

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission

Public Hearing
Case No. 15-27 (KF Morse, LLC)

6:31 p.m. to 8:23 p.m.
Thursday, January 12, 2017

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

APPEARANCES

Board Members:

- ANTHONY HOOD, Chairman
- ROBERT MILLER, Vice Chair
- PETER MAY, Commissioner
- PETER SHAPIRO, Commissioner
- MICHAEL TURNBULL, Commissioner

Office of Zoning:

- SHARON SCHELLIN, Secretary

Office of Planning:

- MATTHEW JESICK
- JENNIFER STEINGASSER

District Department of Transportation

- JONATHAN ROGERS

1

2

3

PROCEEDINGS

4

5

6

7

8

9

10

CHAIRMAN HOOD: Good evening, ladies and gentleman. This is the public hearing of the Zoning Commission of the District of Columbia. Today's date is January the 12th, 2017. We are located at the Jerrily R. Kress Memorial Hearing room.

11

12

13

14

15

16

17

18

My name is Anthony Hood. Joining me this evening are Vice Chair Miller, Commissioner Shapiro, Commissioner May, and Commissioner Turnbull. We are also joined by The Office of Zoning staff, Ms. Sharon Schellin, as well as the Office of Planning Staff's Ms. Ms. Steingasser and Mr. Jesick. And The Department of Transportation's, Mr. Rogers.

19

20

21

22

This proceeding is being recorded by a Court Reporter. It is also webcast, live. According, we must ask that we refrain from any disruptive noise or acts within the hearing room, including

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 display of any signs or objects.

2 Notice of today's hearing was published in
3 the DC registry, and copies of that announcement
4 are available to my left, on the wall near the
5 door. The hearing will be conducted in accordance
6 with

7 provisions of 11 Z-DCMR, Chapter 4, as follows:

8 Preliminary matters, applicants' case, report
9 of The Office of Planning, Report of other
10 government agencies, report of the ANC,
11 organizations of persons and support,
12 organizations of persons in opposition. Rebuttal,
13 and closing by the applicant.

14 The following time constraints may be
15 maintained in this meeting. The applicant has up
16 to sixty minutes. I see that they have requested
17 thirty. The organizations five minutes, the
18 individuals three minutes. All persons appearing
19 and wishing to testify before the commission in
20 this evening's case hearing are asked to register
21 at the Kiosk. Again, if you need any assistance,
22 you can ask Mr. Schellin, who is sitting to my

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 left.

2 When presenting information to the
3 commission, please turn on and speak into the
4 microphone. First stating your name and home
5 address. When you are finished speaking, please
6 turn your microphone off, so that your microphone
7 is no longer picking up sound, or background
8 noise.

9 The staff will be available throughout the
10 hearing to discuss procedural questions. Please
11 turn off all electronic devices at this time, so
12 not to disrupt these proceedings. Would all
13 individuals wishing to testify please rise to
14 take the oath. Ms. Schellin would you please
15 administer the oath?

16 MS. SCHELLIN: Yes, would you please
17 raise your right hand?

18 [OATH ADMINISTERED]

19 [Witnesses simultaneously saying I do.]

20 CHAIRMAN HOOD: Okay, Ms. Schellin, do
21 we have any preliminary matters?

22

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MS. SCHELLIN: Yes, just to remind
2 everyone that at the prior hearing, the
3 commission approved party status, in support of
4 1250 4th Street. Edans LLC. and Union Market
5 Apartments LLC. They are represented by David
6 Avitabile, Attorney. The Commission also waived
7 the rule to accept the late filing of the
8 applicant's transportation report. And the
9 commission acknowledged the applicant's expert
10 witnesses, Jeff Barber in Architecture, Erwin
11 Andres in traffic engineering, Sacha Rosen in
12 Architecture.

13 CHAIRMAN HOOD: Okay, so, it looks like
14 we've taken care of all our preliminary matters
15 previously. I guess we can go straight to the
16 case unless we have something additional?

17 MR. FREEMAN: No, Mr. Chairman. In the
18 event there are any questions regarding civil, or
19 landscape, we do have our landscape architect, as
20 well as our civil engineer, whom if they testify,
21 we would like them to be qualified experts at
22 that point. If you need to hear from them.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 CHAIRMAN HOOD: Okay, We'll wait till
2 we're at that point, and deal with that at that
3 point. Anything else? Okay, you may begin.

4 MR. FREEMAN: Good evening, Chairman
5 Hood, members of the commission. For the record I
6 am Kyrus Freeman, I am a partner with the Law
7 firm of Holland & Knight. Here with me are a
8 group of people. Ms. Jessica Bloomfield, also
9 from Holland & Knight. Mr. Chip Glaslow, we have
10 a room full of people, I am not going to
11 introduce them all, but they are all very
12 supportive and familiar with the project.

13 We will keep our presentation as short as
14 possible. When we last met, you may recall OP's
15 report listed ten issues, as promised, we've
16 narrowed all those down and have their full
17 support. We have seen a consolidated review of
18 approval of the project from CM1 to C3C. The
19 project includes multiple components, which our
20 architects will describe in detail as they do
21 their presentation. Again, we will keep it brief.
22 So, with that, I'll like to turn it over to our

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 witnesses to get started with their
2 presentations.

3 MR. TYRRELL: Good evening, everyone.
4 My name is Graham Tyrrell. I am Vice President of
5 development for Kettler. For those of you that
6 are not familiar with Kettler, we are a Regional
7 Property developer and manager of multifamily
8 housing. We have about 20,000 apartments that
9 we've developed over the years. Currently, have a
10 management portfolio of about 30,000 apartments
11 across the Eastern U.S.

12 Kettler currently controls all of Lot 6,
13 which is the subject of the meeting. Except for
14 the land that is owned by the District of
15 Columbia. We will be taking on the role of lost
16 developer for the project. So, we will be
17 building the streets, the infrastructure, and all
18 the public improvements. We'll also be building
19 buildings A1 and B. Those are both residential
20 apartment buildings for rent. That would be
21 approximately 560 units in phase one.

22

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 I am very excited to have, as part of this
2 project Carr properties. They are building an
3 office building, C1 building in the parity as
4 part of phase one. Giving the interest in the
5 market, we definitely foresee phase two moving
6 forward very soon. I have to ensure that the
7 residents and office workers have a strong sense
8 of place from day one.

9 We will be building out the full street grid.
10 Including Neal Place the public Plaza. Compliant
11 the pedestrian connection in Florida Avenue. As
12 well as some great interim public uses and parks.
13 Since the sit down in October m the Zoning
14 Commission meeting. We've continued to meet
15 regularly with OP, DDOT and other agencies to
16 refine the project. There have been a number of
17 building and site design modifications that we've
18 made. Particularly in response to OP comments and
19 Sacha Rosen from R2L architect will address those
20 in his presentation. On the committee benefit
21 side, we have made a number of significant
22 improvements to the package. We have IZ now at

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 eleven percent of GFA, with fifty percent, at
2 fifty AMI. That was originally at eight percent,
3 with twenty percent of fifty AMI.

4 Our buildings are now lead Gold, previously,
5 they were silver. We have forty-five hundred
6 square feet of our retail space, dedicated to
7 make space. We have been working with DDOT on a
8 number of traffic modification items. New traffic
9 signal at Fourth and North Street. A new bike
10 share station and a number of other bike-friendly
11 measures, as well as the other previously
12 mentioned connection of Neal Place at phase one.

13 [Mr. Carr talking off the microphone]

14 We also -- Mr. Carr had just reminded me we
15 also added to the benefits. One-hundred and fifty
16 thousand dollar contribution to the Florida
17 Avenue Park. Which is the park adjacent to our
18 plaza between building A1 and B. We've continued
19 to meet with all of our neighbors in the
20 community. We've met with ANC5D on numerous
21 occasions, and we have support from them. We've
22 met with Gallaudet University to discuss the

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 airspace design. And we have a letter of support
2 also from the University.

3 We have extensive coordination with Pen Fed,
4 VRE, and Edens L-core, and particularly with
5 level two in terms of coordinating the Florida
6 Avenue Park, and making the very important
7 connection between the Newman Neighborhood and
8 the Union market area.

9 As a result to all of this coordination, we
10 do have letters of support from all of those
11 people I've mentioned including Gallaudet
12 University, that I also mentioned. Finally, I
13 would like to mention that Kettler's commitment
14 creating a special place here is very strong. As
15 a resident of New Northeast for over ten years,
16 it's been personally amazing to see the area
17 change. H Street, NOMA, and Ivy City have all
18 transformed very quickly. And the market will
19 further link all these neighborhoods together
20 into one continuous amenity rich, pedestrian,
21 bike friendly center.

22

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 We're very aware that our PUD will be a multi-
2 year endeavor. And its appeal must endure to
3 respond to the needs of the diverse and grand
4 population. It will include families looking to
5 stay long-term in the city. So, we are definitely
6 very thoughtful about that in our design, and I
7 will let Sacha now take over and walk us through
8 the design.

9 MR. ROSEN: Good evening,
10 Commissioners. My name is Sacha Rosen. I am a
11 principal of R2L Architects, located in
12 Georgetown. Graham, thanks for that introduction.
13 Graham mentioned a large number of the
14 development partners, and experts working on this
15 project. I just want to say it has been a labor
16 of love for two years. It was approximately a
17 year in the making just as the team began to
18 understand the project's overall scope. Which is
19 significant, and reach out to the community and a
20 second year of modifying the design. Again
21 reaching out to the community working with the
22 office of planning and other agencies. So, it has

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 really been an exciting project.

2 The slide I'm showing now shows the extent of
3 lot six. It's a complicated site. As Graham
4 alluded, it has two privately owned parcels, as
5 well as the land between those parcels, owned by
6 the District. It's a significant percentage of
7 the land area in the Union Market neighborhood.
8 As a result of that, we've worked very hard to
9 work with the other development partners, working
10 in the neighborhood. Working to realize the small
11 area plan that kicked off the whole process of
12 the redevelopment of the Union Market Terminal.
13 Florida Market neighborhood. Whichever name you
14 choose to use.

15 I'm sure you've seen many photos of the
16 neighborhood. Given all of the projects that have
17 come through here. My own personal take on this
18 is that it is one of the most eclectic
19 neighborhoods in the city. It's really amazing
20 that it's so different. It's been characterized
21 as industrial. It has been characterized as
22 commercial. Those things, and many other things

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 as well. So, really, my takeaway is that it is
2 hard to define and characterize. It's about
3 transportation. It's about commerce. It's about
4 local industry and distribution. It's not just
5 about generic ideas of what might be industrial.

6 We have tried to capture that in our designs.
7 We've tried to show that different design teams,
8 different developers, different members of the
9 communities all have different ideas about what
10 should be here. And we just want to create a
11 design that speaks to as many people as possible.

12 As Kyrus mentioned, we're asking for
13 consolidator review of a portion of the project
14 and first stage for the northern end of the
15 project. So, this is a diagram that generally
16 shows that. There is a dashed line approximately
17 here that shows the separation between the two
18 portions. There is color coding here showing the
19 different uses. The office being blue, yellow
20 residential, and red hotel. As you can see, we
21 have several different options for the first
22 stage POD for the north end. The overall goal of

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 the project has really been truly mixed use
2 integrated real community. The exciting part of
3 this project is due to the size of the project,
4 and due to its configuration, which we have
5 worked extremely hard at for these two years is
6 to create a finished public realm. Not just the
7 edge of something. But in fact, a gateway into
8 the Florida Market neighborhood, from the metro,
9 from Florida Ave. And to create a space that is
10 finished and attractive immediately.

11 As a slightly larger perspective, but again
12 showing our focus from day one has been on
13 exterior spaces. The spaces between the
14 buildings, providing the green space throughout
15 the neighborhood. Providing pedestrian access
16 through the neighborhood. Places to stop and
17 enjoy this outdoor space. But also pathways and
18 connections between spaces. And that has really
19 been the focus on our collaboration, with the
20 office of planning. It seemed to us that that was
21 jumping the most important interests. When we
22 started the project, this area here was already a

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 pending PUD, getting close to approval.

2 That was the level two project, and as part
3 of the level two project there was this part at
4 the end here which had been -- the origins for
5 that park were in that small area plan. The
6 interesting idea was that there was a significant
7 grade change between this point and this point
8 here. And an existing building blocking this
9 corner. So, while the small area plans suggested
10 that this would be a gateway, it took a lot of
11 really intense work and creativity to work with
12 the almost approved park. Next to level two and
13 then create this gateway that would be pedestrian
14 friendly and accessible.

15 So, here's an aerial rendering. This is --
16 the graphics here are somewhat simplified just to
17 give us a sense of how the buildings come
18 together, and the three-dimensional relationships
19 between them. There more detailed renderings of
20 the materials and the character spaces you'll see
21 in the next few slides, but, what I want to show
22 is the down in this area. Again, this was the

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 focus, this is one gateway to the market terminal
2 neighborhood, and we want to create a truly
3 dynamic three-dimensional space, but before we
4 started the process and then throughout the
5 process, we got numerous comments from The Office
6 of Planning asking for creative massing. Not just
7 a series of blocky buildings as you might have
8 found in a few other of the neighborhoods that
9 have developed quickly in the last few years. But
10 really to take the time to understand the
11 eclectic nature and eclectic quality of this
12 neighborhood historically. And in the process of
13 significantly increasing the density in the
14 neighborhood to maintain some sense of that
15 eclecticism and the relationship between the
16 buildings and the outdoor spaces.

17 Here's a rendered view of the completed
18 project from across the track, so this is from
19 the NOMA neighborhood. The building in here is
20 the level two building which has been approved.
21 This is the L-Corp building which is currently
22 under construction. So as you can see here, we've

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 taken a view showing railroad the tracks. Showing
2 this gantry feature, showing some of the metro
3 lines here. So, it really shows you that it is a
4 unique place that has both the industrial and the
5 commercial heritage as well as the transportation
6 heritage of the neighborhood.

7 And as you look through you can see the
8 outdoor space as the entry, and then buildings of
9 multiple heights and significant articulation and
10 various facade, creating more dynamic interest
11 rather just a series of a flat facade. Here's a
12 view from Florida Avenue, looking up the hill.
13 What we refer to as building B, as on the right,
14 that on the midrise at residential building
15 ground for retail. The tower element in the slide
16 to the left uses a dynamic, organic form that's
17 the high-rise building A, and which entrance to
18 the neighborhood is along the park here which has
19 been carefully created to be accessible and
20 walkable. Then, as you'll see, there's a dynamic
21 point at which you then turn and see into the
22 neighborhood. As I'll show you in a minute. This

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 particular park is visible from down 3rd street
2 where there are a number of other developments as
3 your coming up 3rd street or under the tunnel
4 from the metro.

5 This is a very significant outdoor public space
6 that we anticipate will be a real amenity for the
7 community place to gather a place to meet people
8 and as a result of that, we've tried to really
9 make it a dynamic space. Another area in
10 particular interest to The Office of Planning was
11 the outdoor space between our building B and the
12 level 2 building so you can see we've worked very
13 hard at that space and really created the dynamic
14 gathering space. The upper part of the outdoor
15 space at the entrance to the park is where we
16 refer to Plaza. It has a nice outdoor sculpture
17 that has a misting feature. And a lot of other
18 exciting aspects, so, we really see that as a
19 significant component of the neighborhood. A real
20 focal point for outdoor space.

21 We've also located the residential lobby of the
22 main building right on the plaza. To help

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 activate that, lots of plain things that also
2 contribute to storm water and then the
3 immigration of building systems into the outdoor
4 plaza design as well as the significant amount of
5 retail space.

6 As you come up to the plaza and you turn into
7 the corner, again just a large mix of exciting
8 uses. In here we've located our bike room. We
9 don't see it as just a mandatory requirement, in
10 fact, a key feature and centerpiece of the
11 project. And the retail areas is over here and
12 there outdoor space which will be activated by a
13 variety of detailed landscape ideas if you're
14 interested in hearing about those later. As you
15 turn the corner, you then see into the interior
16 of the neighborhood. Here you can see the office
17 building which my colleague Jeff Barber will
18 discuss in a moment.

19 Again, the centerpiece of building A where we
20 are trying to really activate the outdoor space
21 is on the left is the main residential lobby,
22 this is the bike facility, which could be an

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 independent bike shop. Or it could be managed by
2 the building but open to the public. Then we have
3 an outdoor porch space here as an amenity for the
4 building. Again to halo activate that space night
5 and day throughout the year. So, it is covered
6 outdoor space.

7 You can see through to the space into the
8 exterior courtyard through the building which is
9 also a dynamic feature which is step landscaping
10 here. Then retail on this side as well. Terrace
11 seating here really encourages the community to
12 interact with the building.

13 This is a view of Third Street. Looking
14 north, you can see the office building. On Moore
15 Street, a little bit to the west looking back
16 east, so you can see the outdoor space and the
17 background at the center is building B here on
18 the left. You can see we've really focused on the
19 pedestrian experience interrogated street trees.
20 Judicially and created streetscape that would
21 permit outdoor terrace seating and a high-quality
22 public life. Another aspect of our significant

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 coordination with the office of planning has been
2 over the past month or two, a significant
3 redesign of building B. One of the key features
4 was to create the opening here. This entire
5 feature here is the visual terminus of Third
6 Street now the South end. Opening up here allows
7 the public to see the backside of the level 2
8 building, as well as liven that outdoor space
9 that was between building B. and the level 2 we
10 have maker space and lobby and retail space again
11 to liven and activate the street.

12 Here we're a little bit up Third Street
13 looking back south. Here we brought in some of
14 the characteristics of the neighborhood such as
15 projecting canopies in a particular attention to
16 the ground plane the way the buildings hit the
17 ground. But looking up is a really unique and
18 creative overall building massing. Again, in
19 responding to some of the requests from The
20 Office of Planning. In the interest of time I am
21 going to minimize the review of the plans, here I
22 just want to point out there is a lot of yellow

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 and green here, so the yellow is all retail
2 space. So, in all the buildings, we've worked
3 very, very hard to make these highly leasable,
4 well designed, desirable places for retailers to
5 come. And for the public to come and enjoy the
6 retail. So that's yellow. The green, you can see
7 a lot of detail, park space and outdoor
8 functionality here. And here all along Third
9 Street.

10 Then this is actually the interim conditions,
11 so, initial buildout of the consolidated portion.
12 North end until such time as phase 2 forward
13 there will be significant outdoor space again we
14 can add detail to that if you like.

15 Typical residential plan and office plan have
16 all been carefully designed. Very dynamic roof
17 space. The roof of the upper portion here will be
18 some of the nicest outdoor roof space in the
19 city. As you all know there is a completion every
20 building gets better and better, so this will
21 have the highest levels of design, this office
22 building here, Jeff Barber will speak about in a

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 minute. The upper levels and then there's a
2 couple of different mid-rise buildings, some
3 green roof. We've modified mechanical systems to
4 really reduce massive rooftop penthouses. Here on
5 this midrise building, we've already created some
6 outdoor space on the roof that is pertinent to
7 individual units.

8 Again, I'll skip these plans in the interest
9 of time, but if anyone has any questions, I'm
10 happy to come back to them soon. I do want to say
11 that one of the changes from the first time from
12 our sit down hearing. At that time we were
13 requesting some relief from penthouse structures.
14 I just want to note that we are no longer
15 requesting relief from setbacks from rooftop
16 structures. We have diagrams showing all of that.

17 Materials, there are three materials pallets
18 behind you, on the floor. I won't go into those
19 in detail, but those are for Building A, which is
20 predominately dark gray metal panel and glass.
21 This is the backside. The midrise portion of
22 building A, which is the tannish stone, which is

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 typical of the neighborhood. Some of the historic
2 buildings, in the center of the neighborhood,
3 have that materiality. It's a combination of
4 those materials.

5 Then on building B, again in working for the
6 office of planning, we've come back several times
7 and refined those materials. The now combination
8 of very nice brick, at the base and some unique
9 metal panels of a variety of colors in the upper
10 portions. Again, here's those elevations as they
11 have evolved with our collaboration with the
12 office of planning. And a detail of the ground
13 plan, where we focused a lot of our attention.
14 Thank you very much.

15 MR. BARBER: Thank you, Sacha. Good
16 evening commissioners and Chairman Hood. I'm Jeff
17 Barber, Principal of Gensler. A global
18 architectural design firm. I am presenting
19 Building C1, on behalf of Carr Properties. The
20 building is ten stories. It is about 217,000
21 square feet of office, sitting atop about 750,000
22 square feet of retail grade. This rendering you

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 can see Third Street to the west. Moore Street to
2 the south, then Flanking to the east is the
3 alley. The base of the building is extended
4 beyond the plan of the building above. So, the
5 retail experience grounds the building and
6 expands onto the sidewalks as well.

7 Then there is a bit of a reveal before the body
8 of the building takes off from that base. You can
9 see four terraces located in the body of the
10 building. The building revolves itself at the
11 top, with a rooftop experience, the green roof on
12 top of the penthouse itself. But the rooftop
13 experience has habitable penthouse for office
14 space. Some dedicated space to the roof to that
15 tenant. But also some shared space for all the
16 tenants in the building.

17

18 This located it in plan again with - this is
19 now oriented in such where the right side of the
20 page is to the north. So, Third Street is to our
21 west, Moore is to our south. In two orienting
22 views for building C1 and its relationship to the

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 other buildings and the overall neighborhood.
2 This really comes the corner piece in the PUD and
3 has the ability to really complete the
4 neighborhood.

5 We're focusing the building and its tenants
6 on the creative office. And the tenants that want
7 to occupy creative office space. This seems to be
8 the perfect neighborhood for that. The vibe and
9 the feeling of that neighborhood that not only
10 will capture but will also help to create. It's
11 really about people at the center, who will
12 create a flexible, creative office building. And
13 we're all aware that there is a great interest in
14 existing historic buildings such as warehouses
15 and the great feeling that is generated into
16 those buildings when you overtake them and
17 renovate them.

18 We have a chance here to define, in new
19 construction a new inventory. We're going to
20 focus that around three ideas. The idea that we
21 can get the expression of those buildings and the
22 experience of those buildings and the emotion of

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 them without imitating them. But instead, by
2 exploring the structural expression and the frame
3 through folded planes and exposing slabs, and
4 even exposing moments like terraces that we get a
5 generous building and volume is expressed, rather
6 than a slim stack or floor plates. Through that
7 expression, through openings in it and carvings
8 out. We'll create rooms with a view and shared
9 connections. Finally, the floor plate itself is
10 flat and fast and fun, and the people are the
11 center of the floor plate rather than typically
12 the core.

13 We're going to the ground floor plan now.
14 You'll see that the building opens on the Third
15 Street with retail. The lobby is opening to Third
16 Street as well. That lobby is meant to feel
17 almost lounge like as a shared amenity for the
18 neighborhood. The part that is in Rose also opens
19 up in conference and locker room and fitness
20 center east along the alley side. The retail
21 anchors the south where there is a large gracious
22 sidewalk. And we hope that could be a restaurant

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 that opens out with seating along there,
2 activating the street itself. Retail is also
3 opening on Third Street. Then the alley is where
4 we get into loading, and into parking below
5 grade.

6 This is a view of the building from the
7 Southwest as you approach with expressed a very
8 tall retail floor. The ground floor at a 20-foot
9 floor to floor in this corner. You will also see
10 to the right, the Capital Bike Share, designated
11 location for that. The tree is along that edge
12 and then the large sidewalk, where we can spill
13 out into chairs and seating from a restaurant.
14 Perhaps they'll even open the restaurant onto the
15 street itself. Then the piano Novo lay, the first
16 level of office, pulled back a bit, and
17 overlooking the street. Then you can start to see
18 the terraces. Where there is an opportunity for
19 each floor to open onto a terrace.

20 This is the second-floor plan where I
21 mentioned it pulls back a bit from the retail
22 that extends out blow it. So, there is a seven-

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 foot terrace running along the west side of the
2 building, and there is also a separation from the
3 future building to our North of almost 35 feet.
4 So, that becomes a terrace as well. With
5 landscaping. You can see the location of the core
6 here is slipped a bit to the north and really the
7 southern end is wide open. The south is where we
8 get views all the way to the capitol. As you go
9 up into the building, the typical upper plan then
10 is pulled away from the building to our north.
11 Almost 35 feet. So, you get windows surrounding
12 the entire building. We've reserved a large part
13 of the southern part of the floor plate as
14 contiguous changeable space for tenants. So that
15 the core slides up, and out of the way.

16 Getting to the roof. We have a habitable
17 penthouse there that can spill out onto the roof
18 itself. But there is also the ability to come up
19 from the elevators for all the tenants in the
20 building and share in the rooftop experience.
21 Great views in every direction, but especially to
22 the south and to the west.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 The direct elevation to the west, which is
2 similar on the east and representative of that
3 south and north three simple materials. A metal
4 panel, in a dark gray tone. Glass and aluminum
5 storefronts. Glazing in a two story expression,
6 or perhaps one story across the body of the
7 building. Then a masonry or perhaps metal rack
8 frame expressed in the terracotta color.

9 A close up of that frame on a typical
10 elevation, you see that the right we have quite a
11 tall, floor to floor. So, these floors will feel
12 more loft-like, more generous, and more open.
13 Tons of daylight pouring in and the expression is
14 that the structural frame has been clad and the
15 material like terracotta. The windows overlap
16 that frame such that there are no restrictions to
17 the view, in any direction, up, down, or to the
18 side. The explanation of those materials.
19 Material B, as we call it, is at the top and at
20 the bottom. At expressing this connectivity
21 between that top and the bottom of the building,
22 and that is meant to be a dark middle panel and

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 then material an in the middle of the building
2 might be terracotta, might be a material with a
3 terracotta color. Or perhaps a metal wrapper. But
4 simply in that pallet of a rust colored body.
5 That is what I wanted to share with you from
6 building C1.

7 MR. FREEMAN: Mr. Chairman that
8 concludes our direct presentation. We have Mr.
9 Andres and Mr. Hoover available if you have any
10 questions regarding transportation or landscape.
11 But with that, we conclude.

12 CHAIRMAN HOOD: I want to thank you all
13 for your presentation. Let's see if we have any
14 comment or questions from up here.

15 MR. MAY: Mr. Chairman, of course, I
16 have questions and comments. But I would be very
17 happy to have someone else go first. I have been
18 talking a lot lately, and I'm kind of tired.

19 CHARMAN HOOD: Well, let's not change
20 the trend. Go ahead.

21 MR. MAY: Are you sure?

22 CHAIRMAN HOOD: Yeah.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MR. MAY: Alright. Well first of all
2 judging from the number of developers and lawyers
3 and architects in the room. You know that
4 somebody is like, not supposed to be in the room
5 in case something bad happens here. And there
6 will always be a developer and an architect and -
7 - Okay.

8 [Laughter fills the room]

9 I appreciate you all being here as obviously
10 a project of great interest to many people. Not
11 just those that are at the table. So, that is a
12 good thing. Just a few points of clarification, I
13 saw somewhere in your submission reference to
14 Lead Gold or equivalent. Are you actually
15 submitting to certification at the gold level?
16 Because that is - I also read that. Also, in
17 other people's statement about what you're doing.

18 MR. TYRRELL: Yes, we'll be doing lead
19 gold certified.

20 MR. MAY: You'll be going for the
21 whole certification process?

22 MR. TYRRELL: Yeah.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MR. MAY: Okay, I'm a little confused
2 by. There is a drawing that shows Neal Place in
3 the alignment with the rest of Neal Place. Then
4 there is an alternate alignment. I got confused
5 about what that meant. Sorry, there is a lot to
6 observe on this one.

7 MR. FREEMAN: Mr. Graham Tyrrell
8 will walk through it. But it's the civil sheet.
9 Give me one second. I just want to make sure we
10 are all looking at it. C 202.

11 MR. TYRRELL: Yes, so the idea here is
12 that building C2 and building D would have a
13 garage underneath of Neal Place. So, what we
14 walked through many conversations with both DDOT
15 and OP is the idea that we would be putting in
16 Neal Place as part of the first phase. But if C2
17 or D are moving forward, we would like to defer
18 that construction so that we have these alternate
19 plans to provide the same connection on a
20 temporary basis, while that building is
21 completed. So, if building D is under
22 construction, then the Neal Place temporarily

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 moves to the south and vice versa of C2 is moved
2 forward. It moves to the north.

3 MR. MAY: To north of the apartment
4 building --

5 MR. TYRELL: North of its ultimate
6 location.

7 MR. MAY: North of its ultimate
8 location. Oh, I see, I got it, all the way up
9 there showing in blue. I'm looking at -- I am
10 looking at C202. Alright, very good. Which, just
11 talking to the high question. Which street does
12 this front - - Which 110 foot wide or more street
13 is this front on?

14 MR. FREEMAN: New York. The lot goes on
15 and tough and touches New York.

16 MR. MAY: New York. Goes and touches
17 New York, so that's where it gets the high from.
18 Okay, the -- I see in the far calculations. But
19 the far calculations are by - so, it's by
20 theoretical lot. The red outlines, right. So,
21 each of the individual buildings far calculations
22 are based on that?

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MR. FREEMAN: Correct.

2 MR. MAY: And the overall 6.9 is an
3 aggregate of that? Exclusive of the private
4 stream?

5 MR. FREEMAN: It's up a little at 7.1,
6 but yes, it's a combination of that, minus the
7 street.

8 MR. MAY: Right, so the area in the
9 street is not included in the far calculation.
10 Okay, so, DDOT's last memo from the third of
11 January, has a few areas that require some
12 clarification. I think you spoke to some of that,
13 But, I kind of missed it all. We know you
14 basically agreeing with all of their
15 clarifications that you will pay for the bike
16 share station. No matter the costs?

17 MR. FREEMAN: Yes.

18 MR. MAY: So, all of those things are
19 in grasp.

20 MR. FREEMAN: Yes.

21 MR. MAY: They are? Okay. So, I have a
22 few small questions about the roof top. And I

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 don't know where they are in your PowerPoint. I
2 should have made a note as we went through but on
3 page 43 of that same submission that we were
4 looking at. So, this is the roof plan. And this
5 drawing has both too many measurements on it and
6 not enough. Right? So, it's got: top of the
7 parapet, top of the roof, and it's not clear
8 always what the actual top -- If we just had
9 elevation marks on the top of the roof, it would
10 be easier to understand. But the thing that I do
11 find a little bit confusing is that the setback
12 requirements. Say, let's just talk about C1, the
13 majority of the penthouse is set back 15 feet.
14 And it's a 15-foot penthouse measured from the
15 top of the main roof to the top of the roof or
16 the parapet on the roof? I mean the penthouse
17 roof or the parapet on the penthouse roof?

18 MR. HOOVER: The highest parapet on the
19 house. So we're going from roof to the top of
20 parapet in any condition and we are at a one to
21 one on the main building.

22

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MR. MAY: Here's where I see an issue.
2 And it's a small issue. I'm sure that it is
3 something that you can fix. You're showing the
4 top of the roof at 1286. Right? I'm looking at
5 numbers that are on that drawing, all the way to
6 the bottom there. To the left of the word, the
7 alley. So, top of the roof is 1286, and the
8 setback has to be from the top of the roof, or
9 edge of the building. Not the top of the parapet.
10 So, you measure from that, the setback of the
11 penthouse, including any parapet on the
12 penthouse, has to be from that intersection of
13 the roof to the face of the building. Not any
14 parapet that extends above it. I think your
15 diagrams show that correctly, but this drawing is
16 either incorrect, or there is a problem there.

17 So, I'm not sure, but you follow me in what I
18 am saying here right? You measure the one to one
19 set back, starts where the roof meets the face of
20 the building. Then it has to cover the highest
21 element as you said on the top of the parapet.

22 MR. FREEMAN: Yes.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MR. MAY: Okay.

2 MR. ROSEN: I think you are right,
3 the dimension is not correctly shown here. But
4 we'll make sure the one to one goes to the
5 highest element on the penthouse.

6 MR. MAY: Yeah, and maybe it's best
7 to just in some sort of subsequent submission,
8 either correct the drawing or perhaps, better
9 yet, point to the section that shows that and
10 that demonstrates that the set back is properly
11 matched. Also, again these are all small points,
12 but there are planters of stuff growing like
13 directly on the roof on pages 52 and 53 in those
14 small sections.

15 Right by the face of the building, so, I
16 don't know if that is just shown there for
17 decoration or that you're actually going to try
18 to grow something there. But there doesn't seem
19 to be any growing medium. And maybe that is just
20 because it is not showing in the detail and it
21 will be recessed, and it will be at the level of
22 the roof. If there is going to be some sort of

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 planter above the roof that is something that has
2 to be set back one to one.

3 MR. ROSEN: Right, these diagrams are
4 diagrammatic. As we enter the building, we do
5 understand the requirements there.

6 MR. MAY: Okay, so we've run into this
7 with other projects, so, it would be best just to
8 clarify that. Either, show us a drawing that
9 doesn't have anything growing magically out of
10 the surface. Or, show us notionally how you think
11 -- it doesn't have to be engineered completely,
12 and of course you will still have to go through
13 your zoning review and permit. But it would be
14 best to show it correctly here because this is --
15 were going to vote to approve this theoretically,
16 and we want it to be correct in what we're
17 seeing. Again, minor, minor points. On page
18 64 -- I'm sorry Mr. Chairman, you wanted me to go
19 first.

20 CHAIRMAN HOOD: As Mr. Freeman said, my
21 team is no longer in the NFL playoffs so.

22 MR. MAY: You're in no rush?

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 CHAIRMAN HOOD: Yeah.

2 MR. MAY: Me neither. Okay, on 64
3 there -- I am confused by what I am seeing in the
4 section on the left, at the very top where we
5 have -- you have a 45-degree angle shown there on
6 a dashed line. It seems to be cutting through
7 parts of the upper level of the parapet. Or the
8 upper level of the penthouse. So, is that an
9 error?

10 MR. ROSEN: That's because of a
11 complexity of the --

12 MR. MAY: Of the shape?

13 MR. ROSEN: Of the infrastructure. So,
14 we take the section, you know, it sometimes
15 changes. But at any point in the plan, the
16 setback will comply.

17 MR. MAY: Right, Okay, so again that's
18 something that needs to be shown. Again, you have
19 the section at the right place, or, take it at an
20 angle that it shows up correctly or whatever.
21 Because this seems to indicate that you are not
22 meeting the setback.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 Then on the right side of that page, the
2 amenity deck. So, what we are seeing there
3 labeled the amenity deck, that's the actual
4 platform, right? Of a deck?

5 MR. ROSEN: That is actually the fence
6 the required fence around the pool area.

7 MR. MAY: Oh, so it is a guard, rail,
8 or it's a guard around the fence?

9 MR. ROSEN: Right.

10 MR. MAY: And the fence itself is --
11 sorry, the pool itself is flush with the --

12 MR. ROSEN: -- It will be elevated
13 within that section.

14 MR. MAY: Okay, I think that needs to
15 be shown correctly too. Because when I see that
16 and read amenity deck, I think that the top of
17 that is the platform that is three eleven and a
18 half whatever, four feet above the roof,
19 nominally. Then there would have to be a guard
20 rail that is set back on top of that.

21 MR. ROSEN: Right.

22

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MR. MAY: So, it should be shown
2 correctly. Then on building B, do I understand
3 correctly on page 69. If I understand correctly,
4 what you have there is a - there is a central,
5 mechanical screening, right? That's about eight
6 feet off the roof surface itself? And it's set
7 back eight feet and a minimum on all sides,
8 except for the south side where you have your
9 elevator overrun?

10 MR. ROSEN: Correct.

11 MR. MAY: It shows up in the
12 drawings, the subsequent elevations as sort of a
13 continuation of that segment of the facade? Is
14 that?

15 MR. MALE SPEAKER: Correct.

16 MR. MAY: Okay, so, there was something
17 odd about that in the dimensions. Here we go, on
18 page 76, we're seeing a section through that
19 screen, and it is shown to be in the neighborhood
20 of eight feet. A little less than eight feet
21 back. In terms of the scaling. But if you look at
22 the dimension on it, the top of the parapet

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 screen wall is at 8811, and the top of the roof
2 is 7066 which means that it is 12 and a half feet
3 tall. So, I just think that top dimension is off.
4 The 8811 is incorrect.

5 MR. ROSEN: We'll check those.

6 MR. MAY: Yeah. I think it is worth -
7 - on the elevation, on 70 when you show the
8 extension of the facade. You call that an
9 architectural embellishment and the plan. It's
10 not that much of an embellishment, but it is
11 arguable that that's a tower piece. It's not as
12 embellished as architectural embellishments are.
13 I think that's okay. You just might want to call
14 it out on that elevation drawing as well, so it
15 matches up with what you are describing in the
16 plan.

17 I think that is it on the architectural
18 things. I think that one of the big issues with
19 this project is that it's a really, really big
20 change. This is what we have all over Union
21 Market, but it's a really big change in the
22 density. Going from matter of right zone, to this

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 zone. I appreciate the fact that the affordable
2 housing component has improved. I also appreciate
3 the fact that there are substantial benefit to
4 the general public here. It's a little bit hard
5 to judge whether this is the right mix and hits
6 the mark. I am interested in hearing what my
7 colleagues have to say about whether they think
8 the benefit of amenities associated with this
9 project is actually sufficient to justify that
10 change in the overall zone. It might actually be
11 worth wild.

12 I think, let me ask you this Mr. Freeman. At
13 the matter of right zone. The CM1, which is what?
14 3.0 Or something like that? There is a
15 difference. I think OP did a calculation that
16 showed that you are gaining 800 some thousand
17 square feet. Over a matter of right. Is that
18 based on the development of the parcels under the
19 old zone versus the development of the parcels
20 under the C3C? Or is it based on the development
21 of the entire property at CM 1?

22

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MR. FREEMAN: I have to double check
2 with OP In terms with how they were calculated.

3 MR. MAY: I mean, assuming that you
4 addressed that. Where is struck me was in the OP
5 report, but it was in your submission I imagined
6 as well. Or it should be.

7 MR. FREEMAN: The increase in our
8 project is actually not as much as we could --

9 MR. MAY: -- I know, I know, you're
10 at 7.1, right. I understand that it's at 7.1, but
11 it is also net of streets. But those streets are
12 streets that are private streets that you are
13 electing to put in. Theoretically, if it were
14 developed at CM1 you could put development over
15 the whole thing, right?

16 MR. FREEMAN: Well, the city-owned
17 street and the public streets. So, the public
18 would.

19 MR. MAY: Oh, they are public streets?

20 MR. FREEMAN: The land is currently
21 owned by the District, and we have agreements in
22 place to develop it.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MR. MAY: Got it.

2 MR. FREEMAN: So, it's not private
3 streets.

4 MR. MAY: But some segments of it are
5 private streets?

6 MR. FREEMAN: No, they are public
7 streets.

8 MR. MAY: Every one of those are going
9 to be public?

10 MR. FREEMAN: The small Neal extension.

11 MR. MAY: Oh, it is? So, I
12 misunderstood that. Okay, well, in any case, it's
13 a really big increase. That's one of the things
14 that still hard to judge and evaluate. I
15 appreciate the amount of change that has occurred
16 between sit down and today. I can't really speak
17 to what happened at the last hearing since I
18 wasn't here. Although, I reviewed the record on
19 it. I didn't have a whole lot to say at the time.
20 But I appreciate where it came from. From sit
21 down to get to today. It is sort of interesting
22 to think about there are a lot less unresolved

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 issues. I mean at this point there a virtually no
2 unresolved issues. That is always a good place to
3 be when we have the hearing. Too often we enter
4 into hearings with a lot of unresolved issues.
5 Maybe this strategy of pushing off the hearing.

6 [Laughter fills the room]

7 MR. FREEMAN: No, that's not the
8 right strategy. I hope not. What we have prepared
9 and can submit for the record in terms of the
10 amenities. We've quantified and evaluated all of
11 the amenities. I am happy to submit that into the
12 record.

13 MR. MAY: Yes, that would be very
14 helpful. I think that is it for y questions Mr.
15 Chairman.

16 CHAIRMAN HOOD: Let me just say I think
17 that was the right strategy. Because

18 MR. MAY: Certainly, in this case,
19 But should we make it a practice?

20 CHAIRMAN HOOD: Well, it depends. I
21 think we do everything case by case. Because if
22 we went any further where we were, they might not

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 have got a favorable vote.

2 MR. FREEMAN: I think Mr. Avitabile
3 might like that for his cases maybe, but I don't
4 know.

5 CHAIRMAN HOOD: I think Mr. Freeman you
6 were doing fine, so let's keep this going.
7 Commissioner Shapiro.

8 MR. SHAPIRO: Thank you Mr. Chair.
9 First and foremost, if we could get a little bit
10 more information about the proffers 11 percent.
11 Can you talk a bit about the unit mixes? Any
12 comments about locations? I think you had the 50,
13 50, 50, 80, 50 and 50?

14 MR. TYRRELL: That's right, yes.
15 So, we have 11 percent of gross floor area, 50
16 percent, 50 AMI and 50 percent, 80 percent AMI.
17 That would be distributed evenly amongst the unit
18 mix of the entire project. So, within the A1 and
19 the B building we actually have a pretty broad
20 range of unit types, ranging from studios, one
21 bedroom, twos to and even a small quantity of
22 threes. Those will all be represented in the IZ.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MR. SHAPIRO: What's the total
2 number of units again?

3 MR. TYRRELL: We have 560 in the
4 first phase. Then the total build out would
5 probably be closer to 1100.

6 MR. SHAPIRO: And so that would be
7 11 percent of 1100 units?

8 MR. TYRRELL: That's right.

9 MR. SHAPIRO: Okay.

10 MR. TYRRELL: With a square
11 footage.

12 MR. FREEMAN: Commissioner Shapiro,
13 we have plans in our planes an older iteration of
14 our IZ worksheet. But when we submit our
15 evaluation of our benefits, we'll also submit the
16 updated version that shows the 11 percent just to
17 make sure that's fully clear and in the record.

18 MR. SHAPIRO: Okay, thank you. The
19 next question is around the -- this is related to
20 the DDOT report. I just wanted to have you talk
21 me through that just for a minute or two. Their
22 issues were, essentially around clashing

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 circulation, bike circulation, pet circulation,
2 auto circulation. Is there something that you can
3 show me that shows how that's laid out in plan,
4 just so I can see it, visually?

5 Or if not, if you can just talk me
6 through it and find the right thing. I mean
7 they're talking about dedicated pedestrian
8 circulation dedicated by circulation.

9 MR. FREEMAN: It's actually a
10 couple of sheets. I'll let Mr. Andreas start with
11 his transportation slides and show you some of
12 those features. As he is doing it, I will find
13 some of those specific documents in the plan.

14 MR. SHAPIRO: I'm especially
15 curious as to how it all seems to come together
16 at the top of the park, the plaza.

17 MR. ANDRES: Good evening, Chairman
18 Hood and members of the commission. For the
19 record, Erwin Andres with Grove Slate Associates.
20 Commissioner Shapiro, with respect to your
21 question, DDOT issues two review letters. One on
22 October 11th and another on January 3rd. As Mr.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 Freeman had said, we've went through all of the
2 different comments that they had. There were
3 comments associated with their TDM, and there
4 were comments related to some of the planned
5 roadway improvements. And some of the issues
6 related to the design as a proposed alley. What
7 I can go through is essentially the concept
8 related to the access for all of the different
9 buildings and all of the different --

10 MR. SHAPIRO: I don't think I need
11 that level of detail. I think it's more -- what's
12 the -- if you were biking in, how are you getting
13 in and how are you getting out? How do you not
14 get run over? How do you not run over people?

15 MR. FREEMAN: Okay, let's go to
16 sheet L1.26 or L1 26 and start from there.

17 MR. SHAPIRO: Is that in the
18 transportation plan?

19 MR. FREEMAN: It's in the packet, and
20 we'll have Mr. Hoover, Don, talk about the
21 pedestrian zones and flex zones, so it is
22 essentially L1.26 through the sections which end

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 at L1.32. So, we'll walk -- Mr. Hoover will walk
2 us through those and the different zones.

3 MR. HOOVER: I do, I am just
4 wondering if they want to see the site. I guess
5 we can use this. So, the -- I don't know
6 specifically what the concern is for these zones,
7 but I will walk you through --

8 MR. SHAPIRO: The main concern,
9 especially for me, is around the Plaza.

10 MR. HOOVER: Okay.

11 MR. SHAPIRO: So, I just want to
12 get a sense for how you have designed the coming
13 together of cars, bikes, and people. And
14 especially, as I look at it in the elevations
15 that are designed. I didn't quite get a sense
16 where automobiles stopped.

17 MR. HOOVER: Ah, Okay. So, looking
18 at the plan on the screen, what you see in gray
19 is the vehicular zone. There is a curbed edge,
20 you're probably wondering, yeah, this all reads
21 on the illustrative plan as being all the same
22 tone. So, you may have thought that cars could

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 drive down there. That is not the case.

2 MR. SHAPIRO: So, the cars curve
3 around Morris and Neal?

4 MR. HOOVER: That's correct.

5 MR. SHAPIRO: And the bike lane --

6 MR. HOOVER: The bike lane is here,
7 there are no bike lanes beyond that. So, it would
8 be any -- bike movement would be mixed with
9 pedestrians. Within this space.

10 MR. SHAPIRO: But the bike valet is
11 at the corner, right?

12 MR. HOOVER: The bike valet is --

13 MR. SHAPIRO: At the corner of the
14 park?

15 MR. HOOVER: That's correct. So,
16 it's a minimum 20-foot wide plaza space going
17 down the hill. It's more like 22 or 23. It's at
18 least 20 foot wide because that is a fire lane,
19 which if you're headed towards putting a bike
20 lane through the plaza. That may be a problem
21 with the fire lane. So, the bike valet is at the
22 bottom of the plaza, so, it would be mixed

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 pedestrian and bicycle traffic in that zone is
2 what's being proposed.

3 MR. SHAPIRO: Is there a way that
4 bicycles make it through the park up the
5 elevation?

6 MR. HOOVER: The Florida Ave Park?

7 MR. SHAPIRO: Yeah.

8 MR. HOOVER: It's possible to take
9 a bike down the switchback, their stairs coming
10 directly up the hillside, but that switchback
11 that you see could be maneuvered by a bicycle.

12 MR. SHAPIRO: I think what I'm
13 looking for is some kind of -- because there is a
14 heavy emphasis on bike access, and I missing how
15 that is designed in. I get it in the alley, on
16 the backside. And I didn't get it where you have
17 the office building. The dedicated bike lane
18 takes you right there, but you're looking at
19 attracting as many people up through the park,
20 and then it just got confused for me.

21 MR. FREEMAN: Let us let Graham
22 take a run at answering your question.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MR. TYRRELL: So, the way as a bike
2 rider I sort of envision this happening is, we
3 have a bike lane on 4th street where the bike
4 lane that we're putting in on Moore Street
5 between 4th and the alley. So, that really serves
6 as sort of the primary, through bike network, if
7 you will for people who want to come into the
8 market. The plaza and the park, I think it's a
9 very steep grade, to begin with then obviously,
10 you've got the switch back ramp situation, so, it
11 is ramped. It is there primarily as a handicap
12 access, but I think it could also serve as
13 somebody walking a bike through that area. I mean
14 I think that would certainly work. Then in the
15 Plaza, we have positioned our resident bike
16 storage and our bike, hopefully, bike storage
17 area, bike valet area in the plaza. I think the
18 idea there is people would sort of come towards
19 that plaza, and they would dismount, walk to the
20 valet, leave their bike there and then go explore
21 the market on foot. So, that is sort of the
22 concept that we been working with.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MR. SHAPIRO: They're dismounting
2 at the bike valet, but they have to get to the
3 bike valet.

4 MR. TYRRELL: Right, so, you know
5 ideally they would be dismounting at the plaza,
6 people are going to ride their bikes through the
7 plaza. Don't mention there is a 20-foot wide fire
8 access way, so, it is a pretty broad area.

9 MR. SHAPIRO: I don't have a good
10 idea how to better design it, but it feels messy.
11 I'm not sure if I even have a suggestion. It
12 feels like it is your intention to have that be
13 as you described it as one of the main features
14 of the plaza. So, you're really encouraging a lot
15 of bike traffic, right onto the plaza. Which I
16 commend you for. I think it sounds significant.

17 MR. TYRRELL: Yeah, I think that is
18 certainly our hope, that this is a predominate
19 bike and pedestrian oriented environment.
20 Obviously, the street and network is relatively
21 small. Car speeds are going to be relatively
22 slow. So, we do envision it sort of being a space

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 where bikes and pedestrians will kind of
2 intermingle pretty comfortably.

3 MR. SHAPIRO: So, this goes to
4 Commissioner Mays comment about the amenities
5 packet. And it's back to the two when you're
6 talking about the plaza and having the plaza be a
7 really significant feature for the entire
8 development. I wanted to get a little more flavor
9 to what the main focal point of this is and the
10 drawings you have an art feature we talked about
11 some sort of potential misting something. My
12 immediate reaction is that it feels a bit light
13 for what you are trying to attract here. So, what
14 plans are concrete and beyond the amount of
15 money?

16 MR. TYRRELL: I'll like Don to
17 spend a few minutes just maybe highlighting a few
18 of the features of particularly the gantry
19 feature. We think that is going to be a very cool
20 interactive element within the plaza. Sort of
21 serve as a backdrop to all of the activation
22 within the plaza. So, I think he's got a few

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 slides here that sort of show that very well.

2 MR. HOOVER: Okay, I'm not going to
3 walk you through this. So, this is a diagram. I
4 think that you can probably see where were at
5 here, hopefully. With Third Street being here,
6 Moore Street being here, and you can't read this,
7 but the curbeage is right there. So, this also
8 includes the level to Terrace Garden. So, what
9 this diagram is illustrating is a couple of
10 points. One, this is primarily a pedestrian
11 circulation way. But we also see it as a
12 destination.

13 As Sacha said, the grade change here, what
14 happens here is from this edge, it slopes five
15 percent to about there. Then from this point down
16 you drop another 15 feet. So this zone through
17 here is relatively flat.

18 MR. SHAPIRO: I lost you for a
19 second, where is the plaza in this?

20 MR. HOOVER: Let me just jump
21 ahead. So, the plaza, this is the edge of the
22 roadway here, so that would all be considered,

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 that entire thing is considered the plaza space.

2 MR. SHAPIRO: Then the park works
3 its way down that way?

4 MR. HOOVER: This is the level 2
5 park that's here.

6 MR. SHAPIRO: Right, I got you.
7 Okay.

8 MR. HOOVER: So, to hit on those
9 grates again, you're basically dropping six feet
10 from here down to about there. Then from here,
11 it's about two percent coming around relatively
12 flat, coming from here, and then you drop 15 feet
13 down the hill. So, this is full of stairs through
14 here and switch back ramps coming through here is
15 relatively flat. So, I'm just going to jump back
16 to the diagram for a second. So, this is just
17 illustrating, as I said it's that major
18 pedestrian circulation way from the metro in
19 Florida Avenue, through the space into the
20 market. But along the way, this diagram is
21 hopefully illustrating the diverse program that
22 happens along the edges. I did mention that we

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 had to keep the center 20 feet open because of
2 the fire lanes. So, everything needs to happen
3 along the edges. So, there are the collection of
4 outdoor café spaces. We have public seating at a
5 number of locations. Some, in this case, is
6 minced seating; this is that terrace -- a wood
7 element that is terrace down the hills almost
8 like bleacher seating. Then there is step seating
9 that wraps the corner of the plaza.

10 Then you've got the residential lobby here,
11 outdoor café space from the coffee shop inside
12 the residential building. Then you've got the
13 gantry feature which I'll talk about more here in
14 a minute. How that is kind of the centerpiece and
15 activator of this space down here. But in a
16 nutshell, everything is happening along the
17 edges, and it's happening at different levels,
18 and its terracing down. Then you have the
19 experience of the terrace gardens going down the
20 hill.

21 If I jump to the -- this slide illustrates,
22 again what you see in brown is all the seating

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 elements on that terrace.

2 MR. SHAPIRO: I'm with you on that.
3 I think we'll go right to that central point.

4 MR. HOOVER: To the gantry piece?
5 Okay, sure. So, I don't know how much history was
6 given to you guys. What started the whole notion
7 of the gantry, but it was -- the idea of the
8 gantry came from the gantries that are spanning
9 the rail tracks. Up and down the tracks. So,
10 that's how it all started. The idea of looking
11 down Morris Street and instead of blocking the
12 view of the trains, we were trying to embrace
13 that and make it part of the experience of the
14 plaza. And so the gantry feature is basically
15 framing the view of the trains moving past beyond
16 and if I step back from the plan for just a
17 second, you can sort of see how the building wall
18 of Morris Street -- Building A steps out in front
19 of it, and then this portion of building A steps
20 out even further, so, you've got this layering,
21 visual layering as you're going down. Then the
22 gantry piece is what you're looking at is sort of

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 end of the view, but also looking through that to
2 the trains beyond. It's also a piece that from
3 Third Street you're going to see. Now, in terms
4 of when you're on foot, what do you experiencing
5 -- well, this is giving you the dimensions here,
6 and again, we see this is a backdrop for
7 potential films, again, think about the terrace
8 seating that is set up within the plaza space
9 looking at this structure. We see this is an
10 opportunity for it to be lighted at night,
11 because you're going to see it from all the way
12 down Third Street from the big building from the
13 end of Third Street.

14 Uline Arena. This is going to be sitting up
15 on the hill, 20 feet up above that, so you're
16 going to be looking up at that piece. So, let me
17 go to a couple of other views.

18 MR. SHAPIRO: I think I get the -- I
19 appreciate what you're going for with it. What
20 I'm wondering is if there is some kind of amenity
21 that could be designed in, that is much more
22 about the fun, the entertainment, the experience

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 of being in that plaza beyond how beautiful it
2 looks. And it does look beautiful. I don't know
3 where my colleagues are with this, but it seems
4 like if you want to create this as a kind of
5 destination for more than just the people that
6 will be living or working there. I think you want
7 something that is going to give people a reason
8 to go there and play there. I don't want to
9 simplify it over. I don't know if that means some
10 kind of really fun fountain, where people bring
11 their kids to play and the enhancement one of the
12 misting features. I don't know whether that is an
13 ice rink or whether it's a -- you know something
14 that can. It's hard for me to gauge it based on
15 the size of it. But just something that people
16 can go to that will be more of an attraction than
17 the --

18 MR. FREEMAN: We'll look at that
19 commissioner and at the next submission we'll
20 present some concepts and some ideas.

21 MR. HOOVER: I'll like to make just
22 one more pitch for the fog feature which is --

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 having worked on dozens of plaza spaces
2 throughout the city, and we have incorporated
3 interactive water features, and a lot of those,
4 they are around every corner. This which the
5 images you see on the left is a project in
6 Pittsburg, and it is, you think it's not
7 interactive. It's very interactive. And what
8 happens is every few minutes the fog is released,
9 and it starts moving across the site, and a bunch
10 of us went up there and looked at this and kids
11 are like, they're hiding, they're running, and
12 you know.

13 MR. SHAPIRO: See, that sounds fun.

14 MR. HOOVER: Ten minutes later then
15 that dissipates. Then, let's say it releases the
16 fog every 15 to 20 minutes maybe it's every half
17 hour. So, it also serves as a clock, but you also
18 wait for that in anticipation. Then it releases
19 the fog and it kind of moves through that space.
20 I think it's going to be something that's unlike
21 anything else in the city. It also speaks to the
22 rail sort of being next door.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MR. SHAPIRO: I would say if that's
2 your pitch, I would accentuate that you know
3 that's what I'm looking for.

4 MR. HOOVER: Okay.

5 MR. SHAPIRO: And if it's there and
6 I just didn't hear about it then my bad. But I
7 didn't hear that in what you were describing.

8 MR. ROSEN: If I could jump in for
9 just a second, I hadn't realized it until this
10 moment in spite working on this for two years. If
11 you could, imagine the pathway at the zoo, kind
12 of as you go down the hill. Right between the
13 elephant and the monkeys. And there is a couple
14 of misters' right there that is the character,
15 the space. This is a pretty wide space. There's
16 different things happening on both sides. There
17 is seating. There's retail, there's kiosk. That
18 is the general character that were talking about.

19 MR. SHAPIRO: But it's not going to
20 smell like the elephant house?

21 [Laughter]

22 MR. ROSEN: That right. It will be

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 completely unique and not smell like the elephant
2 house.

3 MR. SHAPIRO: Thank you. Okay,
4 thank you. Thank you, Mr. Chair.

5 CHAIRMAN HOOD: Alright, Mr. Turnbull.

6 MR. TURNBULL: Alright, thank you Mr.
7 Chair. Maybe it will smell like trains? I want to
8 thank you for your presentation. I think better
9 dramatic inquiry, I mean it's an improvement
10 since our sit down. I think we can all see that.
11 I like the architecture for the most part. I
12 think that I'm fairly pleased with it. I think
13 the introduction of the curvilinear balconies on
14 the building A is exciting. I think it changes. I
15 think I see more of that happening as we go
16 around. I think the best example I have is in
17 Chicago the Aqua building by Jeanne Gang Studios,
18 and you're not there, but it has that same kind
19 of flavor. Very fluid, very moving, And I think
20 it fits in this situation like this to introduce
21 you and come into the plaza and take leads you to
22 the other streets.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 So, I think from that standpoint. I like the
2 way it's been going on. I like what I've been
3 seeing. I do have a few questions. I think my
4 colleagues have asked a lot of it. Let me get my
5 sheet out here. We've talked about the IZ, we
6 have gone through that. One of the things which
7 is troubling to me on the drawings is some of the
8 rather wishy-washy languages that I have seen.
9 And we have gone through -- Mr. Freeman knows we
10 go through this before. I think one of the
11 things, which we try to do in the zoning
12 commission. Is to finalize the documents, so,
13 when we put out an order, and it goes to the ZA,
14 and he looks at the drawings, and he looks at the
15 project. He knows exactly what's in the project,
16 and there's not a lot of room for interruption on
17 his part as to what he thinks should be in the
18 project.

19 There's some language in the drawings. I'm
20 looking at I guess you repeat the same language
21 on several drawings. The exterior elevation are
22 preliminary in shown for illustrative purposes

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 only. All retail storefront including tenant
2 awnings, canopy's and signage are subject to
3 tenant modification. What we need to finalize
4 this is what those requirements is what you see
5 as you are doing.

6 We need a signage sheet; we need to know
7 awning sizes, what you're looking at. I think
8 you've got a consistency in these drawings which
9 is very nice. I mean the architecture seems to
10 blend. So, when we see that this kind of
11 language, that these things can really change and
12 we can see things on the drawings that we weren't
13 expecting. I think that sets up a lot of
14 uneasiness with the zoning commission as to how
15 these things are going to be modified.

16 I think you really need to tighten up on
17 canopies, the signage. I think as Mr. Freeman
18 will attest to, we've usually get a signage
19 drawing that shows the heights of what you're
20 looking at. Where they're going to go, the ranges
21 you are actually going to see on this plan. So,
22 that's my first thing. The other thing is there

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 was one on the roof plans. The let me find the
2 drawing here. I think it's on several roof plans,
3 but on drawing 99, it says that mechanical
4 penthouse locations and sizes are approximate.
5 Final layouts may vary depending upon engineering
6 and construction requirements. Well, that's true
7 maybe to a give and take, to a given extent. But
8 I think were expecting, what you're showing on
9 the roof plans is what we're really going to see.
10 I think if we see something different that says
11 that you may not meet the setback requirements.
12 So, I think that language ought to be omitted. I
13 don't think we want to see that

14 The terminal market signage facing the -- by
15 the tracks. I'm reading that that's made up of
16 either like a black or white brick, that the
17 lettering -- it sounds like its two-tone brick,
18 and that it's spaced. And that you're reading am
19 I right?

20 MR. HOOVER: That's most likely to
21 be painted, just to be able to execute it
22 properly. It's primarily a black brick with white

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 painting.

2 MR. TURNBULL: With white? It can be
3 painted white. And it looks like you're using up
4 lighting?

5 MR. HOOVER: That would be our intent
6 there to show --

7 MR. TURNBULL: Is that your best from a
8 lead standpoint? To have up lighting in a
9 situation like that?

10 MR. HOOVER: On the back of the
11 building, on the lower portion, we've actually
12 projected the --

13 MR. TURNBULL: Okay, if you could --
14 what I would like to see then is a blow up of
15 that.

16 MR. HOOVER: Sure.

17 MR. TURNBULL: A blowup of that a
18 section through it showing what you intend to do
19 in that area.

20 The IZ requirements, the habitable space
21 that you're getting up on the roof has been taken
22 into account fully for the bonus for the IZ?

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MR. HOOVER: We don't have
2 habitable residential space on the roof of the
3 residential building. I think that's only for the
4 office building.

5 MR. TURNBULL: Oh, okay. Let me ask
6 you, I didn't see, and maybe I'm wrong, maybe I
7 just missed it. Any floor plan locations for the
8 IZ units?

9 MR. FREEMAN: You're correct, that
10 is not there. We can add that for you.

11 MR. TURNBULL: Could you provide that
12 for us? Okay. The only other question that I have
13 is we get into this whole material selection, and
14 if you're going to be using terracotta, I would
15 like to see terracotta in the drawings and not
16 suddenly find out it's going to be metal or
17 something else later on. So, I'd like you to -- I
18 don't mind a variation, we don't mind having you
19 pick a product, a material and then either have
20 to change within the range of that within that
21 specified material. But what I don't want the
22 language to say is that you're going to change

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 materials on the drawings. In other words, you're
2 going to go from terracotta to metal.

3 I would prefer that we know exactly what's
4 going to be on the building and that you may have
5 a range within that material that you have to
6 choose from. But I'd like to see a definite
7 material picked for the building and the
8 different elements of it. I think that gives the
9 zoning administrator some understanding of what
10 this building is going to look like and what he
11 has to interrupt, and not interrupt.

12 I think Mr. Chair, those are my comments for
13 now.

14 CHAIRMAN HOOD: Okay, thank you.
15 Vice Chair.

16 MR. MILLER: Thank you Mr.
17 Chairman, and thank you all for all your work on
18 this project over two years. For the
19 presentation, this evening and this certainly
20 will be another one of these transformative
21 projects that will -- taking vacant and under-
22 utilized industrial land and creating a

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 neighborhood. A mixed-use neighborhood, with a
2 lot of residential that both market rate and
3 affordable housing that the city needs.

4 The 11,000 units total and nearly 600 in that
5 first phase is great. I think as commissioners,
6 as my fellow commissioners has alluded to, it has
7 really improved since we saw it at sit down way
8 back in the spring I guess. So, I think that the
9 overall architecture and attractiveness of it and
10 many of the features and the benefits have all
11 been improved and strengthened. So, I would just
12 echo the compliments of my fellow commissioners
13 that you have gone lead gold certification.
14 Although I've noticed DOEE wanted you to use a
15 more up to date lead thing. At some part of your
16 post-hearing submission, I wonder if you could
17 provide a response to the DOEE. I don't know if
18 we necessarily need it here, but one of the
19 comments that I recall was that they were talking
20 about more permeable spaces on the plaza. If any
21 of the plaza painting permeable? Or is it all
22 impervious?

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MR. BARBER: It's all impervious at
2 this point.

3 MR. MILLER: I think maybe if that
4 could be considered as you go forward. If you can
5 make more of those, of the plaza space permeable
6 surface. I think, and they also call for more
7 landscaping of the plaza. Although, I see a lot
8 of landscaping, so I'm not sure if they saw the
9 most recent renderings or not. But I don't know
10 if you have any comment on it?

11 MR. BARBER: Only that on the time
12 that we got that comment to when the drawings
13 were finalized, we added quite a few trees
14 expanded the plant material. I'm not sure if they
15 wouldn't still have the same comment but yeah.

16 MR. MILLER: Yeah, if you could
17 just provide for the record a response to their
18 comments and perhaps give consideration to adding
19 more permeable surfaces on that whole plaza area.
20 Which is a significant part of - How many square
21 feet is all the open space that you're - do you
22 know?

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MR. FREEMAN: We do know.

2 MR. MILLER: If you could provide
3 that for the record as well.

4 MR. FREEMAN: Its TL 1.02, Park
5 Plaza open space is approximately 7,875 square
6 feet.

7 MR. MILLER: And that includes the
8 Florida Avenue Park as well? Or is that --

9 MR. FREEMAN: That's 17,000, no,
10 that's just on ours. Our site.

11 MR. MILLER: Just on your site. But
12 you're attributing dollars towards that park?

13 MR. FREEMAN: Correct.

14 MR. MILLER: 150,000?

15 MR. MILLER: Yes.

16 MR. MILLER: Yeah, so. That's good.
17 I also appreciate that you did increase the
18 strength in the IZ amount to 11 percent. I think
19 it was maybe a 10 percent the last time you saw
20 it. And I appreciate the 50, 50 split between 50
21 percent AMI and 80 percent AMI.

22 So, none of the habitable space on the

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 office. That doesn't trigger any kind of housing
2 contribution requirement at all?

3 MR. FREEMAN: When using the word
4 habitable, it's just office. It's not habitable
5 by residents. It's just office space.

6 MR. MILLER: I really don't have
7 questions. I think it's an attractive project. I
8 like all the balconies. I always do like
9 balconies. I like curvilinear ones, and I like
10 the square ones. I like them all. I guess you
11 don't have that many facing the railroad tracks?
12 I guess that might not be as attractive of a
13 place to be hanging out. But maybe it would
14 looking at the trains going by. So, and all the
15 terrace and the seating terrace and the landscape
16 setting. I think it's all very attractive and I
17 compliment you on that. I don't have any other
18 questions at this time, Mr. Chairman.

19 CHAIRMAN HOOD: Mr. Freeman I have
20 watched you grow in that position that you are in
21 now, and I just want you to know that I am very
22 observant. And you've learned how to get your

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 clients and those speaking to know when to hold
2 and when to fold. So, I just want you to know
3 that I'm watching that. Let me just -- I don't
4 really have a whole lot. When it gets around to
5 me a lot of stuff has been hashed or spoken
6 about, and I don't want to be redundant. But I do
7 want to talk about -- I saw, I think I read
8 somewhere where this elaborate sound proofing
9 from the trains, and I don't know if there was a
10 rendering or I may have missed it. Maybe I didn't
11 recognize it, but can you show me a rendering
12 with all of the elaborate soundproofing from the
13 trains?

14 MR. FREEMAN: So, the comment was
15 that we would incorporate it. Sound into new
16 weighted windows on that west elevation, so there
17 is not a plan it's just -

18 CHAIRMAN HOOD: So, there's not a plan
19 showing me all this elaborate stuff that I was
20 reading about?

21 MR. FREEMAN: Correct.

22 CHAIRMAN HOOD: It just talks about it?

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MR. FREEMAN: It's just
2 incorporation of soundproofing windows.

3 CHAIRMAN HOOD: Do we know, so
4 soundproofing windows. It's not like a wall or
5 what I see on 95 or nothing like that?

6 MR. FREEMAN: No.

7 CHAIRMAN HOOD: Okay, alright. How
8 close are the train tracks to the property line?
9 I'm thinking vibration. Are we going to get any
10 vibration?

11 MR. FREEMAN: Let me, there's a
12 sheet for that.

13 CHAIRMAN HOOD: I'll tell you this
14 because growing up in North Michigan Park, the
15 bus used to come by our house and all our houses
16 would shake. For years, and it's still there,
17 though, it's still standing. They would give a
18 little vibration, so, I'm just curious.

19 MR. FREEMAN: So, sheet 105 is a
20 section and it has some dimensions on there. So,
21 if you go to 105 in the packet, we'll have Mr.
22 Rosen talk through some distances.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 CHAIRMAN HOOD: We don't need to spend
2 a lot of time. I'm just curious.

3 MR. FREEMAN: So, were at least 32
4 feet than from the proposed VRE tracks.

5 CHAIRMAN HOOD: Let me ask you, is VRE
6 the only person that uses these tracks? Or is it
7 Amtrak? I know who owns the track.

8 MR. FREEMAN: Those would be the
9 closest tracks on this side. We're further from
10 the ones on the other side.

11 CHAIRMAN HOOD: So, VRE is the only
12 rail that uses that?

13 MR. FREEMAN: It would be the
14 closest ones.

15 CHAIRMAN HOOD: Okay, so Amtrak is not,
16 Excel or anything won't be running through there.

17 MR. ROSEN: So, Amtrak, Excel trains do run
18 through there. They are greater than 30 to 35
19 feet. It varies from the building, and this is
20 something that we've carefully considered.
21 Because the project doesn't work if people don't
22 want to live there. And people won't live there

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 if the noise is annoying. So, that is one of the
2 reasons we actually have the residential units
3 above grade. So, there's the back of that
4 building. The first two floors are actually
5 parking. Then we've actually taken the podium
6 slab, it's on the base of the third floor and
7 extended that out. That helps catch some of that
8 sound, so it doesn't come up the face of the
9 building.

10 We've done a few other things on that side.
11 The impact of the sound on the building is
12 directly related to the ratio between the window
13 and solid wall. So, there is more windows on the
14 other sides of the building. On that side, we've
15 reduced the size of the window.

16 Mr. Miller asked about balconies. One of the
17 things about balconies is as the sound comes up,
18 the bottom of the balcony bounces the sound in
19 the unit. So, that's one of the reasons we've
20 carefully put the balconies where we have and not
21 had too many. All that being said, one of the
22 major factors here in our initial analysis is

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 that this is at the end of the rail line. Union
2 Station is right there, so, the trains are moving
3 quite slowly. So, typically when you get the
4 heavy noise and vibration is when the trains are
5 at full speed.

6 So, we've worked with our acoustical
7 consultant to really understand the impact here,
8 and we feel that the vibration is not really
9 going to be an issue. We've actually paid more
10 attention to the metro, because that's the
11 station right there. And the station, even though
12 at full speed, that metro trail of trains are
13 quieter. At the station where you get the
14 announcements, and you get the beeping from the
15 bonging form the doors. Those are -- it's a
16 different quality of sound. It's a higher pitch,
17 and that can effectively be controlled with the
18 types of windows that we are proposing to use on
19 that side. So, we have worked with our acoustical
20 engineer. We've looked at a variety of issues
21 from distance to configuration, to material use.

22 CHAIRMAN HOOD: I think you bring

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 up a good point, though. Which gives me more of a
2 comfort level. When I think about Amtrak, and
3 I've worked there, I think of how at night they
4 are blowing the horn when they are coming up from
5 the south and all that. So, you're right, when
6 getting closer, they do slow down. So, that's
7 key, and I'm sure you've worked it out to where
8 they won't be blowing the horn. Then again, the
9 closer they get into the city sometime, that's
10 when they hit the horn. So, I'm sure from what
11 I've read you all are working that out with those
12 trains.

13 Let me go back to what Commissioner Shapiro
14 was talking about with the design. The still
15 design. You mention that the design was going to
16 give off some kind of mist? Is that what this is
17 going to do? MR. TYRRELL: Its fog,
18 yes.

19 COMMISSIONER HOOD: It's not going to be
20 a mist?

21 MR. TYRRELL: It's not, there are two
22 different systems. What they have at national zoo

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 is misting, and that's the cool people off when
2 it's really hot. The fog is something, it's a lot
3 finer and it kind of lingers in the air more.

4 COMMISSIONER HOOD: I think my own
5 analysis is that those type of units not only
6 attract kids, I think that is what you said. I
7 think it attracts adults, because I know I run to
8 them. So, I'm sure others probably do and I see
9 some adults over there with me. So, I think that
10 would be an attraction. So, I think that's a good
11 idea. So, I don't have anything else. I don't
12 have anything major. I think most of the
13 questions should have been asked by now. Let's
14 see if we have any follow up questions.

15 MR. MAY: I'm sorry, did I miss it? Is
16 there actually a drawing that indicated the
17 allocation of the IZ units?

18 MR. FREEMAN: Not the location. So,
19 we're going to put that in the record.

20 MR. MAY: You will add that?

21 MR. FREEMAN: Yes, sir.

22 MR. MAY: Okay, then well, let's talk

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 about the habitable space in the penthouse level
2 because office space on top of an office building
3 that's at the penthouse level is habitable space.
4 It would -- that's my understanding of it. It
5 would trigger the contribution requirements.

6 MR. FREEMAN: Yeah, well run the
7 numbers and do the math and whatever is required
8 we'll do it.

9 MR. MAY: Okay, then the wing of
10 building A1, that's to the east side, there is
11 the indication that there is habitable penthouse
12 space that is part of those units.

13 MR. HOOVER: That's rooftop per building
14 code, per zoning it's not above that maximum
15 height limit so, it's just occupied. It's just
16 FAR space.

17 MR. MAY: It's a floor? And not a
18 penthouse?

19 MR. FREEMAN: It's a pop up --

20 MR. MAY: I mean it's a floor, or it's
21 a penthouse.

22 MR. FREEMAN: It's a floor.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MR. MAY: Okay, I think I'll ask the
2 Office of Planning to pine on whether that fact
3 that -- on a certain level of penthouse is
4 penthouse. So, even though it's not above the
5 height of the zone, if it's considered penthouse,
6 you could still get into trouble so effectively
7 it's another floor.

8 MR. HOOVER: I may have mistakenly
9 referred to it as penthouse because I'm thinking
10 building code and not zoning. In terms of zoning,
11 it's a floor.

12 MR. MAY: It's a floor?

13 MR. HOOVER: It's a floor, correct.

14 MR. MAY: It's a portion of a floor.

15 Okay, again I'll ask the Office of Planning to
16 plan on that, because I forget the particulars of
17 how we define it. Alright, thanks.

18 CHIRMAN HOOD: Any other follow ups?
19 Okay, let's go to the ANC, 5 D I believe. Do we
20 have anybody here representing ANC 5D? Is it 5 C
21 also? I know 5, that's my AC area. Is there
22 anyone representing AC 5C? I don't see anyone.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 I'll have to get on them about that.

2 Mr. Avitabile, do you have any cross?
3 Okay, let's go to the Office of Planning and the
4 District Department of Transportation.

5 Mr. JESICK: Thank you, Mr. Chairman
6 and members of the Commission. My name is Matt
7 Jesick, the Office of Planning is very pleased
8 with the progress that this application has made
9 since the last time they came before the
10 commission. I'll just highlight a few points from
11 our report.

12 One improvement that we really appreciate is
13 the significant revision to building B. Which is
14 a vast improvement over the original design.
15 Also, were pleased that all of the buildings
16 would now be lead gold. The applicant has
17 discussed the significant additional detail about
18 the open spaces including the plaza. They also
19 continued to work with DC Water, who has
20 submitted a memo which we have attached to our
21 report. DC Water is in support of the easement
22 along the western side of the property.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 In terms of benefits and amenities, we strongly
2 support the commitment of additional funds
3 towards the Florida Avenue Park. That was an item
4 that was identified in the small area plan. This
5 would help complete that park, which would be a
6 gateway to the entire Florida Avenue market.
7 Especially this project, it will act as its front
8 door. Also, we support the commitment towards 11
9 percent of the floor area going to IZ.

10 We look forward to seeing the additional detail
11 about the office penthouse IZ contribution. As
12 well as the information that I don't know if the
13 applicant spoke about it this evening, but they
14 brought it up with OP, and that is flexibility in
15 the location in some of the IZ units. Should
16 building A2 be a condo building? They've asked --
17 they talked to OP about flexibility in shifting
18 some of that floor area around to other
19 buildings.

20 Regarding the lower portion of building A1. OP
21 did view those units as an additional story on
22 the building, rather than a penthouse. We didn't

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 feel that those would generate an IZ
2 contribution. But, with the additional proffer
3 commitments and design changes. OP is satisfied
4 with the project, and can recommend approval.
5 Thank you.

6 CHAIRMAN HOOD: Thank you. Mr. Rogers.

7 MR. ROGERS: Good evening, Mr. Chairman.
8 Members of the Commission. For the record I am
9 Jonathan Rogers with The District Department of
10 Transportation. From a transportation
11 perspective, the project includes many positive
12 elements. Just to hit on some highlights are the
13 new street network. The bike amenities both
14 inside the building as well as the facilities on
15 the streets within the site.

16 There's excellent pedestrian circulation, in
17 particularly with connection to the park and
18 Florida Avenue. In addition in a more aesthetics
19 perspective, the street design includes a number
20 of important details that will be included in the
21 pending Union Market street scape guidelines.
22 That will really help to unite the streets from a

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 design perspective.

2 A couple of notes. One is the applicant has
3 offered to install and to include an additional
4 east bound left movement at the Florida Avenue
5 and 4th street intersection. I just wanted to make
6 a note about that. That should be subject to DDOT
7 approval. How much to be studied further as part
8 of the permeating process, or future stage 2. The
9 reason for that is DDOT has in preliminary design
10 for Florida Avenue Multimodal and Safety
11 improvements. We just want to make sure that the
12 left phase will not conflict with the larger
13 Florida Avenue work.

14 Clarifying note about public versus private
15 streets. I think everyone's saying the same thing
16 but probably worth clarifying. Some of the
17 terminology. What DDOT Considers to be a public
18 street is a street that is constructed on right
19 of way. Which is in DDOT's inventory. These
20 streets wile would be constructed on publically
21 owned land, they would be not within DDOT's
22 portfolio, and therefore DDOT would not consider

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 them public streets.

2 Therefore maintenance, enforcements, snow
3 removal, that sort of thing would be the
4 responsibility of the applicant. Just to conclude
5 on one note of continued coordination. Because
6 these streets are not built on right of way. The
7 further design and final design will be done
8 through the DCRZISF process, rather than the
9 public space permitting process. We look forward
10 to working out any final details on the street
11 design, which we would consider to be minor.

12 More of things like stripping, rather than
13 where's the curb line. So, we look forward to
14 working with the applicant on the final designs.
15 With that I'll pause and take any questions.

16 CHAIRMAN HOOD: Okay, thank you both.
17 Let's see if we have any questions for either OP
18 or DDOT. Mr. May.

19 MR. MAY: I have a question for them,
20 but just a follow up to the applicant. So, the
21 penthouse level residential space, just make sure
22 that the drawings show that correctly. And

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 indicate that it is a story, and not a penthouse.
2 Go to the drawings and had to go back and check,
3 but it's got to be clear.

4 CHAIRMAN HOOD: Anybody else? Okay, does
5 the applicant have any questions of OP and DDOT?
6 I don't see again 5D and 5C. 5C and 5D, I'm not
7 seeing anyone. Mr. Avitabile, do you have any
8 questions? Okay, let's go to any other government
9 reports. I think Vice Chair's already mentioned
10 DDOE, any other reports that I may have missed?

11 Okay, let's go to the ANC. Again, is there
12 anyone here representing the ANC 5D? They do have
13 a letter in the file. Did 5C submit anything?

14 MS. SCHELLIN: No.

15 CHAIRMAN HOOD: Okay, I will have to
16 talk to them about that. What Exhibit is it right
17 quick? Ah, 36, okay, there it is. And they voted,
18 the commission voted 6, 0 to 0 to support this
19 project. Then go on about some other things. I
20 want to thank Chairman Roberts for AMC 5D for
21 submitting their support. The do talk about
22 furthering the project, including a number of

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 significant public benefits. It talks about the
2 IZ, the lead, Gold, and some other things I'm
3 sure that the applicant has mentioned to them and
4 they support this project with either a
5 unanimous, or no one was there to vote against
6 it.

7 It was probably unanimous, it looks like there
8 were only six commissioners there. Anything else?
9 Any other reports? Okay, let's go to any
10 organizations or persons who are here to support
11 that would like to come and testify. Any
12 organizations or persons? I'm sorry, the party.
13 You're right. I'm not use to you being a party.

14 MR. AVITABILE: Thank you. David
15 Avitabile with Goulston & Storrs, here tonight on
16 behalf of the Union Market Apartments LLC., and
17 1250 4th Street, Edan LLC., who are the owners of
18 the property to the east of the alley and the
19 east of the project. It's a project that would
20 use the zoning commission approved as a PUD. I
21 guess it was just under 2 years ago.

22 It consisted of two parcels, the south parcel

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 building and a north parcel building. The south
2 parcel building got consolidated approval for
3 mixed use residential building over retail. The
4 north parcel got first stage approval for the
5 same thing that the North parcel building would
6 be coming before you, sometime later this year
7 for a second stage approval.

8 One major aspect of that PUD was improvements
9 to the alley in between our PUD and the PUD that
10 is before you tonight. We have certain
11 improvements that we've agreed to do. Were
12 approved as part of that PUD. This project
13 continues to improve upon those improvements with
14 a slightly different alley section and
15 configuration. We're supportive of those, as we
16 are supportive of the rest of the project, just
17 contingent on some conditions that we've worked
18 out with the applicant that we would like to be
19 the conditions of the PUD. That is all I have to
20 say. I can submit the conditions that we've
21 worked out together to you all for your
22 consideration, as part of the decision. That's

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 everything, thank you.

2 CHAIRMAN HOOD: Thank you. Just make sure
3 we get that and the applicant agrees and you all
4 are on the same page with that right?

5 MR. FREEMAN: Yes, we do.

6 CHAIRMAN HOOD: Comments?

7 MR. MAY: Can you explain generally
8 what the conditions are?

9 MR. Avitabile: Yeah, sure. So,
10 essentially, our PUD was approved with a certain
11 alley section. Essentially, and we're only
12 approving the first. It's a 48 foot wide alley.
13 We would improve the first 35 feet of it a
14 certain way. There alley configuration changes a
15 portion of that. Essentially, it creates that
16 bike lane. It goes about halfway on what we're
17 supposed to do. Halfway on what they're supposed
18 to do. So, what's going to happen? What we
19 believe will happen is we'll construct our PUD
20 and complete it, and we'll have built the alley
21 improvements that we have agreed to do and you
22 have approved. Then when you come in and complete

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 their building, then construct improvements that
2 they're proposing, kind of over and on top of
3 ours. So you'll end up with -- at the end of the
4 day, a new alley configuration that they have
5 approved.

6 That they asked for a new hove improved. So, at
7 the end of the day you get the alley that you
8 want, but it doesn't hold us up in the process of
9 getting our building approved.

10 MR. MAY: You don't want to have to
11 worry about getting yours built to what they put
12 in theirs --

13 MR. Avitabile: Right, right, or
14 modifying. It's a minor issue, and part of a week
15 or two is the address the coordination in the two
16 buildings, making sure that our trucks could
17 maneuver and wouldn't have conflicts with the
18 bike lane and so on and so forth.

19 MR. MAY: Whatever you need to submit,
20 the last thing we want to do is have you come in
21 with a modification because you can't get your
22 permits, or something.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 MR. Avitabile: That was the intent.
2 Thank you.

3 MR. MAY: Right, Okay.

4 CHAIRMAN HOOD: Any follow up questions
5 or comments? Anything else up here? Mr.
6 Avitabile, do you have any? Again, 5C and 5D are
7 not represented. Okay, thank you very much.

8 MR. Avitabile: Thank you very much.

9 CHAIRMAN HOOD: Okay, let's go to
10 organizations and persons who are here in
11 opposition. Alright, Mr. Freeman, do you have any
12 rebuttal? Any closing?

13 MR. FREEMAN: No, sir. Closing, we
14 thank the record is full and clearly indicates
15 how we meet the standards of approval. I have a
16 list here of 17 items that we will be able to
17 turn around and submit fairly quickly. If the
18 record will be left open, we would like the
19 opportunity just to add some additional
20 information about compliance with the comp plan
21 and make sure there's no question about that. But
22 with that, again, we think we meet all of the

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 standards. It's been awhile since we were last
2 here. It's been a few months. I think there is
3 not any outstanding issues so, if the commission
4 is so inclined, we would love proposed action
5 tonight, and well get the remaining items in
6 prior to final actions. So, thank you for your
7 time and consideration of my application.

8 CHAIRMAN HOOD: Okay, thank you. Mr. Freeman,
9 did you just say you all had 17 items that you
10 needed to give us? Was it 17 or 7?

11 MR. FREEMAN: I said 17, but some are
12 duplicative, so, we can get them in -- some of
13 them are all on the same sheet. So, it's not a
14 lot.

15 CHAIRMAN HOOD: Alright, thank you all
16 very much. Thank you, Mr. Freeman. Colleague's,
17 you've heard the request, how do you feel?

18 MR. MILLER: Mr. Chairman I think we
19 can take proposed action tonight and get the
20 submission that addresses all those issues and
21 questions we raised before final.

22

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 CHAIRMAN HOOD: Any other comments on
2 that?

3 MR. MAY: I only have 13 things to talk
4 about.

5 CHAIRMAN HOOD: That's where most of
6 them came from.

7 MR. MAY: But I'm sure, yeah,
8 almost all of them are mine.

9 CHAIRMAN HOOD: The other four probably
10 came from.

11 MR. MAY: No, I was tracking yours too,
12 so.

13 CHAIRMAN HOOD: I don't think I've
14 asked many.

15 MR. MAY: That's okay. I rather get 17
16 than 13.

17 CHAIRMAN HOOD: Okay, so, what are? Are
18 we ready to move? Is everybody ready? Okay,
19 would someone like to make a motion?

20 MR. MILLER: Mr. Chairman, I would like
21 to move that the Zoning Commission take proposed
22 action on case number 15-27. Kettler 300 North

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 Street, northeast consolidated the first stage
2 planned unit development and map amendment and
3 asked for a second.

4 MR. TURNBULL: Second.

5 CHAIRMAN HOOD: It has been moved and
6 second, any further discussions? I will say that
7 I do appreciate the word. We've come a long way
8 from the previous hearing. Any other discussion?
9 All those in favor, Aye.

10 PANEL MEMBERS: AYE.

11 CHAIRMAN HOOD: Any opposition? Hearing
12 none Ms. Schellin, would you record the vote?

13 MS. SCHELLIN: Staff reports that 5 to
14 0 to 0 to approve proposed actions, in zoning
15 commission case number 15-27. Commissioner Miller
16 is moving, Commissioner Turnbull seconding.
17 Commissioners Hood, Shapiro, and May in support.

18 If we could set some dates for these items
19 that are due. How much time do you guys need?

20 MR. FREEMAN: Two weeks.

21 MS. SCHELLIN: Two weeks? Okay, so,
22 that puts you at 3 pm on January 26th. Then the

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)

1 ANC's and the parties can respond by February
2 2nd. Then we need draft finding these facts and
3 conclusions of law, also by February 2nd. And we
4 will put this on for February 27th at 6:30 p.m.

5 CHAIRMAN HOOD: Any other questions?

6 MR. FREEMAN: Thank you.

7 MS. SCHELLIN: That's it.

8 CHAIRMAN HOOD: Any other questions?

9 Are we all on the same page? So, I want to thank
10 everyone for their participation tonight. This
11 hearing is adjourned.

12

13

14

15 Whereas, this hearing was concluded at 8:23 p.m.

16

17

18

19

20

21

22

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, Suite 810 • Washington, DC • 20036
202-898-1108 (DC) • www.OlenderReporting.com • 410-752-3376 (MD)