges in this case on the wood frame stick
2 built, just from a structural aspect, you'll notice
3 the vegetated roof there is the extensive or shallow
4 roof, for the same reason.

5 MS. COHEN: All right, but I think that Mr.
6 Wilson's review, or DDEE's review --

7 MS. FLOYD: Uh-huh.

8 MS. COHEN: DEE, whatever.

9 MS. FLOYD: DOEE. Uh-huh.

10 MS. COHEN: Yeah. Their review indicates
11 that they really feel there are ways in meeting LEED
12 Gold. And again, this is a future. You know, you're
13 going to recapture the cost, you know that. Three to
14 five years. It's been proven study after study now.
15 And I just don't understand why you wouldn't want to
16 market your building and differentiate it as a
17 special building with Gold.

18 I think that, again, the people you want to
19 attract, I think they would prefer that than seeing
20 these, you know, funky metal things going across from
21 building to building.

22 MS. FLOYD: Well, I would defer to JBG for
23 lifecycle analysis in terms of the payback. But the
24 aesthetics versus the integrity of the building are
25 one thing. But I would think that with a holistic

1 approach in financing, yes, you could do anything.

2 But it's the applicant's opinion that it's our --

3 MS. COHEN: But that's why I came up with the
4 trade-off. I mean, I really think that people prefer
5 having -- living in a healthy building than they, you
6 know, might want to look up and see -- and I'm not
7 criticizing it. I just don't think it's the most
8 necessary thing to enhance the beauty of the
9 building.

10 MS. FLOYD: Well, I would certainly say we're
11 going to pursue every credit that we can related to
12 indoor air quality and health related aspects for the
13 building. Things usually come down when you're in a
14 situation like this. Things come down to energy and
15 water reuse.

16 MS. COHEN: Well, it also comes down to the
17 city's priorities as well. I mean, the city has made
18 a commitment to reduce its carbon footprint
19 significantly, and buildings like this really just
20 touch the surface. So that's kind of where I'm
21 coming from, that we really need to push. And if we
22 have the opportunity here on this dais, we're going
23 to do it because again, you're getting a great deal
24 of benefit. We haven't discussed flexibility, but
25 you're asking for quite a bit and I think that in

1 exchange LEED Gold is reasonable.

2 I just want to ask a couple of more
3 questions. Livability improvements. Can you tell me
4 what that means, exactly? I mean, livability has
5 different definitions to different individuals. My
6 livability improvement would be going LEED Gold.

7 MR. HOWARD: Are you referring to livability
8 improvements along Eckington Place?

9 MS. COHEN: Yeah.

10 MR. HOWARD: The DDOT study that was
11 performed.

12 MR. MOLL: Commissioner Cohen, regarding the
13 LEED question, the project, the reason why we're
14 claiming a hardship on LEED Gold is that we're doing
15 a number of pretty significant community benefits.
16 And I think the main one is the retail and that is a
17 very very significant -- because we're not getting --
18 you know, first of all I think it would be very hard
19 to get market, market rents, market rent retailers
20 into this neighborhood to begin with. So I think
21 we'll already have to offer a subsidy to get them to
22 come here, which we're willing to do to help activate
23 the neighborhood. And that's what the community
24 really wants.

25 We also have to do double-height space to do

1 that, so that's you know, theoretically two levels of
2 what could be -- and I'm not saying that we would
3 want to replace it with that, but two levels of
4 residential. So we're getting less rent from retail
5 than we would with residential and we're eliminating
6 a second level of it.

7 But we don't really -- we think the project
8 would suffer without the retail. The retail of this
9 component, of this project, is so critical to its
10 success because right now there's not a heart and
11 soul in Eckington. There are a lot of different
12 small nodes. I live about two blocks away from this
13 site so I know it very well. And there are a lot of
14 small little nodes, but there's no heart and soul.
15 And there's already a lot of residential at the Gale,
16 but there's not a lot of retail. And we feel like
17 the retail is absolutely critical. And to be able to
18 do that we're going to have to offer discounted rent
19 to what you know, to what density would typically be
20 worth for residential, which is the highest and best
21 use.

22 MS. COHEN: Well, tell me about -- well,
23 except it's again, services for the residents there,
24 and if you don't have too much supply in that area I
25 don't see why, you know, you have to discount it.

1 You know, tremendously.

2 But also the maker spaces are going to be
3 very vacant, aren't they? I mean, empty, pretty
4 much. You're not building them out, are you, very
5 much? I mean, that's the charm of maker spaces is
6 that the maker has that opportunity to adjust their
7 space.

8 MR. MOLL: There would be the cost of the
9 concrete shell, the cold dark shell is, you know, is
10 obviously an additional cost. We would have a tenant
11 improvement package that would help. Maker space is
12 often actually really great maker spaces, like Tech
13 Shop, for instance in Crystal City. There are
14 enormous start-up costs for that because the capital
15 that it takes to put into the tools that you need to
16 make things are pretty significant.

17 And a lot of sort of a lot of smaller
18 companies are just starting out, don't have those
19 resources. So one possibility, if not a probability
20 is that we'll actually have to include some
21 infrastructure for the actual maker spaces to use, to
22 utilize. Either by us in the form of a tenant
23 improvement package that we could provide to them so
24 that they could do it. Or we would have to do it as
25 part of the, you know, our own buildout.

1 MS. COHEN: I don't know, my experience,
2 which is actually so recent, I was down in Miami and
3 saw the maker spaces in the industrial neighborhood,
4 and they've done an incredible job. The actual
5 occupants, the tenants, in doing their own space. It
6 was, you know, actually empty but quite, you know,
7 clean and beautiful.

8 So you know, maybe I just have a different,
9 you know, imagination of what you're going to have
10 there. But I think it's going to be -- it's sort of
11 like Katie Alley. You use that as a possible you
12 know, a similar type of place to go.

13 MR. MOLL: Were you in Wynwood? Is that
14 where you saw it or some maker --

15 MS. COHEN: No, it was in Miami.

16 MR. MOLL: In Miami?

17 MS. COHEN: Yeah. What is the neighborhood
18 called? It's an arts neighborhood that's up and
19 coming and it's got some housing. Not that much.
20 It's mostly restaurants and maker spaces.

21 MR. MOLL: Because we did take inspiration
22 from Wynnewood in Miami. And I think for like the
23 pure artist spaces where you have people doing a lot
24 of art in their space, you don't have to put that
25 much money into those spaces as much. But we, I

1 think to make this a really successful space we need
2 more than just art. I think art could be a component
3 of it. And I think you want to have some space
4 dedicated to artists, but I also think to truly be,
5 you know, an effective maker space, you need people
6 making goods as well and producing goods. And so
7 that's -- from the you know, we've talked to the I
8 think Local First Group in D.C., the Made in D.C.
9 movement, and we've been exploring this quite a bit.
10 And you know, one, they just don't pay rent, really.
11 So that's a big issue. And two, a lot of them need
12 infrastructure to actually do the production. That's
13 at least in our experience, that's what we're
14 finding.

15 MS. COHEN: What is the percentage of retail
16 versus residential of the total project?

17 MR. MOLL: Just over 10 percent, I think.
18 It's about 77,000. Up to 77,000. Part of that is an
19 optional mezzanine in case some of the makers need
20 office space.

21 MR. TURNBULL: Vice Chair, I wonder if I
22 could --

23 MS. COHEN: You can.

24 MR. TURNBULL: Can I just tag on to your
25 comment? What percentage of the retail is maker? Is

1 it all maker?

2 MR. MOLL: Well, right -- we've committed to
3 10,000 square feet of subsidized retail. We don't
4 want to necessarily commit to a percentage of maker.
5 We want to get as much of it as we can. That's our
6 primary target. But we just want to refrain from
7 committing to a certain percentage because if it
8 doesn't exist or it doesn't fail -- or if it fails we
9 don't want to have vacant retail.

10 MR. TURNBULL: Okay. Well, I guess what I
11 was just going on with her comment about, is you had
12 said there's no retail in the Gale. And or --

13 MR. MOLL: There's a little bit.

14 MR. TURNBULL: A little bit. Nothing. And
15 so this is going to serve both projects. And I'm
16 just wondering if it's neighborhood serving like this
17 is the maker retail really going to be serving? I
18 mean, what else is going to be going into it to make
19 it serving these buildings?

20 MR. MOLL: I think there's really probably a
21 combination of retail. We'll have -- you know, we
22 got a lot of comments from the community and actually
23 included it in the community benefits agreement with
24 them that we would meet with them quarterly to update
25 them on retail and get feedback from them. But, you

1 know, we did hear from them that they'd like a
2 restaurant, a sit-down restaurant. They would like
3 some type of market or grocery store.

4 MR. TURNBULL: Are you going to have a
5 bakery?

6 MR. MOLL: I mean, actually that's a maker
7 space; a potential maker space. A baker, coffee
8 restaury (sic) that serves coffee.

9 I think one maker type of use that we really
10 like is food and beverage related because that's
11 something that interacts, that's something that's
12 going to bring people there, something that neighbors
13 can use. So, you know, a bakery and a coffee
14 restaury (sic) are probably two of, you know, two of
15 our top targets.

16 MR. TURNBULL: Vice Chair, it's back to you.
17 I'm sorry.

18 MS. COHEN: No, that's fine. It was
19 appropriate timing.

20 You are going to obviously, I think, identify
21 that nonprofit organization that you're providing
22 \$15,000 to. Oh, by the way, I am not giving up on
23 the Gold. Go back and do a little bit more -- you
24 know, sharpen your pencil. Okay? And I think that
25 I'll get some back up from up here.

1 I think, can you quantify your Adopt-a-Block?
2 You know, two square blocks in accordance with the
3 Mayor's program for six years, you know, is that
4 going to be \$100? Is it going to be 10,000? You
5 know, maybe you can quantify what you're intending to
6 do. I'm not as familiar with the Adopt-a-Block that
7 I should be.

8 MR. MOLL: Commissioner Cohen, if I can
9 quickly answer that? The reason, I know that seems
10 like an odd -- well potentially an odd benefit, not
11 something that's standard in any way, that actually
12 came from Commissioner Lewis, who is our single-
13 member district commissioner. She wanted to put that
14 in there to show that JBG is committed to the
15 neighborhood, that we're going to be there for a
16 while. JGB and Boundary companies, that we're not
17 just a merchant builder, that we're going to build
18 these and leave. And so that was our commitment.

19 CHAIRPERSON HOOD: So let me -- can I just
20 expound on that? So you going to be there for a
21 while. What does that mean?

22 MR. MOLL: Well, that's, I mean, that's our
23 plan. But JBG and Boundary are committed to
24 Eckington. I mean, that's the -- a different
25 ownership group, but JBG is included in that group,

1 purchased the -- just purchased the Gale.

2 CHAIRPERSON HOOD: But I think, is there a
3 platform or something for the Adopt-a-Block. Isn't
4 there supposed to be some actions because I can tell
5 you, my neighborhood, we have Waste Management. They
6 been there for a while too, and they have done
7 absolutely nothing. So --

8 MR. MOLL: Oh, I see. So you want details of
9 what the plan will entail. Okay. Yeah.

10 CHAIRPERSON HOOD: Yeah, what are you doing.

11 MR. MOLL: I understand.

12 CHAIRPERSON HOOD: Not just what's going to
13 be there. And here's the other thing, clarify also,
14 because in the submission it says three terms for six
15 years and then what we hear tonight was two terms for
16 six years. So which one is -- I'm sure they have it.

17 MR. MOLL: We'll clarify that.

18 MR. HOWARD: Each term is -- yeah.

19 CHAIRPERSON HOOD: And with terms, are we
20 going by mayoral terms or what kind of terms are we
21 going by?

22 MR. HOWARD: The terms are --

23 CHAIRPERSON HOOD: Four years?

24 MR. HOWARD: Yeah, sorry. The terms are
25 specified within the program.

1 CHAIRPERSON HOOD: Okay.

2 MR. HOWARD: It's a number of years equals
3 one term, so we would commit to a minimum of two
4 terms. But we'll clarify whether it's two or three
5 terms.

6 CHAIRPERSON HOOD: Yeah, let's make sure we
7 clarify.

8 MR. HOWARD: And we can also expand on what
9 that means, which because it's outlined in the
10 program and all the -- I can go into it now, but we
11 can also just expand on it later.

12 MS. COHEN: No, that's okay. If you can just
13 submit something and --

14 MR. HOWARD: Okay. Okay.

15 CHAIRPERSON HOOD: Just for the record, if we
16 know what's going on in the program with some of the
17 things you're planning to do. I'm kind of familiar
18 with it but I'm sure it's changed since we adopted a
19 block 20 years ago. I hope the program has changed.
20 Okay. Thank you.

21 MS. COHEN: Does JBG have experience in
22 running a low-income housing tax credit program?

23 MR. MOLL: We, JBG does not but we have
24 partners that do and have built low-income tax credit
25 buildings.

1 MS. COHEN: So that you are familiar with or
2 will become familiar with the needs to create a
3 lottery system that is not -- you know, is unbiased
4 and you'll have documentation for that because the 60
5 percent, I have no problem with. There's a
6 tremendous need. And DHCD unfortunately is not
7 operational and maybe that's for the best. I don't
8 know if their staffing can handle it. But I do know
9 that private developers manage the low-income housing
10 tax credit programs successfully as long as they've
11 had experience in it because it is a bit heavy
12 lifting.

13 MR. HOWARD: Yes, prior to committing to this
14 we coordinated with our property, our asset
15 management team and they are aware of this commitment
16 and they are prepared to run the program and --

17 MS. COHEN: Who are they?

18 MR. HOWARD: They're within JBG. It's not a
19 development.

20 MS. COHEN: Oh, they are within. Okay.

21 MR. HOWARD: Yeah, a different arm of JBG.
22 Yeah.

23 MS. COHEN: So that they have had experience,
24 years of experience.

25 MR. HOWARD: Yes.

1 MS. COHEN: Okay. All right. I would think
2 so. You're a large developer and that is a very
3 profitable part of your business, I would think.

4 My final, yeah, question, has to do with the
5 access to the garage. And now I can't find the page
6 I want to refer to because it's not been paginated
7 anyway. You're using white doors in one side. And
8 then in the front, I think, or you know, the west
9 side you're using dark doors. And I don't understand
10 the white doors because I think they stand out and
11 they don't look -- they don't look friendly. They
12 don't look warm. They don't look, you know, that
13 they're ugly. So I would just -- I don't know how my
14 other colleagues feel about those doors but the white
15 ones are just really, you know, they stand out too
16 much.

17 MR. HOWARD: The doors shown here are
18 existing to the Gale.

19 MS. COHEN: No, I think it was -- I thought
20 it was on your side of the property. Well, going to
21 have to tell Gale to paint.

22 MR. MOLL: No white doors. Yeah, we would
23 agree with that. That might have been --

24 MR. HOWARD: We can change it.

25 MR. MOLL: Well, we can definitely change

1 that.

2 MR. HOWARD: Yeah.

3 MS. COHEN: The loading door, yeah. Not this
4 door.

5 Oh, and then also it seems, I guess that's
6 the Gale's -- I don't know. I had it before. Why
7 don't you go ahead and I'll find it and interrupt
8 you. Is that okay, Commissioner? Thank you.

9 MR. MOLL: Commissioner Cohen, sorry to
10 interrupt. I think we found it. So that's on the
11 existing Gale building. We could certainly look into
12 being able to upgrade that.

13 MS. COHEN: If I'm the only one that thinks
14 it's really horrible, you know, I mean.

15 MR. MOLL: It looks pretty ugly.

16 MS. COHEN: It does. Thank you.

17 MR. MOLL: Yup. Oh, yeah, we could -- sorry,
18 Jeff was just telling me, or Mr. Utz was just telling
19 me that we could potentially add that to the minor
20 modification for the Gale.

21 MR. UTZ: It's pending. We would have to get
22 approval from the controlling ownership group, but we
23 could --

24 MS. COHEN: I think you already have
25 flexibility.

1 MR. UTZ: Probably.

2 MR. MAY: Yeah, I would think you could paint
3 your garage door on that side --

4 MS. COHEN: Yeah, you could paint your garage
5 door.

6 MR. MAY: -- without having zoning approval.

7 MR. UTZ: This is so easy. It's never this
8 easy.

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

10 MR. MAY: All right. Ready?

11 CHAIRPERSON HOOD: Do we need to start the
12 clock?

13 MR. MAY: I get the same time that all you
14 guys got together, right?

15 CHAIRPERSON HOOD: Okay. So five minutes.

16 MR. MAY: All right. So, you know, I echo
17 some of the concerns about the design that
18 Commissioner Cohen had raised. You know, overall,
19 you know, I think I'm okay with it. There's a
20 certain element of this where you're really laboring
21 very hard to make it into an industrial looking
22 building, but not just an industrial building, one
23 that's been adapted and changed and sort of, you
24 know, it's got character because it's a lot of
25 different things. And frankly it just feels like

1 it's too many things.

2 But I'm not going to try to address that and
3 make suggestions on how to fix it. I just wish that
4 it was a little bit more coherent and sort of unified
5 because even when you, you know, you have -- just
6 looking at this façade here that Commissioner Cohen
7 had raised, you have sort of three different
8 statements going on with the building to the -- on
9 the south side. And it just seems so unnecessary.
10 It's actually even four statements when you include
11 the setback portion at the top, which it runs across
12 all of them. And yet there is this -- you know,
13 they're not all working together completely.

14 Again, I'm looking to change that. This is
15 just a comment on the design. And I think that, you
16 know, in the past you've designed some buildings that
17 are, you know, fairly clearly, you know, sort of
18 unified in look and appeal and have the same sort of
19 industrial aesthetic or a similar kind of industrial
20 aesthetic. And they're not nearly as jumbled as
21 this. But that's just a editorial comment from the
22 top.

23 So let's talk about some of the other issues.
24 You're showing terraces on top of the lower penthouse
25 where you have that, you know, that two-story

1 penthouse on the northwest building. You going to
2 bring up an image of that? It's in your sections
3 too. So yeah, okay. Yeah, so right there. You're
4 showing the -- oh, yeah.

5 So the upper level you have a terrace there.
6 And I don't think there's any allowance for terraces
7 on top of penthouses, and that's a roof of a
8 penthouse. And this is an issue that was raised in
9 another case that I think Mr. Colbert is familiar
10 with. It should not be there. I don't think we
11 allow for that in the revised Zoning Regulations.

12 Similarly, in some versions of that I saw a
13 balcony projecting off of the mezzanine level. Have
14 those been eliminated? Okay. That was an early
15 design. That's gone. That helps.

16 Let's talk about -- okay. So while we're
17 here explain to me how the mezzanine relates. The
18 mezzanine is 200 square feet and I'm not seeing where
19 the 600 square feet that is below. I mean, I'm
20 seeing -- I can't quite make out. Because it's, you
21 know, the mezzanine has to relate to the space below,
22 not the unit below. And that's not clear to me.

23 MR. HARRIS: Okay. That's correct. This is
24 the space below. This spiral stair connects up to
25 the mezzanine space above.

1 MR. MAY: Okay. So, but at the very top of
2 that plan there's a corridor or something that runs
3 through, right?

4 MR. HARRIS: That's correct. That's the
5 common corridor.

6 MR. MAY: Right.

7 MR. HARRIS: So it appears here.

8 MR. MAY: So that doesn't count toward the
9 area below.

10 MR. HARRIS: That's correct.

11 MR. MAY: Okay.

12 MR. HARRIS: So the, I think for reference,
13 maybe we should have included the corridor wall here.
14 But for reference, you see this chase in the corner
15 here? It appears --

16 MR. MAY: Yeah, I've got it.

17 MR. HARRIS: Yeah, so that gives you
18 reference.

19 MR. MAY: There's something -- the one at the
20 bottom is elongated or something because those
21 proportions aren't the same.

22 MR. HARRIS: It's elongated because it's
23 picking up this portion here.

24 MR. MAY: Got it. Okay. Well, but you can't
25 pick up the portion that's underneath roof. A

1 mezzanine can be a third of the area that is below
2 it. Not a third of the unit that is below it. So
3 you have to define -- I mean the really -- okay, Mr.
4 Turnbull, I do need your pointer.

5 Okay. So, and maybe this is just the way
6 you're -- because you haven't called it out, but are
7 you saying that the mezzanine area, which is -- it
8 says 200, right?

9 MR. HARRIS: Correct.

10 MR. MAY: Okay. And so this is 600 to here.
11 Is that correct?

12 MR. HARRIS: That's approximately correct,
13 yes.

14 MR. MAY: Okay. So it needs to be exactly
15 correct or 200 or, you know, one third or less,
16 right? So your drawings need to demonstrate that.
17 Some of the drawings that we received in advance do
18 not show it that way.

19 MR. HARRIS: That's correct. We've taken --

20 MR. MAY: You've modified it.

21 MR. HARRIS: -- a closer look at that and --

22 MR. MAY: Okay.

23 MR. HARRIS: That's correct, yes.

24 MR. MAY: So that needs to be clear in the
25 general set of drawings and you probably ought to

1 have a simple drawing like this that makes it
2 absolutely clear, since it was confused in the
3 beginning.

4 Also, on the penthouse level, on some of the
5 renderings, and I can see it in that lower image --
6 this is, by the way, is a very nice pointer. Very
7 solid. Right over here we're seeing something like a
8 dividing wall between the private terraces. Right
9 there.

10 MR. HARRIS: Yes, correct.

11 MR. MAY: Sort of a sloped wall.

12 MR. HARRIS: That's correct.

13 MR. MAY: Okay. So, I know we didn't spell
14 out every single thing about the design of
15 penthouses, but one of the overriding issues with the
16 design of penthouses is that they're still supposed
17 to look more or less like the penthouses that
18 previously existed. And they didn't have things like
19 that. We didn't have a lot of extra stuff up there.
20 There were just basic boxes. And even when we do
21 this sort of terracing effect that we've done on a
22 few occasions, it detracts from that a little bit.
23 But it's within, it's kind of within the bounds.

24 I don't support having that kind of a thin
25 wall that's so obvious. I mean, a low wall I can

1 understand, or you know, something that's like the
2 handrail or the guardrail or whatever, I think that's
3 okay. But I think these sorts of things that, you
4 know, it's common on other buildings and if you want
5 to do it on the lower floors that's fine. It appears
6 on the lower floors, that's fine. But up on the
7 penthouse level, the penthouse should be as invisible
8 as it can be from the street.

9 In terms of the relief that's needed in order
10 to have that multiple story, I mean, I do not want to
11 give up this little bit of setback at the back, that
12 here. And so I think this is less desirable as a
13 form than this is. That's not to say that I support
14 doing this. You know, I think you have to make the
15 argument based on that, on the fact that you're
16 requesting this relief because you're trying to push
17 back from there. And you have to explain why, if you
18 didn't do that, these wouldn't be decent units or
19 something like that.

20 I mean, we're in a really weird area here
21 because I think one of the things that we did not
22 define well in the rewrite of the Zoning Regulations
23 for penthouses was the treatment of closed courts,
24 because I think when we talked, when we thought about
25 closed courts, we were thinking about truly closed

1 courts where the building surrounds it completely.
2 We weren't thinking about a closed court where in
3 this case it functions essentially as a rear yard.
4 And there should be that setback. If this were a
5 rear yard you'd have to have that setback. If this
6 were just a single building you'd have to have that
7 setback. You're getting away with it because this is
8 a through lot.

9 And I think that's something that we actually
10 ought to take up with the Office of Planning and try
11 to address, because I think that we don't want to
12 have this sort of circumstance. We always do want to
13 have that kind of setback. So I mean, I'd be willing
14 to consider this, but I think it has to be
15 demonstrable that that habitable space is not
16 otherwise habitable. And I certainly don't want to
17 go to what you have at the top because I think that
18 would be worse.

19 On these --

20 MR. TURNBULL: I think, Commissioner May,
21 you've touched on exactly my concern I was trying to
22 get to is --

23 MR. MAY: Yeah.

24 MR. TURNBULL: I think you're right, I think
25 we do need to address it.

1 MR. MAY: So on that same penthouse structure
2 at the east wall, and I don't think you have a -- you
3 probably have a perspective view that shows it, or
4 you can bring it up in plan, either way. There's a,
5 I think originally there was no setback of that
6 portion of the penthouse and now there's like a six
7 or an eight-foot setback at the east end there. So
8 it's just out of the image here. Like over here.

9 So that building, that portion of the
10 building is substantially taller than the northeast
11 building, right? And I think you do need to have a
12 setback there. And I mean, I know it's probably not
13 required again. Another one of those things where we
14 didn't necessarily explicitly address it in the
15 Zoning Regulations, but I think it should be done
16 because we really don't want to be, you know, over
17 here somewhere, looking up and seeing, you know, the
18 penthouse as if it's just a part of the building.
19 It's got to be set back so it looks like it's not
20 part of the building, or not part of the main
21 structure of the building.

22 I hate to make this all about penthouse
23 setbacks, but you know, this is a big complex
24 building and so --

25 On the southeast building, the height of that

1 building is 75 feet and it's shown as a 75-foot
2 maximum, right? And what defines that maximum? I
3 mean, is it just -- is it because you designed it, or
4 is it --

5 MR. HARRIS: Primarily the building code, for
6 stick constructions. That's the maximum.

7 MR. MAY: For stick construction.

8 MR. HARRIS: That's correct.

9 MR. MAY: Okay. But there's not a zoning
10 reason or Height Act reason or anything else that's
11 constricting it to 75 feet?

12 MR. HARRIS: That's correct.

13 MR. MAY: Okay. So that's why -- now, what
14 threw me off is that you have a section through it
15 and you're showing a dashed diagonal line for a one
16 to one setback, but it's cutting right through the
17 parapet if you will, of that top floor. But that top
18 floor is not a penthouse, right?

19 MR. HARRIS: That's correct.

20 MR. MAY: Right. It's just a floor, so it's
21 really just a penthouse, and that's really just the
22 guardrail for the deck.

23 MR. HARRIS: That's correct, yes.

24 MR. MAY: Okay. So yeah, throwing in that
25 extra setback line just --

1 MR. HARRIS: Yeah.

2 MR. MAY: You know?

3 MR. HARRIS: It was a graphic error. Yeah.

4 MR. MAY: Yeah, you're just trying to draw my
5 attention to it, I know, because if that actually
6 were either the roof level or a penthouse then you'd
7 have to -- well, first of all you couldn't have the
8 terrace on top of the penthouse. But if it were
9 actually a roof level I think you might have to set
10 that back.

11 I think we already talked about the
12 allocation of the IZ units and we need to see those
13 in plan, and you can, you know, request that there be
14 some sort of flexibility if that need be. But we do
15 need to see the plan.

16 What drives me is the concern about some of
17 the interior corner two-bedroom units. So why don't
18 you bring up a plan of the southwest section of the
19 building? Could you do that? One of the floor
20 plans. So one that shows the units.

21 MR. HARRIS: Okay. I'll show a typical
22 floor.

23 MR. MAY: Right.

24 MR. HARRIS: This is the -- sorry, the
25 southwest?

1 MR. MAY: Southwest, yeah. Okay. Right
2 there. So, oh, there it is. So right over here. I
3 think that's labeled as a two-bedroom, two-bath. Oh,
4 sorry. This one over here is labeled as a two-
5 bedroom, one-bath. So how do you get a two-bedroom,
6 one-bath unit with a stretch of windows that looks
7 like no more than 12 feet or 10 feet, or something
8 like that? How can you get two bedrooms and a living
9 space with natural light in a unit like that?

10 MR. COLBERT: I have two comments about that.
11 One is, you know, these were rough designations of
12 where the units are going to be going. And we're
13 actually laying out some of the units now and so some
14 of the demising walls between units are shifting a
15 little bit. We're not changing the number of units
16 or the general profile of the way they're, you know,
17 distributed here. But in laying out the plan, you
18 know, some of those interior lines are moving a
19 little bit based on some of those issues. But also
20 one thing that's really changed a lot in the
21 apartment building design in the last several years
22 is the acceptability of interior bedroom.

23 As a matter of fact, I was over at the Shay
24 last week and the manager was telling me that some of
25 the first units that have rented there is the 650

1 square foot with the interior bedroom. So --

2 MR. MAY: And I can understand that, and I
3 can appreciate that, that you know, there are a lot
4 of people who are, you know, going for that, the
5 quote, "interior bedroom," which is just, it's like a
6 big studio with a, you know, with a big you know,
7 double-glass doors or something like that, right?
8 Separating it from the living space. I can
9 understand that. That's a perfectly reasonable one-
10 bedroom unit.

11 When I see something like this, that's a two-
12 bedroom unit and it's that sort of interior courtyard
13 space, what I'm concerned -- you know, I don't really
14 care about what the unit design is on the interior.
15 I mean, I guess sell whatever you can sell, even if I
16 would never buy it. But what I don't want to have
17 happen is to have clearly inferior units. I mean,
18 everything else is a really good unit, and then
19 you've got some really inferior ones that are tucked
20 in, in the corners. I don't want those to wind up
21 being the IZ units.

22 And so that's why it's important to
23 understand how you make some of these units, and that
24 they're not where all of the IZ units are placed.

25 MR. COLBERT: I can guarantee you that's not

1 going to happen because IZ does not allow a non-
2 window bedroom to be counted as a bedroom. Also, in
3 a two-bedroom in that condition, at least one of the
4 bedrooms would have a window. But --

5 MR. MAY: Right. And what I don't understand
6 is how you can fit it in with the amount of glass
7 that you have there. So, you know, if you could just
8 -- you know, if you're starting to lay out how the
9 units are and you know how some of these corner units
10 are going to go, that's fine. Or if you want to, you
11 know, indicate where the IZ units are, and they're
12 nowhere near those sort of trouble spaces, you know,
13 that's fine.

14 MR. COLBERT: Okay.

15 MR. MAY: In the northeast building, I'm
16 sorry I'm hopping all over the place, but northeast
17 building, you've got a stairway -- you've got a
18 stairway and elevator court. You've got two stairway
19 and elevator courts. And one of them -- yeah, okay.
20 So when you get up to the roof -- uh-oh. I might
21 have killed your -- sorry, Mr. Turnbull. Your very
22 sturdy laser is -- oh, there we go. You've got to
23 shake it a little bit.

24 All right. So right here. So that stairway
25 is what's driving the need for setback relief there,

1 right?

2 MR. HARRIS: That's correct.

3 MR. MAY: So can you go down to one of the
4 typical floorplans?

5 All right. So can you --

6 MR. HARRIS: I'm sorry.

7 MR. MAY: Any one of them. So can you
8 explain to me why this stairway can't be over here?

9 MR. HARRIS: Primarily it has to do with the
10 layout of the lobby, which we have shifted to the --
11 I'm going to just go down a few more floors here to
12 the first floor. In previous submissions the lobby
13 was located closer to the plaza in the middle of the
14 site. Almost there. Sorry. Here we are.

15 Could I use the pointer, please? Thank you.

16 The plaza is located here, as you know. The
17 lobby was located in this area and the adjacency that
18 we had of the loading dock to the elevator core was
19 important. In some of the negotiations, or
20 conversations I should say, with the neighbors who
21 felt like that the alley would be too over-utilized,
22 we decided to move the loading dock closer to the
23 entry at Harry Thomas Way, and that, in so doing, we
24 moved the elevator core as well. And naturally the
25 elevator core also wants to be close to the lobby, so

1 that moved the lobby farther to the east. It's a
2 roundabout way of describing the stair isn't located
3 here is because it damages sort of what is already a
4 somewhat small lobby space. So it's pushed into --
5 tucked into what would otherwise be a fairly generous
6 loading space. So, I believe we also have impact on
7 the garage layout below. But I have to look at that.

8 MR. MAY: All right. So I think it's worth
9 taking another look at because, you know, I've made
10 this case on many other zoning cases where you know,
11 there are ways to manipulate stairways or ways to
12 place stairways that avoid having to do setbacks.
13 Elevators are a little bit more understandable
14 because they can't -- you know, you can't do a
15 transfer on a -- you know, a horizontal transfer.
16 And it seems actually here that you have a fairly
17 generous lobby. And so maybe that stairway could
18 work if you turned it 90 degrees and put it across
19 from the elevators.

20 You know, that's not to say that it works
21 below it. I don't know whether it works below it.
22 Just please take another look at it because I don't
23 like granting relief for penthouse setback on
24 stairways when it can be avoided. And a lot of times
25 it can be avoided.

1 So, several folks have mentioned the NoMa
2 Park, and it's shown on the drawings as the Proposed
3 NoMa Park. Can any of you talk about what that is
4 and when it's going to happen, or is that something I
5 need to ask the Office of Planning?

6 MR. MOLL: If it's possible, we'd like to
7 bring our partner, business partner, John Wilkinson
8 up.

9 MR. MAY: Okay.

10 MR. MOLL: He's had the most conversations
11 with the NoMa Bid about it.

12 MR. WILKINSON: Good evening. My name is
13 John Wilkinson with the Boundary Companies. We've
14 had numerous meetings and preliminary discussions
15 with NoMa Bid about the park. They have acquired the
16 two-acre park, so they do own two acres, fee simple.
17 They're currently in the planning stages now, and
18 programming for the park. And they don't have an
19 exact date for when they'll start construction, but
20 their estimates are within 2017 they'll start
21 construction on that park.

22 But to answer your question it's -- what we
23 know today is it's two acres.

24 MR. MAY: Great. Just knowing that NoMa Bid
25 has actually acquired the property is a huge thing,

1 so I think that that's very helpful.

2 There were some images of the -- do you
3 actually have a view of the eastern section of the
4 promenade? I mean, I've seen a lot from the west
5 side and driving in, and the elevation quit at the
6 plaza. I kind of wanted to see the rest of that but
7 is there anything that really shows it? Okay. Is
8 that --

9 MR. HARRIS: We'll try to get that going
10 again.

11 MR. MAY: Oh, I see. Is that the only thing
12 that shows it, because, you know it's hard for us to
13 put a video into the records, I think. Although
14 actually, this can, now that it's all electronic, Ms.
15 Schellin, can we just have that in the -- that video
16 in the records? No? Oh. So some still shots of
17 that.

18 MR. HARRIS: Here we are.

19 MR. MAY: Okay.

20 MR. HARRIS: I'm not going to touch it for
21 fear it's going to freeze again.

22 MR. MAY: Right.

23 CHAIRPERSON HOOD: I actually want you to
24 play that all the way back over because there's a
25 part in it I want to see again. So if you get it to

1 run again --

2 MR. HARRIS: Okay.

3 CHAIRPERSON HOOD: -- I want to particularly
4 -- excuse me, Commissioner May.

5 MR. MAY: Go ahead.

6 CHAIRPERSON HOOD: Mr. VanPelt, I want to
7 particularly watch the bicycle and the pedestrians
8 because I might have a question on that when we come
9 back. See the bicycle, Mr. -- okay. I want to talk
10 about that.

11 MR. MAY: I think Mr. VanPelt was being a
12 little too modest about their ability to do
13 visualizations for traffic modeling. I've seen some
14 of those visualizations and it's great. It's sort of
15 like watching the ant farm. But --

16 MR. VANPELT: It's more like watching an ant
17 farm --

18 MR. MAY: Yeah.

19 MR. VANPELT: -- than actually watching
20 people. Yes.

21 MR. MAY: Yeah. Not as pretty as this is.
22 Yeah, we're still not seeing much of that view to the
23 east. And if you don't have an image of that, I
24 think that might be helpful to just see that.

25 There are some images that are suggestive

1 what it might look like. And so we're -- you know, I
2 have all sorts of pictures in my head about what it
3 could be, but none of them is what it actually is and
4 it's kind of hard to tell from the straight up plans
5 and elevations.

6 There was a reference to the Gale being over
7 parked and the ability to take advantage of that.
8 And then of course DDOT saw that as a potential
9 disadvantage because it's going to potentially drive
10 more cars into the neighborhood. And so what I'm
11 wondering is, what is the parking ratio of this
12 project compared to what was happening at the Gale?
13 Does anybody know that?

14 MR. MOLL: I know the Gale was one space per
15 unit.

16 MR. MAY: One per unit?

17 MR. MOLL: Yeah. And the demand right now
18 has been about a .5, you know, point fiveish, I
19 think. Maybe a little bit less than that.

20 MR. MAY: And this is parked at what?

21 MR. HARRIS: .48.

22 MR. MOLL: Well, it's one per three dwelling
23 units.

24 MR. MAY: One per three. Okay. So you're
25 kind of counting on, if theoretically the Gale next

1 door is parked at .5 and you're only providing .33 or
2 whatever, you're kind of counting on the fact that
3 some of those folks might be parking next door?

4 MR. MOLL: I think there are a couple of
5 things that are happening that might drop -- I mean,
6 on our projects on 14th Street and in Shaw, those are
7 closer to a .33. And I think as soon as the --
8 especially as soon as the connection is made from Q
9 Street and Harry Thomas Way to the Metropolitan
10 Branch Trail, and that cuts the time down to walk to
11 the Metro, I think that, along with having more
12 services accessible within walking distance will cut
13 down on the car usage.

14 MR. MAY: Okay. I don't think I have any
15 other questions. Mr. Chairman.

16 CHAIRPERSON HOOD: Okay. Mr. VanPelt, let's
17 go back to that slide. We don't need to play it
18 again because it may freeze, but how are we going to
19 manage the -- we only saw one bicycle with
20 pedestrians. How are we going to manage that? I
21 mean, has there been any thought behind what we saw,
22 because I mean this is what I talk about all the time
23 and you actually bring me something, and I really
24 need this for a lot of other cases.

25 How are we going to control that? Or what

1 are any traffic mitigations between the bicycles and
2 the pedestrians?

3 MR. VANPELT: Well, I think the -- I mean,
4 there's no doubt about it. This space has really
5 been designed to be very pedestrian oriented. I
6 mean, I think even -- so even for two-wheeled bicycle
7 traffic they're going to have to really yield to
8 pedestrians, and this is going to feel like a space
9 that, you know, that even the cyclist and I think
10 Gabby is getting ready to -- she wants to probably
11 add some comments that even the cyclists, just like
12 the cars, will realize that they're in a very
13 pedestrian realm and this is not a space that has
14 been necessarily catered to them in terms of how it
15 will operate.

16 We have bike lanes on Harry Thomas Way.
17 There's bike lanes on Eckington. There's bike lanes
18 at 2nd and 3rd. That's a very established
19 infrastructure that is there that says, for the
20 cyclist, just like the traffic lanes are for the
21 cars, that this is my space. When you enter the
22 promenade it is going to be a place that, if you're
23 not on foot, that you're going to feel that you have
24 to conduct yourself differently.

25 MS. CANAMAR: And just to add, if I may,

1 Commissioner Hood, the design of the paving
2 designations between the pedestrian only areas versus
3 the pedestrian sort of mingle areas where bikes or a
4 vehicle may drive through, is specifically designed
5 to be a straight line. So that discourages the sort
6 of fast cut through.

7 And so in the amenity of JBG's strategy for
8 the merchandise in plan and have café tables kind of
9 grouped throughout in a sort of a little more random
10 way, it would deter somebody that wants to cut
11 through at high speed.

12 And like Danny just mentioned, the commuter
13 biker would prefer to go on a bike facility that is
14 demarcated on pavement that is ready to go on a, you
15 know, vehicular way. This is occasion cut through
16 but it's really supposed to function as a pedestrian
17 promenade.

18 CHAIRPERSON HOOD: Okay. But what you all
19 brought down here tonight to show me, shows me a
20 bicyclist just riding on through.

21 MS. CANAMAR: It's just -- yeah.

22 CHAIRPERSON HOOD: So I really think we need
23 to consider that. And I like the promenade. I'm not
24 going to say I don't. I think we really need to
25 figure out whether we have signage or something

1 explaining to bicycle owners or riders, stay to your
2 right. But this one that you all brought down here
3 tonight, is going right down the middle. So I would
4 suggest that I'd like to see that before I take any
5 final action because part of our job is to protect
6 the safety and health of the residents of this city.
7 And to me, if I vote on something like that, what you
8 brought down here to show me, then I'm not doing
9 that. I'm not doing my job.

10 So I really do like the promenade. How will
11 I know -- how do we know when the promenade is going
12 to close to vehicles?

13 MR. VANPELT: Well, I think the loading
14 management plan stipulates that there will be times
15 that it could close. I think that's going to be
16 determined in the future and maybe Heather can talk a
17 little bit more about that because they've thought
18 about, you know, some of the retailers they're going
19 to have here. But it is going -- we don't know at
20 this point in time when it will close or you know,
21 even if it needs to be closed. But it's expected
22 that there will be, if this is very successful times
23 when it really needs to be all pedestrian.

24 CHAIRPERSON HOOD: And let me ask you this.

25 MR. VANPELT: Yes.

1 CHAIRPERSON HOOD: And if it close, what we
2 have? What do we have, barriers, or we'll just cut
3 it off, rope it off. How do we close it?

4 MR. VANPELT: I think, Heather, do you want
5 to comment a little bit on that in terms of what you
6 envisioned?

7 CHAIRPERSON HOOD: I didn't see that.

8 MR. HOWARD: Yes, sure. So we're looking at
9 movable FF&E, so whether it's a planter or an actual
10 bollard that's able to be moved, and we would put it
11 out. Our loading management plan stipulates we would
12 put it out within a minimum of an hour before the
13 promenade is closed so that people are aware well in
14 advance of the intended closing. We also have
15 signage that's clearly indicated whether it's a
16 product of that bollard or FF&E plantage (sic),
17 saying that the promenade is closed for an event.

18 We anticipate with the activation of this
19 promenade, it would be closed on peak periods during
20 the weekends when we're requiring these retailers to
21 activate the promenade. So it will also become a
22 regular reoccurring function that people in the
23 community would begin to expect and anticipate the
24 promenade is closed during these days on the
25 weekends. Or during these hours.

1 CHAIRPERSON HOOD: And the loading dock
2 manager, whatever you call it, I think you called him
3 a loading operator, he would make that decision or
4 she would make that decision --

5 MR. HOWARD: Correct.

6 CHAIRPERSON HOOD: -- within the hour, and
7 there would be an hour to get everybody ready for
8 that transition.

9 MR. HOWARD: Yes. And that's a minimum of an
10 hour. Obviously if they're able to put it out
11 earlier, if we know Saturday is an event at 10:00
12 a.m., there's no reason to wait until 9:00 a.m. They
13 can put it out earlier. But yes, there will be
14 somebody designated from the property management team
15 to circulate throughout the promenade to look for
16 congestion and make sure everyone is loading
17 properly, and also they would be responsible for
18 closing it down during the appropriate times.

19 CHAIRPERSON HOOD: I think you all have
20 memorialized some of that, but I don't think --
21 you've left some of what I'm hearing. If you can
22 direct me to it. If not, let's tighten that up a
23 little bit, what your plan is for the promenade.

24 MR. VANPELT: Yeah, I think one of the things
25 too, to think about, you know, functionally we will

1 be handling retail, servicing the retail and the
2 loading will happen on the promenade. But from a
3 vehicular -- and there will be some, you know, pick-
4 up, drop-off activity. But functionally there's no
5 parking access from the promenade. It's not going to
6 serve through traffic. So, you know, it really is
7 more of a -- it's a convenience sort of street that
8 then can be closed down when they need to close it
9 down.

10 CHAIRPERSON HOOD: Right.

11 MR. VANPELT: So it's not that we're
12 hampering functionally, you know, causing major
13 impacts from a circulation standpoint to the greater
14 neighborhood by closing it.

15 CHAIRPERSON HOOD: Okay. I think I get that
16 from what I've read in the submission. But let's
17 just tighten that up a little bit.

18 And the Metropolitan Branch Trail, I've been
19 hearing about, not just from you all, from everybody.
20 What portion to portion are we looking at for doing
21 some of the safety lighting? I know it's needed and
22 I know the community really is pushing for that. But
23 are we talking about putting it anywhere, or in the
24 Eckington area?

25 MR. HOWARD: We're talking about the

1 Eckington area and specifically the residents have
2 requested north of R Street. We do understand this
3 zig-zag will be fixed, but still we find the need for
4 maybe an additional call box or lighting, or some
5 other security improvements that go along with
6 straightening the path. So, yes, specifically the
7 Eckington area and north of R Street or I guess
8 midway R Street somewhere.

9 CHAIRPERSON HOOD: So there is some lighting
10 there now but they want some additional lighting, to
11 add to the lighting that's already there.

12 MR. HOWARD: Lighting and/or a call box or
13 security camera. We're really looking to DDOT to see
14 what would improve the safety, and we would help
15 support funding that.

16 CHAIRPERSON HOOD: Let me ask you, you all
17 can support funding something, or are you going to
18 actually do something, because there's a difference?

19 MR. HOWARD: We will be providing the
20 contribution to DDOT, the \$25,000.

21 CHAIRPERSON HOOD: Okay. And DDOT in turn,
22 as you know, will be working with the community to
23 find out exactly what needs to go to -- okay.

24 Was that spelled out? Was that spelled out?

25 MR. HOWARD: I believe so, in the updated

1 loading or TDM plan that was submitted today.

2 CHAIRPERSON HOOD: Okay.

3 MR. VANPELT: Yeah, it was included in there.

4 CHAIRPERSON HOOD: Okay. That was hidden
5 too. Okay. Let's see. You know, as mentioned by my
6 colleagues, and I'm not going to be repetitive, but
7 this is a lot of stuff going on, a lot of things,
8 actions happening here. That's why we need to get it
9 right. And I'm going to join the Vice Chair with
10 pushing this for Gold. I'm going to get behind her
11 on that one so we need to find a way. I saw you all
12 taking notes when she mentioned that.

13 And let me go back to a comment that was made
14 earlier about having to push to get retail to come
15 down in this area. I don't believe that. I'm sorry,
16 I just don't believe. I think you made the argument.
17 I just really don't believe that. I know they're
18 getting ready to go out to, I think, Las Vegas. Is
19 it this month? City. The mayor and all. I don't
20 know if she's going but I know that the mayor --
21 they're going out to Las Vegas to -- and let me tell
22 you, people are chomping at the bit to get here. And
23 they been doing it since Mayor Williams' day.

24 So that argument you making about down there
25 -- now back when XM came, I would probably say that.

1 But not now. So I don't buy that argument. I didn't
2 do no market research, but I just don't buy that
3 argument. I'm a realistic.

4 MR. MOLL: And Just for, I mean, just to
5 clarify, I don't think it's necessarily that retail
6 won't go there. I think we're very optimistic that
7 retail will go there. I think it's just a matter of
8 the value that you get for the rents that you'll be
9 able to charge the retailers to go into that location
10 will be much below sort of more, you know, below
11 Union Market, established retail locations like Union
12 Market or NoMa. We're not negative on retail going
13 there. I think it's going to be a great opportunity
14 for retail. It will just be at diminished rents.

15 CHAIRPERSON HOOD: Okay. I believe you'll
16 find them pushing your door down. Trust me. I was
17 going to talk about repaving the alley but I
18 understand what's going on there now.

19 First Source. Do we have a signed First
20 Source agreement?

21 MR. UTZ: It's not signed but it is
22 customized for this project. Submitted on February
23 29th.

24 CHAIRPERSON HOOD: So it's not in effect. We
25 don't have any signatures.

1 MR. UTZ: No, but it would be a condition of
2 the order to have it in place by --

3 CHAIRPERSON HOOD: If it's proposed, final
4 action, we need to have that in place before final
5 action. And here's the thing, we need to make sure,
6 especially in neighborhoods, neighborhoods that we
7 can start getting the pool ready in the city for some
8 of this First Source that I don't -- I don't know,
9 did you all do CBE also?

10 MR. UTZ: We did not submit a CBE.

11 CHAIRPERSON MR. UTZ: VANPELT: I think the
12 intent is that the First Source is a benefit of the
13 project and the CBE adds a layer of cost that we are
14 allocating to things like the subsidized maker space.

15 CHAIRPERSON HOOD: Six percent of the
16 housing. Okay.

17 MR. UTZ: Be 60 percent affordable. Yeah --

18 CHAIRPERSON HOOD: Okay. I can answer the
19 question for you, move us along. I got you. But I
20 think that we really need to make sure that we get
21 the pool ready. And especially if we can get the
22 Eckington neighbors, you know, to really be able to
23 get some of those jobs. And so we need to be working
24 on that more up front as opposed to waiting until the
25 zoning order is approved and -- because we have had

1 many meetings with Employment Services and trying to
2 move that along and make sure that thing is working
3 like it's supposed to be. Because it's more than
4 just coming down here, telling us we enter into an
5 agreement to go out the door and we going to ride by
6 there, everybody from West Virginia is working there
7 or working in the neighborhood. And that's not going
8 to work. Okay? And I know part of that is with the
9 CBE, but even with the DOES.

10 So if we can work on that pool and kind of
11 get the city ready in advance I think that would be
12 great. And I'm sure the neighborhood would
13 appreciate it.

14 I think my colleagues have really hit a lot
15 on about the design, especially with the setbacks.
16 And I'm not sure, I think I'm -- who was that that
17 talked about the setback with the stair, stairwell?
18 Was that you, I think, Commissioner May? I would
19 whole heartedly agree with that. I would be hard
20 pressed to -- I'm sure we could find a way to make
21 those setbacks work. Especially that one. If not,
22 convince us. I'm not convinced.

23 We fine-tuned some of those things. I'm sure
24 that it seems like you have overwhelming support.
25 Only person I saw, I think, and you all can correct

1 me, did you have any opposition other than some
2 concerns? The neighborhood was very enthusiastic
3 about this.

4 MR. UTZ: Yeah. Correct.

5 CHAIRPERSON HOOD: How long is it going to
6 take to get done if it's approved?

7 MR. MOLL: Well, we think it probably would
8 take about another year to finish drawings and then
9 we could start construction at, you know, hopefully
10 around this time next year. And then construction
11 would probably take about 22 to 24 months.

12 CHAIRPERSON HOOD: And the phase plan that
13 you all asked about?

14 MR. MOLL: So we'd like to build it all at
15 once, because ideally we'd be able to do that. I
16 think the concern is that if we hit a soft patch in
17 the market that delivering 700 residential units at
18 once might be difficult. So we want a little
19 flexibility to phase it. But, you know, we would
20 hope to deliver it -- we'd want to deliver them in a
21 pretty concise time.

22 CHAIRPERSON HOOD: Okay.

23 MR. MOLL: Together, if they were phased.

24 CHAIRPERSON HOOD: And my last question, I
25 think. Flower Warehouse, are they part of the retail

1 OR --

2 MR. MOLL: Yeah, we've actually been meeting
3 with them to talk about whether or not they'd be
4 interested in coming back into the project.

5 CHAIRPERSON HOOD: What have they said?

6 MR. MOLL: They would, I think. So Heather
7 can talk to it.

8 MR. HOWARD: They are interested. Some, I
9 guess difficulties have to do with loading and
10 accommodating a tractor trailer sized loading ban
11 into the project as it's currently designed. An 18-
12 wheeler currently wouldn't fit. So, but we are
13 trying to make it work. Maybe they can downsize or
14 have limited operations but we have talked with them.

15 CHAIRPERSON HOOD: Let's figure out how to
16 make it work. Okay. So when you all come back I'd
17 like to hear how you make some of the existing
18 businesses that have been there for long, how you
19 made it work with the new business. I mean, with the
20 new structure that's coming in because I think that's
21 very key.

22 They were there when a whole lot of other
23 people wouldn't even come around there. I mean, walk
24 around there. So I think that's very important.
25 Okay?

1 All right. Thank you. That's all the
2 questions I have. Mr. Turnbull?

3 MR. TURNBULL: Thank you, Mr. Chair. I just
4 wanted to go back to getting back to what you were
5 talking about earlier, on the promenade.

6 There's curb cuts at both Eckington and going
7 on. I mean, it's one way in from Eckington. It's
8 not geared to automobiles, but automobiles could go
9 in there. So if I was on my motor bike with sidecar
10 and I've got Chairman Hood, and he wants to go to the
11 bakery, pick up his bagels and croissants, I could go
12 in and drop them off there. And then I wouldn't be
13 restricted.

14 MR. MOLL: Yeah, that would be correct. I
15 mean, when the promenade is open that would be the
16 case. And the way that we're planning on operating
17 the -- planning on operating the promenade is with
18 special FF&E, but also with the specialty paving that
19 Land Design has designed. It's meant to be somewhat,
20 you know, it's a traversable street for an automobile
21 or any other vehicle.

22 MR. TURNBULL: But there's no curb. There's
23 simply a different color stone that separates
24 pedestrian or the middle part. Wasn't there a
25 different color stone or something?

1 MS. CANAMAR: it is designed to be different
2 colors to help differentiate in addition to urban
3 furnishings.

4 MR. TURNBULL: Okay.

5 MS. CANAMAR: Between the planter pots and
6 all the café zones.

7 MR. TURNBULL: But a taxi could go in there,
8 FedEx could go in there, a UPS truck --

9 MS. CANAMAR: Yes.

10 MR. TURNBULL: -- could go in there.

11 MS. CANAMAR: UPS truck, drop for the lobby
12 entrances.

13 MR. TURNBULL: And obviously a small package
14 truck delivering. Obviously not an 18-wheeler. I'd
15 like to see you do a drawing of an 18-wheeler going -
16 - I think that would be in the --

17 MR. MOLL: Yeah, I don't think 18-wheelers
18 will fit.

19 MR. TURNBULL: Yeah. But you know I guess
20 what I would like to see is the drawing, a
21 perspective drawing or a plan that actually shows
22 some automobiles in there, coupled with bicycles and
23 people. It just, I mean, if no one is restricted
24 ongoing through and I know people aren't going to
25 want to go through, but there's always people that

1 just want to do things and I'm just worried about --
2 but I'd like to see an element of how that actually
3 lays out as it's going down there, just to see how
4 the different pieces fit on that promenade. I think
5 it will be an exciting place. I just don't want to
6 see it be misused. And because you've also got a
7 residential lobby and I'm sure you're going to have a
8 taxi coming in and dropping off. And you've got
9 people who are going to be -- little kids going to be
10 walking around too. So, it seems like it's going to
11 be a very busy kind of a place.

12 I mean, Europe has it all the time but
13 they're small streets and we're not quite used to it
14 here. We're a little bit, still, drive like crazy.

15 So I would just like to see something that
16 would kind of show that maybe in plan, and maybe in
17 rendering or something, looking down the street to
18 see how that would really look.

19 MS. CANAMAR: We can take care of that.

20 MR. TURNBULL: Okay.

21 MS. CANAMAR: And just to add to your comment
22 about you and Commissioner Hood going for muffins on
23 your motorcycle.

24 MR. TURNBULL: Yeah. Yeah.

25 MS. CANAMAR: There won't be any parking

1 allowed. So that --

2 MR. TURNBULL: No, see I'd just wait. I wait
3 outside, he goes in and gets them.

4 MS. CANAMAR: In and of itself, that would be
5 a deterrent for somebody to kind of do a kind of a
6 long term. You know, if somebody wants to spend some
7 time they would go and park on the street or on the
8 garage.

9 MR. TURNBULL: Right.

10 MS. CANAMAR: To go and patronize the
11 businesses. But if somebody wants to cut through and
12 just experience the place, then they will be allowed
13 to do that.

14 MR. TURNBULL: Well, Commissioner --

15 MS. CANAMAR: But you're right. I mean,
16 it --

17 MR. TURNBULL: Commissioner Cohen wants to go
18 in and get flowers so I'd drive her down and she runs
19 in and gets them. And so we --

20 MS. COHEN: No, I'll be --

21 MR. TURNBULL: Okay. Thank you.

22 MS. COHEN: -- at the bakery.

23 CHAIRPERSON HOOD: Actually, if somebody does
24 not, how is that going to be enforced? Who is going
25 to enforce when somebody comes down and just parks?

1 MS. CANAMAR: We believe that -- if I may?
2 We believe that signage is going to play a big role
3 here too.

4 CHAIRPERSON HOOD: But I mean, if I do it
5 what enforcement mechanisms do you have, other than
6 to just get mad with me and I don't pay you no
7 attention?

8 MR. MOLL: Our property management will
9 enforce that. We'll have dedicated staff that will
10 be enforcing it.

11 CHAIRPERSON HOOD: I mean, will they have
12 some ticket writing authority or something? What
13 would they do?

14 MR. MOLL: I mean, they could call somebody
15 to have them towed if they park.

16 CHAIRPERSON HOOD: Oh, by that time they'll
17 be done with anything they're doing and gone. Trust
18 me. Okay.

19 MR. MOLL: Yeah.

20 CHAIRPERSON HOOD: But they will have that
21 authority, to call?

22 MR. MOLL: Yeah. I mean, they'll have the
23 authority to call and, you know, I think policing is
24 too strong of a word, but there will be JBG
25 management, or management employees that will be

1 there to make sure that people -- if people stop, get
2 out of their car, they look like they're parking and
3 they're caught, they'll be asked to get back in their
4 car and move because there's no parking. So, yeah.

5 CHAIRPERSON HOOD: I can expound on that a
6 little more because that, to me, puts them in harm's
7 way. So I don't know. We need to probably look at
8 that a little better than what I'm hearing. You
9 know? Let's look at that a little better and see
10 what you can come back with. Okay? All right.

11 Anything else? All right. Do we have any
12 representatives from ANC 5E here tonight? Okay.
13 I'll do their report later. See if they had cross-
14 examination. I'm sorry?

15 MS. COHEN: I thought this man raised his
16 hand.

17 CHAIRPERSON HOOD: Is somebody here from ANC
18 5E? Okay. I know Chairperson Quinn, and I you know,
19 I do know a few people in this city and I don't see
20 them. Do we have any ANC representatives here who
21 want to cross-examine? That's what we're doing now.
22 Okay.

23 Let's go to the Office of Planning, and after
24 that, DDOT, and then after that Department --

25 MR. COCHRAN: Thank you, Mr. Chair.

1 CHAIRPERSON HOOD: Hold on. Then after that
2 we'll go to the Department of Energy and the
3 Environment. I've got it. Okay.

4 MR. COCHRAN: Yeah. Thanks, Mr. Chair.
5 Between what the applicant submitted tonight and the
6 questions that the Commission asked tonight, most of
7 OP's concerns have been addressed. So rather than
8 repeat the report I'm going to just hit what we think
9 still needs to be addressed.

10 The zoning relief for the penthouse, it seems
11 like they might need to request relief from having
12 habitable space with walls of two heights, rather
13 than the one single height that is allowed. Also
14 wondering about whether they have two stories, given
15 what they were saying about the hallways on the north
16 side of the penthouse. And again, should be one
17 story.

18 With respect to IZ, they asked for relief
19 from 2603.2. I think they might want to check and
20 see whether they don't really need to be asking for
21 relief from 2603.3. DDOT and DD0E are here.

22 With respect to IZ it sounds like you might
23 be going LyTec. If so, there may need to be
24 something in the conditions that ensures that the
25 affordable units continue as IZ units at the

1 expiration of the LyTec terms.

2 With respect to the benefit and amenities,
3 the Commission has already talked about the need for
4 greater specificity. I would note that the applicant
5 used the word proffer a lot of times. In OP's
6 estimation only eight of the 19 items that they list
7 as benefits and amenities are actually proffers. The
8 rest are either endemic to the project or their
9 mitigation.

10 For design we echo the concern about the
11 perhaps too overt historicism of the design and note
12 that all of the examples that were used were from
13 outside of the Washington area in what they submitted
14 tonight.

15 Landscaping plans probably need a bit more
16 consistency. Sometimes the public space paving is
17 shown as concrete block. Sometimes it's shown as
18 just plain old poured concrete. They'll have to go
19 through public space review anyway.

20 And finally again, something that the
21 Commission has raised, the viability of the
22 nonresidential uses. We still think it might be
23 appropriate to give a comparison on what's going to
24 make this nonretail space different from the other
25 nearby retail -- non-retail spaces that are -- excuse

1 me, nonresidential spaces that are being constructed
2 in nearby developments. Might it be appropriate to
3 have a design that can be converted to residential in
4 the future without having to come back and look at
5 structural changes to the building. We realize, as
6 the applicant said, that they would have to come back
7 for a modification. But you might want to explore
8 whether the design can accommodate other types of
9 uses should this retail not work out.

10 And then finally, there might need to be some
11 conditions on how to activate those spaces during --
12 if there is a time period when they're not rented.
13 And that's it for OP's report.

14 CHAIRPERSON HOOD: Okay. Let's do that.
15 That's quite a bit. Mr. Cochran, you mentioned --
16 what did you say at first about the setback;
17 setbacks? I don't type that fast. Your first
18 comments if you could help me?

19 MR. COCHRAN: Okay. The regulations allow
20 habitable space to have uniform exterior wall
21 heights. This one has two exterior wall heights and
22 habitable space.

23 CHAIRPERSON HOOD: All right.

24 MR. COCHRAN: And then there was also -- I'm
25 just looking ahead. There were also a couple of

1 corridors shown, and I just couldn't tell from what
2 they submitted tonight whether that's habitable space
3 on two stories, or not.

4 CHAIRPERSON HOOD: Okay. Any other
5 questions, Office of Planning? Anybody? Okay. Ms.
6 Israel. DDOT.

7 MS. ISRAEL: Good evening. Thank you,
8 Chairman Hood and Commissioners. To keep this brief,
9 ultimately DDOT would like to thank the applicant for
10 working extensively with us to address all of our
11 concerns that we outlined in our report. The
12 proposed mitigations outlined in tonight's
13 presentation and also provided in the exhibits
14 appropriately mitigate the impacts that we brought to
15 attention within our report as Mr. Cochran noted,
16 regarding the paving materials and consistency among
17 various pages within the various exhibits.

18 We would like to note that the applicant is
19 expected to continue working with DDOT on the design
20 and paving materials in public space, particularly as
21 it relates to DDOT's livability study improvements.
22 And that will be taken care of during the public
23 space permitting process.

24 Thank you, and if you have any questions.

25 CHAIRPERSON HOOD: Okay. Any questions of

1 DDOT? Mr. May.

2 MR. MAY: Just real quick. You think that
3 they have addressed everything that you raised in the
4 report at this point?

5 MS. ISRAEL: Yes.

6 MR. MAY: Okay.

7 CHAIRPERSON HOOD: Okay.

8 MR. TURNBULL: I just had one. On the
9 promenade, which is pedestrian/vehicle, is there any
10 kind of a calming -- I hate speed bumps, but do they
11 need anything that would make it less attractive for
12 outside people who are --

13 MS. ISRAEL: We don't really like speed
14 bumps --

15 MR. TURNBULL: I know, I don't either.

16 MS. ISRAEL: -- either, quite frankly. I
17 mean, there are other --

18 MR. TURNBULL: Yeah.

19 MS. ISRAEL: -- mechanism speed tables.

20 MR. TURNBULL: Yeah.

21 MS. ISRAEL: Ultimately this is private space
22 so we don't have --

23 MR. TURNBULL: Yeah, I'm just curious, I'm
24 just worried about --

25 MS. ISRAEL: -- control over that.

1 MR. TURNBULL: I mean, I like the idea. In
2 one sense I'm just concerned about the mix of taxis
3 and cars and people and --

4 MS. ISRAEL: But there certainly are design
5 mechanisms.

6 MR. TURNBULL: Yeah. Okay.

7 MS. ISRAEL: That can --

8 MS. CHAMBERLIN: Sorry. So to address, I
9 think they designed this appropriately. It's a
10 narrow way. As shown it's only 10-foot wide. So it
11 would be for one-way traffic. It's not, the way it's
12 designed I think as the applicant has stated, it's
13 not going to be an attractive cut through. You're
14 more than likely -- unless you know a vehicle can go
15 there as an unknown or a first-time driver to that
16 neighborhood, we believe the way it's designed it's
17 not going to say in any way, please turn here.

18 MR. TURNBULL: Yeah, but I know how taxi
19 drivers drive and I just -- I mean, if you've got a
20 UPS truck or a FedEx truck, you've got a taxi driver
21 going around. And you've got people on bicycles and
22 -- it's quite a few things going on.

23 MS. CHAMBERLIN: Yeah, but another thing
24 they've used is the textured pavement. That in
25 itself also is traffic calming. It's not a smooth

1 surface.

2 MR. TURNBULL: Right.

3 MS. CHAMBERLIN: It's not asphalt or
4 concrete. They're actually going to be pavers, so
5 it's going to have a calming effect.

6 MR. TURNBULL: Okay.

7 CHAIRPERSON HOOD: I think we asked them to
8 look at something --

9 MR. TURNBULL: Yeah.

10 CHAIRPERSON HOOD: -- and see what they come
11 back with. Okay. Anything else for DDOT?

12 Okay, Mr. Wilson.

13 MR. WILSON: Thank you, Mr. Chairman and
14 Members of the Commission. So I just wanted to
15 highlight a few details based on the conversation
16 this evening. So as was discussed, as a wood frame
17 building, that has nothing to do with the ability for
18 this project to get LEED Gold certification. There's
19 numerous examples across the country. So we can move
20 on from that.

21 We very much appreciate your interest in LEED
22 neighborhood development. But our interest in LEED
23 isn't just checking a box saying that we achieved
24 some kind of rating system. And urban settings LEED
25 for neighborhood development is a lot easier to get

1 than in some suburban settings. And so for this
2 project the key aspects from a neighborhood design
3 standpoint would be the affordable housing components
4 and things that were discussed in other areas of the
5 conversations tonight, not necessarily all of the
6 environmental components.

7 But the benefits we see as a priority from an
8 environmental side are increased energy efficiency,
9 increased health and indoor air quality, and on-site
10 renewable energy. Those aspects are addressed by the
11 LEED new construction rating system. And so, and
12 those are the points that you're not capturing on the
13 checklist so far.

14 So I think in terms of energy efficiency, I
15 think that's the key area where the project could
16 capture more credit and achieve a higher level of
17 certification, more points.

18 For example, if the project used the VRF
19 system, it's a different mechanical system. I also
20 understand that it costs more money. But it would
21 contribute toward energy efficiency. It would also
22 free up roof space and give you more area for GAR,
23 storm water management, or renewables. So there's
24 multiple benefits there and PACE financing and other
25 tools can help pay for that additional cost.

1 Indoor air quality and health was mentioned
2 during the presentation. It would be fantastic if
3 the project took advantage of all the indoor air
4 quality credits. There are still many credits that
5 are still left on the table, including increased
6 ventilation to the units, flush out for construction,
7 air quality monitoring, things like that. Those are
8 more commercial credits often, than residential. But
9 you could dedicate the innovation credits towards
10 some indoor air quality and health related benefits
11 to show that commitment through the LEED checklist.

12 Per the sustainable D.C. plan, renewable
13 energy is definitely a priority. We would like to
14 see this project incorporate renewable energy,
15 whether it achieved LEED Gold or not. That's
16 definitely a priority. We would recommend one
17 percent of the building's total energy use be
18 dedicated to renewable energy. We used one percent
19 because that would be one LEED credit.

20 Also, if you make the building more energy
21 efficient, then now you need less solar panels to
22 achieve one percent. So, there's a benefit there as
23 well. And GAR works with solar panels, so it's not a
24 trade-off between storm water management and GAR, or
25 solar. The solar panels actually count twice. So if

1 you use solar on top of a green roof you get GAR
2 credit for the solar, and GAR credit for the green
3 roof. So there's double benefits there. You might
4 even be able to take green roof off of an area
5 elsewhere, and save some money.

6 Solar in D.C. is basically free. We have the
7 best financials in the country. You should do that.
8 Finally, storm water management, the -- Commissioner
9 Turnbull mentioned about saying what you're going to
10 do with the storm water run-off. And so that would
11 actually be handled during the permitting process.
12 So in order to qualify for the storm water
13 regulations, they would have to say what they're
14 going to use the run off for. What they're going to
15 use that captured water for. And so that, you know,
16 it would be great if we knew ahead of time. But if
17 that quantity is going to count toward our regs, it
18 has to be dedicated anyway.

19 And finally, we'd like to see some more
20 ground-level landscape areas be used for storm water
21 management. If I understand the priority is
22 pedestrian spaces, so paving is a priority. But
23 permeable paving would be a great way to calm
24 traffic, and also contribute to storm water
25 management at the street level. And storm water

1 infiltration at the street level also starts to
2 infiltrate and capture the street run-off, which is
3 the dirtiest of the water run off on the site.

4 Thank you. That was several things but I'm
5 glad to answer any questions you may have.

6 CHAIRPERSON HOOD: Okay. Thank you. Any
7 questions of Mr. Wilson?

8 [No audible response.]

9 CHAIRPERSON HOOD: Okay. Want to thank the
10 Office of Planning, DDOT, and the District Department
11 of Energy and Environment. Thank you all for your
12 presentation. Do you have any cross-examination, Mr.
13 Utz, of either one?

14 MR. UTZ: We don't.

15 CHAIRPERSON HOOD: Okay. Let's go to the
16 ANC, other government agencies. We've heard most
17 reports. What else? Did we have anything else?
18 Didn't see anything. Let's go to the ANC report, ANC
19 5E. And they basically supported this application
20 contingent upon receipt of a signed amenities
21 agreement. And I think you said that's been signed,
22 and that's done.

23 MR. UTZ: Yeah. And the ANC is a signatory
24 to it as well, yeah.

25 CHAIRPERSON HOOD: Okay. All right. So they

1 voted nine to zero and apparently that was unanimous
2 on April the 19th. Let's go to any organizations and
3 persons who are here in support who would like to
4 testify in support. Come forward.

5 Okay. Just give us one moment and let's get
6 your testimony in our hands and we will go -- believe
7 it or not, we do like to follow your testimony while
8 you're reading it, if you're going to read all of it.
9 We're going to wait until we get his testimony in our
10 hands, then he can start. Yeah. So we can underline
11 it, cross it out, make additions.

12 MR. AGOLD: I took copious notes, so I'll try
13 to not stray too far from the testimony.

14 MS. SCHELLIN: Were you representing an
15 organization or yourself?

16 MR. AGOLD: Myself.

17 CHAIRPERSON HOOD: Okay. Anybody else who is
18 here, organizations or persons who would like to be
19 in support? Do we have any organizations or persons
20 who are here in opposition? Okay. So you will be
21 the only person for the night.

22 MR. AGOLD: Thank you.

23 CHAIRPERSON HOOD: You may begin.

24 MR. AGOLD: Good evening, Chairman Hood and
25 Commissioners. Thank you for your time today. I am

1 just on the northern side of Eckington and the ANC
2 affected, and I support the applicant's application
3 for the rezoning of the property from CM-1 to CR,
4 while allowing a more flexible design approach that
5 they have.

6 The rezoning the PUD would allow for the
7 construction of residential to go alongside active,
8 and innovative retail and commercial uses at a site
9 that has long been underutilized compared to the size
10 that it is.

11 As a homeowner on the northern side I commend
12 the applicant on its outreach to the community, as
13 they have been proactive in communications with
14 neighbors and the surrounding area. Most admirably,
15 I think, is the integrated community and neighbor
16 feedback into the proposal and if approved I read on
17 an article when I was trying to research some
18 alternatives, but I can't recall if I saw it on the
19 bid itself, potential for funding a viability study
20 for a walk path connecting Eckington and Ivy City,
21 and then there was also the support and resources for
22 the future park of NoMa Green across the street, and
23 the walkable promenade area.

24 I feel the proposed project fits within the
25 neighborhood and the adjacent properties, being that

1 the building height and design are conducive for
2 assimilating the project into the existing
3 neighborhood and property sizes while delivering a
4 suitable amount of residential and commercial space
5 at a highly transit area.

6 Further, the design itself caters to the
7 wishes and the surrounding community and myself, for
8 the futures and goals of the area. I really like the
9 promenade idea, as well as the decorative awnings, I
10 guess you may call the three of them. It's something
11 that gives a lot of character and reminds me of the
12 work they also did at Atlantic Plumbing where I have
13 heard nothing but compliments from friends about the
14 uniqueness that that has at that building. And I
15 think we can have the same type of uniqueness with
16 that industrial charm there.

17 The project will provide many additional
18 benefits to our community in the District of
19 Columbia. Further it will bring a significant degree
20 of affordable units to the neighborhood and in an
21 area where there isn't too much that I'm at least
22 aware of. And in addition I'd like to add some notes
23 that I took also.

24 I agree with Mr. Moll's statement about the
25 retail being a key component to the project. It's

1 something that I would rarely go south of my area
2 that I live in, and so this would help provide an
3 anchor for interest and retail aspects.

4 And I have a question, I guess I could pose
5 to perhaps ask, because I can't remember reading in
6 the bid, but there's two empty lots that you could
7 see on the aerial views between the storage building
8 and the townhomes. I'm wondering if some research or
9 questions could be asked to see if something could be
10 done about those. Maybe to have another egress for
11 the alleyway since it butts up, it looks like. Or
12 perhaps a loading dock for a new flower shop level.
13 Or just something because they've been vacant for so
14 long and I've never seen anything done. Maybe a park
15 or, I listed a bunch of things.

16 And then only to add that with this being a
17 southern anchor, so to speak, and the MRP development
18 up at Rhode Island Center being a second anchor of
19 sorts, I see that those two projects could start to
20 heavily influence the area and bring more
21 revitalization to the 5th Street industrial
22 properties that align 5th Street. That was also
23 identified in the 2012 Ward 5 Industrial Land Use
24 Study. Thank you.

25 CHAIRPERSON HOOD: I think your last point is

1 very good because this Commission has already -- we
2 already getting accused of, we approved restaurant
3 and Rhode Island Row, of all the traffic that's on
4 Rhode Island Avenue in the morning. I hear it from
5 neighbors all the time.

6 So I'm hoping at some point in time we can
7 figure out some mitigation. That goes to your last
8 point with this project and other projects that are
9 coming online. And actually, I don't really think
10 the projects really have anything to do with it.
11 Maybe it's the timing signals. So maybe that's a
12 question for DDOT at a later time. But that is an
13 issue that I'm hearing quite a bit from a lot of
14 neighbors who frequent Rhode Island Row. But the
15 traffic in the morning, and the traffic in the
16 afternoon, I really think is a signal problem because
17 I don't see the people coming out the Metro.

18 And I'm just talking out loud now, so maybe
19 DDOT is listening. But some kind of way we're going
20 to have to do something about that, and I'm sure, we
21 get plenty of -- well, I get plenty of complaints.

22 MR. AGOLD: If I could?

23 CHAIRPERSON HOOD: Sure.

24 MR. AGOLD: About how the Rhode Island Row is
25 set up and the design, it's a bit --

1 CHAIRPERSON HOOD: You going to say anything
2 bad about it, because we voted on that some years
3 ago?

4 MR. AGOLD: It's a bit cookie cutter to me,
5 only -- but it is getting better. They do have the
6 flags up and they have lights and strings and stuff
7 now. But it does seem a little bit more cookie
8 cutter than, I would say, than this project does. I
9 like the uniqueness that this brings; the industrial
10 mixed with the residential aspects, the decorative
11 awnings, and the walkable area that's still drivable.
12 I think there's definitely ways to mitigate driving
13 and crazy people trying to go on there with the
14 moveable pots or the planters, and maybe some
15 designated times for deliveries, I think could
16 definitely work out for both.

17 CHAIRPERSON HOOD: I will tell you, it's the
18 traffic pattern at Restaurant -- Rhode Island. I
19 keep calling it Restaurant Row, but Rhode Island Row
20 was not what was approved by this Commission and for
21 the life of me I can't figure out how it --

22 MR. AGOLD: I never drive in there.

23 CHAIRPERSON HOOD: Huh? You never go up in
24 there?

25 MR. AGOLD: I never drive in there. I go in

1 there but I don't -- I walk. I don't ever drive in
2 there.

3 CHAIRPERSON HOOD: Okay.

4 MR. AGOLD: Because you can't get out.

5 CHAIRPERSON HOOD: Well, that was not the
6 pattern that was approved by this Commission. I've
7 asked this question before, who gave that change or
8 that amendment, because I don't know how that was
9 done. But anyway, that's a whole other issue.

10 Let me open up, any questions of the witness?

11 MS. COHEN: Yeah.

12 CHAIRPERSON HOOD: Vice Chair Cohen.

13 MS. COHEN: Thank you, Mr. Chairman. I was
14 just curious as to what type of retail would you like
15 to see in that area?

16 MR. AGOLD: Taking from what I've seen and
17 heard from the movie theater and Atlantic Plumbing
18 and under the Shay, and there's a movie theater,
19 there's a Pho Noodle place coming in, there's a
20 burger place coming in. There's some -- I can't
21 remember the maker retailers where it's more
22 industrial and professional -- what was it, a maker?

23 MR. UTZ: Artist studios. The Washington
24 Project for the Arts, Typecase Industries.

25 MR. AGOLD: So those are super unique to walk

1 past and eye catching. And I wrote down how the 5th
2 Street corridor could -- to me, it could be turned
3 into something much like the meat packing district
4 that you mentioned that New York has, because I know
5 I would walk from either on the trail or just along
6 5th Street. Especially if the taxi cab mechanics
7 properties were turned into something more
8 interesting, to be able to go to the Rhode Island
9 center of development that's going to be up there
10 too.

11 But things I would like to see down there, I
12 know Mr. Moll mentioned a couple things. Coffee
13 shop. I also, Commissioner Hood, like your idea to
14 incorporate the existing flower company there because
15 they have been there for so long. And I think that
16 was something that would be definitely admirable and
17 noteworthy to be able to tell the neighborhood and
18 you guys.

19 CHAIRPERSON HOOD: Can you identify yourself,
20 because I don't think you did at the beginning?

21 MR. AGOLD: Oh, I'm sorry. Daniel Agold.

22 CHAIRPERSON HOOD: Agold. Okay. All right.
23 Any other questions up here?

24 Okay. We appreciate you coming down and
25 providing testimony.

1 MR. AGOLD: Thank you.

2 CHAIRPERSON HOOD: And I really appreciate
3 you agreeing with me about the flower shop.

4 Okay, Mr. Utz. I don't think you got a whole
5 lot of rebuttal. Can you just give us closing?

6 MR. UTZ: Sure. Absolutely. I just wanted
7 to mention a few quick things. Just the flexibility
8 that I think has possibly been mentioned tonight or
9 in the record. But we do have an element where we
10 introduced after filing, the mezzanine space in the
11 maker space, in the maker shops that hopefully will
12 be utilized that is an optional space should the
13 market demand be there. I just wanted to highlight
14 that on the record.

15 And then there's a space in the northeast
16 building that is currently shown as amenity space
17 that we might hopefully find similar demand and make
18 that a commercial use as well. So we just wanted to
19 have the optionality kind of on the record, and I
20 think we can submit a mention of that in our post-
21 hearing submissions as well.

22 And then I just wanted to quickly put all the
23 areas of relief itself on the record in one place.
24 The court relief under Section 776. We have three
25 instances of it, one on the northwest building and

1 two on the southwest building, the roof structure
2 relief we talked about earlier tonight, the special
3 exception for 610, for the maker space to allow light
4 industrial, and then the loading relief. There
5 really is a -- it's a confluence of a few things but
6 it's to allow a maximum of a maker concept here as
7 well, a light industrial use that throws off a
8 loading requirement. But then also the shared curb
9 cuts that lead to a kind of more holistically planned
10 site with the Gale. Those two things in combination
11 mean that we don't have the required loading that we
12 need on the record lot. But when you look at the
13 kind of preferred use mix that we'll hopefully
14 achieve, and then the shared curb cuts, it actually
15 results from these very sound planning concepts.

16 And then the last area I just wanted to
17 mention is the compact space relief, 40 percent is
18 the maximum. We have 45.6 percent compact spaces.
19 So that is the relief we needed in capsule. We
20 actually are fairly far beneath the matter of right
21 allowable FAR on the site, 6.0, and we come in at up
22 to 5.2 if we do indeed utilize the mezzanine space
23 for maker space. And most of the project is under
24 the 90-foot height maximum that's allowed here, and
25 the northwest building is 102 feet.

1 But overall, we heard the comments and we're
2 looking forward to being able to submit something and
3 we intend to address everything we heard tonight.
4 And we appreciate you hearing our presentation and
5 staying with us until 10:15 and later.

6 CHAIRPERSON HOOD: Okay. Well, thank you for
7 staying with us because I think we started about 30
8 minutes late.

9 MR. UTZ: Uh-huh.

10 CHAIRPERSON HOOD: So we appreciate that.

11 Ms. Schellin, I think Mr. Utz said he knows
12 everything that we've asked for so I don't think we
13 need to do it --

14 MS. SCHELLIN: I just need to know how much
15 time he needs.

16 MR. UTZ: Three weeks.

17 MS. SCHELLIN: Okay. So that puts us at,
18 one, two, June 2nd, 3:00 p.m. And then the ANC, if
19 they choose to respond, would have until 3:00 p.m. on
20 June 9th. Is OP or DDOT and/or DDOT looking to
21 respond? DOEE looking to respond to what they
22 submit?

23 MR. COCHRAN: We'd just like the option.

24 MS. SCHELLIN: Okay. Anybody else down
25 there?

1 MR. WILSON: Yeah, the same.

2 MS. ISRAEL: The same.

3 MS. SCHELLIN: Okay. So you'd have until
4 3:00 p.m. on the 9th. Actually, I think we may have
5 to make that noon on the 9th, just because it's very
6 short and us getting the information to the
7 Commissioners. So if we could have that by noon on
8 the 9th, responses. And then we could put that on
9 for June 13th, 6:30 p.m.

10 CHAIRPERSON HOOD: Okay. Do we have anything
11 else?

12 MS. SCHELLIN: No, sir.

13 CHAIRPERSON HOOD: Mr. Turnbull?

14 MR. TURNBULL: I just had one thing, to
15 compliment Mr. Utz on -- I've never heard anyone use
16 the word optionality, and I thought he was just using
17 his lawyer legalese to push something by, but I
18 Googled it. Congratulations. There actually is a
19 word, optionality, and I --

20 MR. UTZ: It is out there. It shows up on
21 spellcheck as incorrect.

22 MR. TURNBULL: Yeah, but I --
23 congratulations.

24 MR. UTZ: Thank you.

25 MR. TURNBULL: I'll have to --

1 CHAIRPERSON HOOD: Well, one of those nights
2 that he's not here I think I'll use that word.

3 MR. TURNBULL: Well, it's good to know for
4 like Scrabble if you need to fill in something, you
5 know, and option is down you could --

6 CHAIRPERSON HOOD: Optionality. Okay.

7 MR. TURNBULL: Yeah.

8 MS. SCHELLIN: One other thing, Jeff. We
9 need to have the draft findings of fact, conclusions
10 of law also by 3:00 p.m. on June 2nd. Unfortunately,
11 I can't give you the later date or else OAG will
12 say --

13 MR. UTZ: Right.

14 MS. SCHELLIN: -- we need to make this a
15 later decision date.

16 MR. UTZ: That's no problem. Thanks.

17 CHAIRPERSON HOOD: Okay. Do we have anything
18 else? Not hearing anything, I want to thank everyone
19 for their participation tonight and this hearing is
20 adjourned.

21 [Hearing adjourned at 10:17 p.m.]

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23

24

25