

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF: :

:

Wells REIT II 80 M Street, : Case No.

LLC - Design Review @ 80 M : 19-23

Street, S.E. (Square 699, :

Lot 28) :

:

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Thursday,

January 9, 2020

Hearing Room 220 South

441 4th Street, N.W.

Washington, D.C. 20001

The Public Hearing of Case No. 19-23 by the
District of Columbia Zoning Commission convened at 6:30
p.m. in the Jerrily R. Kress Memorial Hearing Room at 441
4th Street, N.W., Washington, D.C., 20001, Anthony J.
Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson
ROBERT MILLER, Vice Chairperson
PETER G. MAY, Commissioner (NPS)
PETER SHAPIRO, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary
PAUL YOUNG, Zoning Data Specialist

OFFICE OF PLANNING STAFF PRESENT:

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JOEL LAWSON
ELISA VITALE

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

JACOB RITTING, ESQ.
DANIEL BASSETT, ESQ.

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF PRESENT:

AARON ZIMMERMAN

The transcript constitutes the minutes from
the Public Hearing held on January 9, 2020.

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

6:30 p.m.

1
2
3 CHAIRMAN HOOD: The Zoning Commission will come to
4 order. Good evening, ladies and gentlemen. This is a public
5 hearing of the Zoning Commission for the District of
6 Columbia. My name is Anthony Hood. Joining me are Vice Chair
7 Miller, Commissioner Shapiro, and Commissioner May.

8 I'm also joined by Office of Zoning staff, Ms.
9 Sharon Schellin. Office of -- and behind the scenes we have
10 Mr. Paul Young, who's operating our technical equipment. I
11 would ask the Office of Attorney General to introduce itself
12 at this time.

13 MR. RITTING: Good evening, everyone, I'm Jacob
14 Ritting.

15 MR. BASSETT: I'm Daniel Bassett.

16 CHAIRMAN HOOD: Office of Planning?

17 MR. LAWSON: Good evening and happy New Year,
18 everyone. This is Joel Lawson with the DC Office of Planning.

19 MS. VITALE: Elisa Vitale with the Office of
20 Planning.

21 CHAIRMAN HOOD: And now the District Department of
22 Transportation.

23 MR. ZIMMERMAN: Aaron Zimmerman.

24 CHAIRMAN HOOD: Okay, notice of this hearing was
25 published in the D.C. Register. The hearing will be conducted

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1 in accordance with the provisions of 11-Z DCMR Chapter 4, as
2 follows:

3 Preliminary matters, applicant's case. The
4 applicant has up to 60 minutes.

5 How much time do you think you need? Introduce --

6 MS. PRINCE: About 20 minutes.

7 CHAIRMAN HOOD: About 20 minutes. Okay.

8 Report of the Office of Planning; the District
9 Department of Transportation; other government agencies; the
10 ANC; and then we will have testimony. And then rebuttal and
11 closing of the applicant.

12 Okay, we would ask all individuals wishing to
13 testify, please rise and take the oath. Ms. Schellin, would
14 you please administer the oath?

15 MS. SCHELLIN: Please raise your right hand. Do you
16 solemnly swear or affirm the testimony you'll give this
17 evening will be the truth, the whole truth, and nothing but
18 the truth?

19 (Witnesses sworn.)

20 MS. SCHELLIN: Thank you.

21 CHAIRMAN HOOD: A few housekeeping -- staff will
22 be available to discuss any procedural questions if you're
23 here for your first time. We ask that you cut off all
24 electronic devices so not to disrupt these proceedings. And
25 when you come forward, we ask that you give your cards to the

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1 court reporter before taking the seat at the table. When
2 you're speaking, we ask that you turn your microphone on, and
3 when you finish that you turn it off.

4 Do we have anyone here who's in opposition of this
5 case?

6 Okay.

7 All right, Ms. Schellin, do we have any
8 preliminary matters?

9 MS. SCHELLIN: Yes sir. The first is with regard
10 to Jordan Cox, who is present this evening. He has filed a
11 motion to accept an untimely party status application. So if
12 the Commission would first consider the waiver, whether to
13 accept the untimely filing. As the Commission knows, the
14 party status apps are due at least 14 days prior to the
15 hearing, and he has filed a motion for that untimely filing.
16 So I ask the Commission to consider the waiver request first,
17 and if approved, then go on to consider the party status app.

18 CHAIRMAN HOOD: Okay, and I think that request is
19 what exhibit, Ms. Schellin? Is that exhibit 14?

20 MS. SCHELLIN: Thirteen.

21 CHAIRMAN HOOD: Thirteen, okay. From Mr. Jordan
22 Cox. Okay bear with me.

23 (Pause.)

24 I recall colleagues reading this. And I looked at
25 -- I think Mr. Cox mentioned this was his first time. He

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1 didn't know, or he didn't see the proper notice, and there
2 were a number of things that happened. But when I look at it,
3 I think, for me -- well, before I get to the merits of it.
4 Because -- well, I have to go the merits, to a point, because
5 I believe that when I read his submission, I think there's
6 a requirement, uniquely affected, and I think Mr. Cox showed
7 in his submission that he was not uniquely affected.

8 But let's go to the timeliness -- let me hear from
9 others. Let me hear from others, because I can't really say
10 a whole lot because I need to go the merits because the way
11 I think he -- I'm not going to say he did himself in, I think
12 he went against our rule when it says that he's not the only
13 one uniquely affected. Looks like all of his neighbors are
14 uniquely affected.

15 But I will say this. I'm not sure where the
16 Commission's going, but -- what we're going to decide, but
17 I will tell you that we will give him an opportunity to come
18 up and present his case. I just don't think, from the merits
19 in the submissions, that it warrants -- even if we get beyond
20 the time period -- that it warrants for me to give him party
21 status. But let me hear from others.

22 COMMISSIONER SHAPIRO: Mr. Chair, I would agree.
23 I think that on both points, which is that I'm not inclined
24 to waive the request, and even if we were, I'm not sure he
25 would meet the requirements in any case. So I agree with you.

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1 CHAIRMAN HOOD: Any others? Comments?

2 COMMISSIONER MAY: Yeah, Mr. Chairman. These issues
3 have come up on numerous occasions in the past, and I think
4 that the Commission has consistently held that in
5 circumstances like this, where there is adequate notice and
6 there's not a very clear reason to waive the requirements for
7 advanced party status filing, we've not waived them.

8 The notice is given in multiple methods. It is
9 possible for a person who may be affected to miss one of
10 those, or all of those, I mean that does happen. But I think
11 there are -- you know, we have those multiple notification
12 methods prescribed in the Zoning Regulations to try to make
13 sure that we get as many people as possible aware of it. In
14 some cases it just doesn't happen. I don't think -- the fact
15 that it did not happen in this case, I don't think warrants
16 granting the waiver.

17 And I would also underscore the fact that, even
18 on the merits, if we had -- if we did grant the waiver, we
19 would deny the request. Mr. Cox is certainly welcome to
20 testify; we're very eager to hear from him and any neighbors
21 who would want to testify. But not to grant party status in
22 this circumstance. Or not to waive the request.

23 CHAIRMAN HOOD: Okay. So we'll deal with not
24 waiving the request first --

25 VICE CHAIR MILLER: I would concur with my

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1 colleagues, but look forward to hearing Mr. Cox's testimony.

2 CHAIRMAN HOOD: Okay. I would agree. We will hear
3 from Mr. Cox, and anyone else who's in opposition, testimony.

4 So we will -- I will move that we would deny the
5 waiver request, and I ask for a second.

6 COMMISSIONER MILLER: Second.

7 CHAIRMAN HOOD: It's been moved and properly
8 seconded. Any further discussion?

9 All in favor? Aye.

10 (Chorus of aye.)

11 Any opposition?

12 Not hearing any, Ms. Schellin, would you please
13 record the vote?

14 MS. SCHELLIN: Yes. Staff records the vote five to
15 zero to zero to deny the motion to accept an untimely party
16 status application filed by Jordan Cox. Commissioner Hood
17 moving, Commissioner Miller seconding, Commissioners May and
18 Shapiro agreeing to the denial. And I'm sorry, I correct that
19 to four to zero to one, Commissioner Turnbull not present,
20 not voting. And therefore the party status request is not
21 needed to be considered since the motion for waiver was
22 denied.

23 So the next preliminary matter are proffered
24 expert witnesses. Jami Milanovich, she is here, has
25 previously been accepted from Wells and Associates. If the

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1 Commission would just accept her in transportation.

2 And then we have Thomas Corrado, and I'm sorry if
3 I made a mistake in that pronunciation, from Hickok Cole in
4 architecture. And I could not find that he had been
5 previously accepted as an expert. If the Commission would
6 accept him, unless the applicant has otherwise.

7 MS. PRINCE: Actually, we're not proffering Mr.
8 Corrado as an expert in architecture.

9 MS. SCHELLIN: Okay. You're not?

10 MS. PRINCE: We are not.

11 MS. SCHELLIN: Okay.

12 CHAIRMAN HOOD: Okay, so in that case, everyone has
13 already been proffered as an expert before this Commission
14 previously. So I don't think we need to deal with that,
15 unless someone feels -- want to change their mind.

16 Okay, anything else Ms. Schellin?

17 MS. SCHELLIN: That's all I have.

18 CHAIRMAN HOOD: Okay, you may begin. Ms. Prince,
19 are you taking the lead?

20 MS. PRINCE: I am.

21 CHAIRMAN HOOD: I have on my sheet, Ms. Roddy. She
22 didn't want to come tonight?

23 MS. PRINCE: Nope. You got me.

24 CHAIRMAN HOOD: Okay, that's fine.

25 MS. PRINCE: Good evening, Chairman Hood and

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1 members of the Commission. We're here tonight for a design
2 review case for the property located at 80 M Street in the
3 Capital Gateway-Navy Yard neighborhood.

4 The property is currently improved with a seven-
5 story building, a pretty generic building, I think some of
6 you might know it, and the applicant proposes to renovate it
7 and add two stories and a habitable penthouse. It's in the
8 D-5 zone, and the M and South Capitol subarea. It's on the
9 north side of M, which is a designated primary street, and
10 that's why we're here for design review, under the
11 regulations under section 616.6 and 8.

12 As our architect will discuss in more detail, the
13 building will -- the project will update the existing
14 building. And the proposed design combines glass, mass
15 timber, which you'll hear more about, and steel beam accents.
16 And it really creates quite a dramatically different design
17 than we currently have.

18 The design's consistent with the other development
19 and uses in the area, which consist primarily of high-density
20 use, high-density office, hotel, multi-family, as well as,
21 of course, Nats Park.

22 The project thoughtfully focuses activity
23 primarily on the south side of the building, facing the main
24 thoroughfare of M Street, and intentionally aims to minimize
25 any impact on the building to the north. We've been very

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1 sensitive in terms of accent lighting and other
2 considerations to minimize impacts on the residential
3 neighbor to the north.

4 With me today is Dave Cheiken of Columbia Property
5 Trust, the Applicant, who will provide some background
6 regarding the building and the project; Tom Corrado from
7 Hickok Cole, and he'll walk through the plans; we also have
8 Jami Milanovich here, and she's here to answer any questions.

9 The development team has undertaken a lot of
10 outreach on this project. We have not rushed it through. A
11 notice of intent was mailed 45 days before we even filed the
12 application. We met with the ANC on October 15th. Then we met
13 with them again the following week, October 21st. Then at the
14 request of the ANC, we met with the residents of the
15 Velocity. We organized the meeting through the president of
16 the condo association and had a meeting on November 12th at
17 the building.

18 We then returned to the ANC on December 9th, when
19 the ANC took action. And in that ANC meeting, there were no
20 residents from Velocity at that meeting, or at any of the
21 other meetings, except the meeting that we specifically held
22 with the residents of the Velocity.

23 At the request of the Velocity chairman of the
24 board, we did look at impacts of the addition from views from
25 his unit, which is an upper-level unit; those are in the

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1 record. We also, at the request of the ANC Single-Member
2 District Commissioner Anna Forgie, did a pretty comprehensive
3 shadow study, which shows really very, very minimal impacts
4 resulting from the addition, and those impacts only occur in
5 the winter months.

6 As you know, a few Velocity residents have filed
7 letters in opposition, some just this morning, as the party
8 status request that you've already discussed. But the ANC
9 voted in support of the project unanimously. I will note that
10 we agreed with the ANC, even though amenities are not
11 required in a case like this, there is a shortage of meeting
12 space in the neighborhood, and we agreed to have a monthly
13 meeting room available for use by the community with
14 reservation. We did that as an accommodation to the ANC at
15 their specific request.

16 OP and DDOT have submitted reports, very detailed
17 reports, I might add, that don't raise any issues that we
18 haven't already addressed or plan to address tonight.

19 So with that, I'll hand over to David Cheiken,
20 who's taken over this project and is overseeing the addition.

21 MR. CHEIKIN: Thank you. And thank you for your
22 consideration this evening. David Cheiken, I work with
23 Columbia Property Trust; I'm responsible for real estate
24 activities here in Washington.

25 Columbia Property Trust has owned the building

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1 since 2004. We have seen the neighborhood change around us.
2 Several times we considered renovation. With everything
3 that's going on in the neighborhood, this seems like the
4 right time to do it. Our thoughts are to provide a renovation
5 that is in keeping with the trajectory of the neighborhood,
6 in bringing vitality and energy to the street, as well as
7 doing something that's environmentally responsible, which is
8 kind of why we've chosen to do mass timber in the project.
9 I'll turn it over to Allison and Hickok Cole, but if I can
10 be of any assistance, please let me know.

11 MR. CORRADO: Good evening. My name is Thomas
12 Corrado with Hickok Cole Architects. Thank you for having us
13 here tonight. We're thrilled to present this project to you.

14 As was previously stated, the project's located
15 at Square 699, in a D-5 zone, on Lot 28, at the corner of M
16 Street and 1st Street Southeast, Washington, D.C.

17 This is a very active and lively neighborhood, and
18 we think that this corner is imperative to the project, so
19 we are really looking to activate this corner and accentuate
20 that with the highlight of architecture, as well, as Mr.
21 Cheiken said, really add to the overall character of the
22 neighborhood.

23 In terms of circulation, the building is located
24 adjacent to Metro, as well as, like I had mentioned, on the
25 corner of L and -- I mean M Street and 1st Street, with the

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1 loading and the garage entry located off of L Street. Those
2 are existing to remain. We're not touching those; those will
3 stay as is.

4 The existing building, as you can see here, is a
5 seven-story structure primarily consisting of two different
6 components. One, at the south end of the building, you have
7 a curtain wall, glass and metal. And then on the northern
8 half of the building is a punch window aesthetic with masonry
9 -- brick masonry building. So it's two distinct parts, which
10 is really quite a challenge to take on when thinking on
11 considering an addition to the building.

12 CHAIRMAN HOOD: Is there any kind of way when you
13 talk you can kind of point at what you're, you know --

14 MR. CORRADO: Oh, certainly.

15 CHAIRMAN HOOD: That would be helpful.

16 MR. CORRADO: Yes. Yes sir. So as you see in this,
17 M Street, which is the southern portion of the site, this is
18 glass and curtain wall here. And as you move -- the building
19 moves to the north, the two distinct parts, the second part
20 being the masonry and punch window.

21 One other point I would like to make here is you
22 can see that the building at seven stories kind of does not
23 fit within the context. The surrounding buildings are built
24 to 130 feet, which is the maximum height available in this
25 area. So we're looking to make this building fit within the

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1 surrounding context.

2 From a zoning standpoint, on the left-hand side,
3 this is the existing building here, in the middle is what was
4 allowed by the right of way, the 110-foot right of way, on
5 1st Street. So we're able to achieve a height of 130 feet.
6 We are proposing a two-level addition up to 128-foot-nine-
7 inches, with an occupied penthouse that would go up 16
8 additional feet above that top roof level.

9 Architecturally, starting at the top left-hand
10 corner, one of the things that we really wanted to focus on
11 was maintaining -- we see an importance of maintaining the
12 geometry and the character of the building, so establishing
13 and holding the corner at the northwest as well as at -- I
14 mean at the southwest as well as at the northeast, that was
15 important for us, and then making a distinction along that
16 line where the geometries of the building below change, we'll
17 utilize that, so we're utilizing that corner.

18 And then at the southern portion of the building,
19 providing some architectural entrance by folding the top two
20 floors, the glass line, back, and highlighting the building
21 with an architectural canopy at the top. Again, to provide
22 a dynamic quality to the corner of the building and really
23 highlight the corner at M and 1st Street. This is also in an
24 attempt to maximize the views to the southeast towards the
25 Anacostia River and Anacostia neighborhood across the river.

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1 Another thing that we're looking to do, and that
2 we think will help unify and also build character within the
3 context of the neighborhood, is articulate the structure that
4 will hold up the canopy above.

5 This was -- a large challenge is how do you take
6 an existing building that has these two distinct parts and
7 add two additional floors onto it? And so we're really
8 looking for a unifying character here with our addition.

9 So you can see an image at the corner of -- M is
10 here in the foreground, and then 1st Street is moving to the
11 right of the image here. So this is the entry corner, at the
12 ground level. The existing brick component of the building,
13 here. The existing curtain wall, which we're proposing to
14 keep, we see this as a highly sustainable measure, to keep
15 the existing components and utilize them, and then add the
16 additional two floors above. The occupied penthouse you
17 cannot see in this view.

18 In terms of materiality, we get into more detail
19 a little bit later, but we're really trying to take a tonal
20 image of using some color that complements the existing
21 brick, and then use glass that complements the existing glass
22 of the building.

23 One of the most interesting things about this
24 project is that we're looking to utilize a structural system
25 of mass timber. This is a relatively new structural system

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1 to architecture, architectural design. But it's a vetted one.
2 And we're very confident and excited about the opportunity
3 to do this.

4 What is mass timber? It's engineered structural
5 wood components, typically consists of layers of wood that
6 are adhered together to form a strong structural bond that
7 will -- you know, that are in comparison to concrete and/or
8 steel. They have similar capabilities.

9 One of the interesting things with this material
10 is the cross-laminated timber, which is essentially two-by-
11 fours that are laminated together to create almost a plywood
12 on steroids, if you would think about it in that regard. It's
13 a really strong structural system. So you can create floors
14 as opposed -- similar as you would do concrete floors. So
15 it's a very exciting thing. This will be one of the first
16 ones done in Washington, D.C., and we're very excited about
17 that opportunity.

18 Another large component of using timber is its
19 sustainable capabilities. One of the big things with wood is
20 it sequesters carbon. It's one of the highest materials that
21 we can use that takes a lot of the carbon out of the
22 environment, so it really really is important in that regard.
23 As well as the energy that it takes to manufacture this, the
24 embodied energy, is very low when you compare it to concrete
25 and/or steel.

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1 Another benefit to the material itself is the
2 overall aesthetic quality. It really provides for a warm and
3 inviting environment, and I think we can all agree that
4 wellness is important in the workplace, and that's something
5 that we think that the material will account for.

6 Some of the concerns that people tend to have when
7 thinking about wood is the fire safety and the overall
8 structural strength. As I mentioned, the combination and the
9 density of the wood itself really accounts for the structural
10 strength that does parallel steel and concrete; those tests
11 are done.

12 And then the fire safety, one of the interesting
13 things about it is that the density of the wood itself is
14 actually the fire retardant. You add additional layer of wood
15 to the structural member, you just create more density and
16 the wood self-cures. When it burns, it creates a char layer,
17 and that provides the fire rating. So that is a tested thing,
18 and that is a very interesting component of the system.

19 You can see here, in this image, what the two
20 stories plus the penthouse would look like from an internal
21 standpoint, so we're building on top of an existing concrete
22 structure. One of the other advantages of the wood structure
23 is that it's lighter in nature, so it causes less impact to
24 the building below. So we have less need for structural
25 remediation. So that's a pretty good quality unto itself.

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1 As was mentioned before, we did a shadow study.
2 This study is taken from the vantage point of the southeast
3 corner of L and 1st Street, as if you were standing on the
4 roof of the apartment building across the way. Looking at the
5 Velocity building directly north, at the northwest corner of
6 L and 1st here, and then in the foreground is 80 M Street,
7 so you're seeing the northeast corner of the building here.
8 What you have highlighted in red is what the existing shadow
9 is today, and what is in orange is what the addition -- the
10 impact the addition will have to the shadow.

11 So how we set this up is we took time throughout
12 the day, from 9:00 a.m. to 6:00 p.m., through four points of
13 the year, both the two equinoxes, as well as the two
14 solstices, and you can see that the impact is relatively
15 minimal for three-quarters of the year, and there is a little
16 bit more of an impact in the winter months when the sun is
17 lower in the sky and causes more of a shadow onto the
18 neighboring building.

19 At the request of OP, we included a ground-floor
20 plan to show the plantings. These are existing plantings; we
21 are not proposing to do anything to the existing ground floor
22 plantings or paving area, but we wanted to include that
23 because that was something that was requested from them.

24 In this image here, we're just trying to
25 illustrate the warm aesthetic that will be involved within

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1 the interior environment for the wood. And then you can see
2 the terrace space that's created at the southeast corner with
3 the views back to Anacostia, across the river.

4 This is a plan of the -- penthouse plan, penthouse
5 roof plan, where we have a green roof and occupied penthouse
6 level. There will be an amenity space as well as terraces on
7 that level, as well as an extensive green roof with up to
8 6,990 square feet of plantings. Again, this was a request by
9 OP that we've provided in this packet.

10 What you see here is the elevation on M street,
11 so this is our south elevation, and we wanted to illustrate
12 -- what we're attempting to do is we are proposing to add an
13 apron, a metal panel apron, at the bottom of the building.
14 We're redoing the column -- existing column covers to help
15 tie in the overall material, and then that helps to unify
16 both the addition of the new floors with the Y columns, which
17 I'll get into the inspiration of those in a minute, with a --
18 so that the top, middle, and base are all now unified. Again,
19 trying to think of a way of weaving the new architecture with
20 the existing architecture.

21 Along on the south side, one of the things I'd
22 like to highlight here is highlighted in orange in both the
23 upper left corner and the upper right corner are two existing
24 signage locations. We are proposing to maintain a -- per DCMR
25 we have the ability to add additional square-footage of

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1 signage on the building, so we're proposing the locations
2 highlighted in the dashed yellow lines, that those would be
3 designated areas for future signage, should a tenant request
4 those at a future date.

5 This is an image of the existing entry corner, at
6 the corner of M and 1st Street. The existing entry is right
7 here, at this first -- at the second bay off of 1st Street,
8 here. And this is a two-story; this is currently a roll-up
9 door, and there is a public, kind of a public plaza area,
10 here.

11 We are, as I just mentioned, we are looking to do
12 some architectural interventions at the ground floor as a
13 unifying component. And so what we're proposing here is a
14 metal panel apron at the bottom of the existing curtain wall
15 that kind of captures the new column covers that are
16 introduced here. Materially, we're looking at metal panel.
17 I have the samples on the table here that we can walk through
18 in a minute, if you would like. And then the column covers
19 are gray metal panel with a highlight accent piece.

20 We are also proposing that the entry gets moved
21 from the second bay over to the far-right bay into that
22 double height space that was mentioned. There's also
23 potential to activate the streetscape here with a retailer
24 component at the M Street facade.

25 One of the biggest features, though, is the wood

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1 soffit that's being introduced to the underside. Again, we're
2 trying to bring -- connect the two materials. There's the
3 wood soffit at the canopy up above, and this wood soffit at
4 the ground floor, so tying those two pieces together.

5 So here's the image and plan of the relocated
6 entry, the potential for a retailer in that second bay, and
7 how that may work.

8 In terms of how that wood soffit and the form was
9 derived, we looked at the confluence of the two rivers, both
10 the Anacostia and the Potomac, and the location of 80 M
11 Street, which sits directly in the middle of those two
12 pieces, and took inspiration from that Y, which is part of
13 how we derived the form for the columns up above, and we took
14 that and mapped that onto the surface of the wood slats up
15 above, and used that as a driver in order to try to -- mapped
16 it and then used the depths of the river to generate the
17 overall form. So this is a three-dimensional form of the two
18 rivers that's made from those wood slats.

19 And so you can see here, in a building section,
20 the undulating wood ribbons and how they will start on the
21 exterior from the overhang and work their way into the lobby.
22 We're really excited about this feature. We think it really
23 adds a dynamic component to the street level, and really
24 warms the street and makes it an active environment.

25 Additionally, the east elevation here, you can see

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1 there's one additional Y column that kind of finishes that
2 corner and brings that same language down to the ground here.

3 The big component here, I think, is that we are
4 adding -- there's currently blank space, these four windows
5 here are bricked in, so we're adding those four additional
6 windows back in, in order to get light into the ground floor
7 there.

8 And then secondly, we are, again, proposing -- in
9 orange there's highlighted one existing sign, currently
10 exists, but we're also trying to designate areas for future
11 sign use on this facade. Again, oriented towards the M Street
12 side. Nothing on the brick or towards the more residential
13 side to the north.

14 In terms of building materiality, the existing
15 building consists of brick, metal panel, the existing
16 mullions and glazing, the stone site pavers, and then the
17 metal panel and glass curtain wall, together. Those are the
18 existing materials.

19 We took inspiration from those and tried to use
20 similar in the metal panel. So we have both a grey metal
21 panel as well as a deep orange, kind of rust, that really
22 harkens back to the overall tonality of the brick. We're
23 still working through that specific color, so we'll do some
24 mockups, but the orange in that tone is really where we're
25 focused on. The wood soffit at the base of the underside, and

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1 then glazing and a little bit of stone at the entry.

2 Higher up on the building, again, it's a
3 combination of wood at the underside of the canopy, metal,
4 aluminum on the steel, that wraps the steel columns here, and
5 then highlights of metal panel in the window system. We do
6 introduce a little bit of terra cotta between both the brick
7 and the new system in an attempt to really kind of make that
8 bridge between that existing masonry into a more contemporary
9 glass facade.

10 This is an image of the south --

11 Keep going?

12 CHAIRMAN HOOD: Keep going.

13 MR. CORRADO: This is an image of the southeast
14 corner, so this is the terrace that's created at the new
15 eighth floor, and you can start to see those Y columns and
16 how they structurally support the roof canopy.

17 And then this area here, that's the occupied
18 penthouse. So the occupied penthouse is glass all the way
19 around. There's occupied area that surrounds the mechanical
20 penthouse.

21 And so that's what you're seeing here. This is a
22 view looking to the southeast, towards the river, so you can
23 see DC Water building here, over in the left-hand side, and
24 this is a -- proposed for the terrace level and some of the
25 planters. And you can see the wood on the interior of the

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1 space.

2 On the north, we wanted to make sure that we had
3 a high quality and were considerate for the entirety of the
4 building. So on the north facade, we maintain and continue
5 that glass, two-story glass facade all the way on top of the
6 existing brick masonry. So this is an image of the existing
7 condition, as it exists today.

8 And this is a proposed, so you can see the high
9 quality of materials in continuing that, that we think is
10 appropriate for the character of the existing neighborhood.

11 Thank you.

12 MS. PRINCE: That completes our direct testimony.

13 CHAIRMAN HOOD: I want to thank you all for your
14 testimony.

15 Mr. Corrado?

16 MR. CORRADO: Yes, sir.

17 CHAIRMAN HOOD: Very well done.

18 MR. CORRADO: Thank you very much.

19 CHAIRMAN HOOD: Very well done. I really appreciate
20 your -- I appreciate everybody's presentation, but I really
21 appreciated his.

22 I'm going to start off -- normally I don't do
23 this, but I did find one of the letters very compelling, just
24 Velocity wanting to know. One of the emails -- I don't know
25 if you had the chance, Ms. Prince, to look at one of the --

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1 it was an email that was sent to us.

2 And some of the questions they were asking, some
3 of them may not be germane to what we do, but some of the
4 questions, it was like a need-to-know, I would like to know.
5 And, it's unfortunate, and I'll talk to them, it's
6 unfortunate that they didn't come to some of those meetings,
7 because I think some of those points probably were discussed,
8 I believe. And the person I'm talking about is exhibit -- I
9 think it's Bob Jacobs. Is it Bob Jacobs?

10 Exhibit 14.

11 So, some of the questions -- I'm having some
12 computer problems.

13 No, that's not it. Give me a second. It was an
14 email. Is that the email?

15 Okay, Eva Hass, the email. And I just want to ask
16 one or two questions on that, Ms. Prince.

17 Let me borrow your, let me mess yours up since
18 mine is messed up.

19 No, well let me try to go off the top of my head.
20 She was asking about construction, one of them about
21 construction, how's that going to work; egress for the
22 Velocity residents to be able to get out. Were those kind of
23 discussed at the ANC meeting? Was it discussed with Velocity?
24 Did those questions come up in your meeting with Velocity?

25 MS. PRINCE: We discussed construction activities

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1 definitely with the ANC, that came up at the ANC meeting. I
2 don't remember any specific construction discussions. We're
3 happy to continue discussions with Velocity on anything
4 relating to the construction phase, and we certainly don't
5 have any intention of blocking their access, or anything
6 along those lines.

7 CHAIRMAN HOOD: So I think that email is -- all of
8 them are very reasonable, but I think that one is very
9 considerate. They're trying to -- it's a want-to-know, I want
10 to know what's going on next to me.

11 MS. PRINCE: Absolutely.

12 CHAIRMAN HOOD: So I'm going to ask that you all
13 at least reach back out to Velocity again --

14 MS. PRINCE: Absolutely.

15 CHAIRMAN HOOD: And have that discussion.
16 Especially, this person, Joanne Pozzo, I believe --

17 MS. PRINCE: Yes.

18 CHAIRMAN HOOD: If I'm pronouncing that correctly.
19 I think those are some well thought out questions and
20 answers. Unfortunately, they're not here, because it would
21 be good to have that dialogue. Now there are some other
22 issues I know that others have with views and whatnot, and
23 shadows.

24 Let me ask you this about the shadow. I saw the
25 shadows had the addition of the penthouse and the two extra

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1 floors. Did we do a shadow study, I may have missed it, did
2 we do one without any of that? What the normal circumstances
3 are now.

4 MR. CORRADO: So, that is indicated --

5 (Simultaneous speaking.)

6 CHAIRMAN HOOD: Can you take me back to --

7 MR. CORRADO: Yes, let me go back to that.

8 CHAIRMAN HOOD: Okay, take me back to that.

9 And forgive me for going back and forth, I
10 probably saw it. I was trying to get my computer straight.

11 MR. CORRADO: So, we did try to highlight what the
12 existing conditions are, and that's illustrated there in the
13 red. So what you see in red is today's existing condition,
14 and then in orange would be the impact of the addition to the
15 shadow.

16 CHAIRMAN HOOD: So according to this study, we're
17 looking at minimal impact, with the exception of one or two
18 areas, I see.

19 MR. CORRADO: Yeah, it's really the winter months
20 when the sun is low in the sky that you're going to have --
21 there already is some shadow against the building to the
22 north and it will be a little bit more.

23 CHAIRMAN HOOD: Okay. I'm going to turn it over to
24 my colleagues, but I have one last question, Ms. Prince. You
25 mentioned the support of the ANC letter. When I read the ANC

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1 letter --

2 MS. PRINCE: Thank you for that correction. They
3 said they did not oppose it. You're right.

4 MS. PRINCE: It was a lack of opposition. Yeah.

5 CHAIRMAN HOOD: But, I was trying to get there with
6 you, I just wanted to make sure --

7 (Simultaneous speaking.)

8 MS. PRINCE: No. That's correct.

9 CHAIRMAN HOOD: Because this says, we won't oppose
10 it.

11 MS. PRINCE: It felt like support at the meeting.

12 (Laughter.)

13 CHAIRMAN HOOD: That can feel like support, too,
14 so I'm just figuring, we won't oppose, I just wanted to
15 clarify.

16 MS. PRINCE: No, they did say it was a lack of
17 opposition. That's correct.

18 CHAIRMAN HOOD: All right. So with that,
19 Commissioner Shapiro.

20 COMMISSIONER SHAPIRO: Thank you, Mr. Chair.

21 Can you talk, Mr. Corrado, can you talk a bit
22 about the green building features in the building? And the
23 LEED certification? And also, did you consider solar panels?
24 And if not, why?

25 MR. CORRADO: Yes, no problem. So, as I mentioned,

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1 one of the largest sustainable components of the building is
2 the structure itself, and the utilization of mass timber. So
3 we're really excited about that --

4 COMMISSIONER SHAPIRO: How many points does that
5 give you?

6 MR. CORRADO: I'm not sure right off the top of my
7 head exactly how many points that gets us in terms of LEED,
8 but it is a very sustainable initiative.

9 COMMISSIONER SHAPIRO: Thank you.

10 MR. CORRADO: We are also doing a green roof, which
11 was illustrated. So we're collecting the water there.

12 The building itself is going for LEED certified,
13 that's what we're looking to do. So, outside of those two
14 things, the utilization of the existing structure and the
15 existing building, there's a lot of points that are
16 considered for that in LEED, so that's a big piece. So that's
17 really where we are today.

18 COMMISSIONER SHAPIRO: Did you consider a
19 photovoltaic array? And if not, why?

20 MR. CORRADO: We did not consider it for the two
21 levels, no, it was not considered for this building.

22 COMMISSIONER SHAPIRO: How come?

23 MR. CORRADO: It just didn't make a lot of sense
24 financially for the particular project at this time.

25 COMMISSIONER SHAPIRO: I encourage you to explore

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1 that a little bit more in depth, because it should not have
2 much of a financial impact at all. And there's so much
3 technology now that allows integration of a solar array onto
4 a green roof as well. And the D.C. Department of Environment
5 would be more than helpful in this regard.

6 MR. CORRADO: Okay. We can consider it. Thank you.

7 CHAIRMAN HOOD: Commissioner May.

8 COMMISSIONER MAY: I just had a couple questions.
9 Well, first of all, I would like you to start passing
10 materials up so we can see them and touch them. But you can't
11 do that and talk to me at the same time.

12 MR. CORRADO: That's right.

13 COMMISSIONER MAY: So, the first one is the
14 architectural question. You have a drawing that I guess is
15 just the plan drawing. It shows the property line and the
16 roof projection, and things like that. Can you bring that up?

17 MR. CORRADO: I can.

18 COMMISSIONER MAY: Oh, thank you.

19 Somebody has been scribbling on their screen over
20 there. I don't know what's going on here. Oh that's -- Peter
21 Shapiro's the only person who knows how to operate that
22 device.

23 Okay, so, if you could just clarifying what I'm
24 seeing. The light blue, cyan colored line, that's the roof
25 projection?

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1 MR. CORRADO: Correct. So, it projects --

2 COMMISSIONER MAY: Yeah, a little bit over the edge
3 there.

4 MR. CORRADO: Correct. And then just on the east
5 side here.

6 COMMISSIONER MAY: Yeah. So, can you tell me the
7 extent of that projection from the face of the existing
8 building, roughly?

9 MR. CORRADO: From the face of the existing
10 building is about two feet on the southeast here.

11 COMMISSIONER MAY: Yeah.

12 MR. CORRADO: And about 30 inches --

13 COMMISSIONER MAY: On the north.

14 MR. CORRADO: On this south --

15 COMMISSIONER MAY: And what about on the south
16 side? One the M Street side, at the deepest point?

17 MR. CORRADO: It does not project over the property
18 line on M Street.

19 COMMISSIONER MAY: I didn't say the property line.
20 I said the building.

21 MR. CORRADO: Oh, at the face of the building. It's
22 actually at the face of the building.

23 COMMISSIONER MAY: It's at the face of the
24 building?

25 MR. CORRADO: Correct. Yes.

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1 COMMISSIONER MAY: So the face of the building is
2 cranked?

3 MR. CORRADO: The upper floors are cranked into --

4 COMMISSIONER MAY: Are curved?

5 MR. CORRADO: Yes.

6 COMMISSIONER MAY: Ah, okay.

7 MR. CORRADO: A crank in.

8 COMMISSIONER MAY: Yeah.

9 MR. CORRADO: And then the roof aligns with the
10 bottom of the building.

11 COMMISSIONER MAY: Got it.

12 MR. CORRADO: So it curves down --

13 COMMISSIONER MAY: It doesn't look that way in the
14 rendering. It looks like it projects out over M Street. I can
15 see the property line is the red line, right?

16 MR. CORRADO: Correct.

17 COMMISSIONER MAY: And that's because you were
18 required to set back the building --

19 MR. CORRADO: Fifteen feet.

20 COMMISSIONER MAY: Fifteen feet.

21 MR. CORRADO: That's right.

22 COMMISSIONER MAY: Yeah, because M Street is too
23 narrow.

24 Can you bring up the rendering so I can show you
25 what I mean?

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1 Okay so if you draw a straight line up from the
2 corner of the building, it looks -- oh, okay, I don't think
3 I can draw a straight line. Well, anyway draw a line up, like
4 that.

5 MR. CORRADO: Right.

6 COMMISSIONER MAY: And it looks like it projects
7 over that.

8 (Simultaneous speaking.)

9 MR. CORRADO: It does.

10 COMMISSIONER MAY: But you're saying it is flush
11 with this face.

12 MR. CORRADO: It is.

13 COMMISSIONER MAY: Okay. That's my architectural
14 question. Next is the outreach question. Can you just tell
15 me how many residents showed up at the meeting at the
16 Velocity?

17 MS. PRINCE: Only two. We reached out to the
18 president of the condo association, and he came with one
19 other resident. He said he had given notice of the meeting
20 to the residents of the building. He then said there was
21 going to be a condominium meeting the following week, and
22 that he would report back to us after that meeting, which he
23 did. We were not invited to the condominium meeting the
24 following week.

25 COMMISSIONER MAY: And what did he say in reporting

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1 back about the condominium meeting?

2 MS. PRINCE: He just asked us to do a study of the
3 impact of the addition from his unit, gave us photographs
4 from his unit. We provided that study to him, and he said it
5 was satisfactory, and we didn't hear back.

6 COMMISSIONER MAY: Okay. Do you know how the notice
7 was given to the residents?

8 MS. PRINCE: That I don't know. I didn't ask the
9 president of the condominium association how he noticed his
10 fellow residents.

11 COMMISSIONER MAY: Okay.

12 MS. PRINCE: But I certainly -- I had the --

13 COMMISSIONER MAY: We'll hear from some and we can
14 ask them whether they received notice.

15 (Simultaneous speaking.)

16 MS. PRINCE: You can ask how they got notice. Yeah.

17 COMMISSIONER MAY: Okay. Or if they got notice.

18 MS. PRINCE: Exactly. And the notice of the
19 application itself went to the condominium association.

20 COMMISSIONER MAY: Yeah, I understand, and I think
21 that's one of the gaps in our notification process, is that
22 it doesn't always --

23 MS. PRINCE: If it's more than 35 units, it doesn't
24 go to the individual unit holders, yeah. It goes to the
25 president of the condo association.

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1 COMMISSIONER MAY: Right. Okay.

2 That's it for my questions.

3 CHAIRMAN HOOD: Vice Chair Miller.

4 VICE CHAIR MILLER: Thank you Mr. Chairman.

5 Thank you for your presentation this evening. I've
6 been to this building when I mistakenly decided to drive to
7 a Nationals game a couple times. It's a very boring building,
8 and I think you've successfully designed an addition that
9 successfully puts a lipstick on a pig, so I compliment you
10 on the design.

11 The habitable space that you have on the penthouse
12 -- I guess I can confirm this with OP -- are you exempt in
13 this particular zone from doing the contribution to the
14 Housing Production Trust Fund? Or --

15 MS. PRINCE: There's a contribution associated with
16 the habitable penthouse.

17 VICE CHAIR MILLER: You do have a contribution to
18 the Housing Production Trust fund? And what is that? I know
19 it gets triggered at the time of building permit, but do you
20 have any kind of guesstimate of what that HPTF --

21 MS. PRINCE: I don't remember it off the top of my
22 head. I can dig a bit and find out.

23 VICE CHAIR MILLER: Is it in the hundreds of
24 thousands?

25 MS. PRINCE: It is.

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1 VICE CHAIR MILLER: It's not above a million?

2 MS. PRINCE: It is not.

3 VICE CHAIR MILLER: No. So that's a good thing,
4 too.

5 I appreciate the testimony about the mass timber.
6 I didn't know anything about that concept, and I agree
7 generally with your testimony that it does warm the building.
8 And the other wood component at the lower level that you're
9 adding also does warm -- I would like the wood component
10 being added to buildings in our city because I think it does
11 warm up our city from the concrete, and steel, and glass that
12 you see everywhere else. So I appreciate that.

13 I don't think I have any other questions, Mr.
14 Chair.

15 CHAIRMAN HOOD: All right. Do we have a
16 representative from ANC 6D, who's here, across 6D?

17 Okay, I'll read that part of the letter. We
18 discussed it, I'll read part of the letter as we get to that
19 point.

20 Let's go to the Office of Planning and District
21 Department of Transportation. We'll start with Ms. Vitale.

22 MS. VITALE: Good evening, Mr. Chair, and members
23 of the Commission. Elisa Vitale, with the Office of Planning.

24 The Office of Planning is recommending approval
25 of the subject design review application. We had requested

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1 a few items. I think the applicant has addressed all of those
2 items with the exception of providing the LEED checklist.
3 I'll keep things brief. This concludes my report. I'm happy
4 to answer any questions that you might have.

5 Thank you.

6 CHAIRMAN HOOD: Thank you. Mr. Zimmerman.

7 MR. ZIMMERMAN: Good evening, Chairman Hood and
8 Commissioners. For the record, my name is Aaron Zimmerman
9 with DDOT.

10 DDOT is very supportive of this application. The
11 applicant has made a number of positive changes to the
12 building, from a transportation perspective, and is committed
13 to a robust TDM plan for the entire building, not just the
14 new office floors, as the site doesn't currently have a TDM
15 plan in effect.

16 Some of the noteworthy changes and commitments
17 include reducing the overall number of parking spaces in the
18 garage, installing long term bike parking, showers, and
19 lockers to meet current zoning requirements, installing the
20 missing street trees on 1st Street, installing a Capital
21 Bikeshare expansion plate at the nearby station, providing
22 SmarTrip cards and Bikeshare coupons to new employees, and
23 implementing a loading management plan to address the
24 existing back-in loading design.

25 DDOT has no objection to the approval of this

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1 design review application, with the two conditions contained
2 in our December 26th, 2019, report, which are the TDM plan
3 and the loading management plan. The applicant has agreed to
4 these in exhibit 9C on the record.

5 Thank you.

6 CHAIRMAN HOOD: Okay, thank you both. Let's see
7 if we have any questions for either OP or DDOT.

8 (Pause.)

9 Not seeing any. Do we have any questions for
10 either OP or DDOT?

11 Okay, let's go, Ms. Prince, do you have any
12 questions of either OP or DDOT?

13 MS. PRINCE: No questions for either.

14 CHAIRMAN HOOD: Okay. Let me just ask you, Ms.
15 Prince, since I went to look for it, there was a discussion
16 with DOEE, I believe. Correct?

17 MS. PRINCE: No, there was not a --

18 CHAIRMAN HOOD: There wasn't?

19 MS. PRINCE: Not that I recall.

20 CHAIRMAN HOOD: Okay.

21 MS. PRINCE: DDOT may have made a referral to DOEE,
22 or OP, but we did not have a direct discussion with DOEE.

23 CHAIRMAN HOOD: Okay.

24 Let me ask, was there discussion with DOEE?

25 MS. VITALE: Yes Chair Hood, we did reach out to

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1 DOEE to request comments. Any comments from DOEE would be
2 incorporated --

3 (Simultaneous speaking.)

4 CHAIRMAN HOOD: Into, okay.

5 MS. VITALE: -- into the OP report. They did not
6 file a separate memo into the record.

7 Thank you.

8 CHAIRMAN HOOD: Okay. All right, I went that way
9 just so I would add if any additional government agencies
10 responded. So, okay, we know DOEE did play a part and that's
11 incorporated in the Office of Planning Reports, so thank you.

12 Anything else on either Office of Planning or
13 DDOT?

14 Not seeing any, let's go to the ANC report, and
15 we kind of discussed that.

16 (Pause.)

17 And basically -- okay, it opened up. Again, it
18 just says:

19 In conclusion, the ANC does not oppose the design
20 review -- as we stated -- application to the Zoning
21 Commission, because one, it is within the height parameters
22 of the surrounding neighborhood, it incorporates local
23 geography into its design, and makes use of sustainable
24 building materials, and it is accompanied by a welcome
25 community benefit -- which is not necessarily germane, but

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1 it's nice to do that.

2 So if I read all that, and I read the first line,
3 that's why I was debating this. Is it support? Is it not? I
4 was trying to figure out. So I kind of understand. They did
5 have concerns that things be worked out with Velocity. I
6 think that's in here somewhere, if I recall. Anyway, we'll
7 hear more from them.

8 All right, we will go to organizations and
9 individuals, and I think we can come right here. Because I
10 think, I'm not sure, I saw two or three hands. Organizations
11 or individuals who are here in support, you can come forward
12 at this time.

13 Organizations or individuals who are opposed, you
14 if you'd come forward at this time.

15 COMMISSIONER MAY: Mr. Chairman, can I ask you a
16 quick question of the applicant?

17 CHAIRMAN HOOD: Sure.

18 COMMISSIONER MAY: So, we heard the number of
19 parking spaces are actually going to be reduced.

20 MS. PRINCE: Correct.

21 COMMISSIONER MAY: So I'm wondering, does that mean
22 that the parking lot in the building right now is
23 underutilized, and you feel confident that you can add,
24 whatever it is, 15 percent more space, and not have an impact
25 on the parking?

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1 MR. CHEIKIN: That's correct.

2 COMMISSIONER MAY: How underutilized is it?

3 MR. CHEIKIN: I would say ten percent, probably.
4 I think we've tried to do the study as to incremental
5 population, current usage, and then the reallocation to bike
6 room, shower room, facilities, electric car charging
7 stations, and the like.

8 COMMISSIONER MAY: Okay, all right. Thank you,
9 that's helpful to know.

10 VICE CHAIR MILLER: If I could just follow up on
11 the question of the applicant, I'm no longer using that
12 parking garage for going to Nationals games.

13 (Laughter.)

14 So that may be why it's underutilized. Now I
15 forget my question.

16 (Laughter.)

17 I do forget my question. I'll come back to it.

18 CHAIRMAN HOOD: We'll come back.

19 Now let me see, do we have any organizations or
20 persons who are here who are undeclared, we have one more
21 seat. Anybody undeclared?

22 Okay so looks like these are the only two
23 gentlemen we have that are going to -- okay, let's go back
24 to the Vice Chair.

25 VICE CHAIR MILLER: I do remember my question. This

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1 has nothing to do with our design review, but just out of
2 curiosity, so you're adding two floors of office space to an
3 office building, right? Am I correct that the District
4 government is currently the tenant? Or is the District
5 government going to be a tenant in this office building?

6 MR. CHEIKEN: They are not currently a tenant in
7 the office building.

8 VICE CHAIR MILLER: And they're not --

9 MR. CHEIKEN: There are multiple -- they are not.

10 VICE CHAIR MILLER: And they're not projected to
11 be a tenant in the two additional --

12 MR. CHEIKEN: We have a handshake with a tenant
13 coming in from Virginia to lease one-and-a-half of the two
14 floors.

15 VICE CHAIR MILLER: That's good.

16 MR. CHEIKEN: Yes. Very exciting. We hope to be
17 done with that within the next seven days or so.

18 VICE CHAIR MILLER: Thanks. That's good news,
19 thanks.

20 CHAIRMAN HOOD: Okay so we have one other person.
21 I don't believe you took the oath. Could you stand and take
22 the oath? And I hate to do this, especially when somebody
23 comes -- a priest comes down and I have to have him stand and
24 take the oath, but that's our procedure.

25 MS. SCHELLIN. Yeah. Raise your right hand. Do you

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1 solemnly swear or affirm the testimony you give this evening
2 will be the truth, the whole truth, and nothing but the
3 truth?

4 (Witness sworn.)

5 Thank you.

6 CHAIRMAN HOOD: Okay. Who would like to start?

7 Okay. You may begin. Introduce yourself; you may
8 begin.

9 MR. COX: Good evening, Mr. Chairman and
10 Commissioners, my name is Jordan Cox, and I am a resident and
11 condo owner at 1025 1st Street, a building known as the
12 Velocity, specifically unit 1111.

13 I'm opposed to the proposed design plans because
14 I believe it will adversely impact the surrounding areas,
15 specifically the residential building my family and I live
16 in, which is less than a hundred feet from the proposed
17 project.

18 I believe the proposed additional floors and
19 design will negatively impact many homes in my building,
20 including mine, by reducing the amount of light and privacy
21 these homes currently enjoy.

22 Additionally, the larger shadow cast by the
23 proposed floors may make people and vehicles less visible
24 during the afternoon hours at the 1st and L Street
25 intersection by my building.

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1 I also have questions as to the quality of
2 outreach that occurred between the applicant and my
3 residential community. My wife and I bought our home in 2018.
4 As D.C. residents who have lived in the city for more than
5 a decade, we love Navy Yard, and we're excited about the
6 opportunity to be a part of it. We love our building, it
7 feels like a home because it is our home. Even though there
8 are offices in buildings around us, we've never felt like we
9 live in an office park. The proposed project would change
10 that.

11 As you know, the project would essentially add
12 three floors. This would substantially change the look and
13 feel of our home. The shadow study shows the additional
14 floors will cast a substantially larger shadow on the south
15 side to the building at various points of the year, impacting
16 dozens of homes, including my own. The additional height of
17 80 M Street, due to its proximity to our building, would make
18 our community feel like more of an office park rather than
19 a neighborhood.

20 Moreover, the proximity and additional height
21 raises significant concerns about the privacy of our homes,
22 particularly on the floors that will be at the same level.
23 The open design and glass wall facade will substantially
24 reduce the privacy of residents, more so than the current
25 north facing brick facade with glass windows. The occupants

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1 in the new floors would have a clear and direct view into
2 living rooms and bedrooms at the Velocity. I believe the
3 current design of brick with glass windows gives the
4 residential units more privacy in relation to the existing
5 office spaces. The glass facade may also cause more ambient
6 light to reach residential units at night than the current
7 design does.

8 I'm also concerned about the impact the new
9 floors' shadow will have on the 1st and L Street
10 intersection, the intersection closest to our building's main
11 entrance. This is an intersection that lacks stop lights and
12 I believe is already unsafe.

13 From the shadow study, it appears that part of the
14 intersection, specifically the part where pedestrians cross,
15 will be covered by the new floors' shadow during the evening
16 commute in the spring and fall, making it more difficult to
17 see people and vehicles. Neither the applicant's
18 transportation report, nor DDOT's report, take into account
19 the potential safety impact of a darker intersection.

20 I also have concerns with the
21 applicant-commissioned shadow study. In the diagram, 1025 1st
22 Street is shown to only have 13 floors. Our building has 14
23 floors. It also appears to be conducted from only one angle.
24 Consequently, assessing the full impact the new shadow will
25 have on our building is difficult for homeowners.

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1 I also question the quality of outreach that
2 occurred between the applicant and building residents. In
3 exhibit nine, the applicant says they engaged residents of
4 the Velocity at a meeting on December 12th. As a resident,
5 I don't recall having received an invitation to any meeting.
6 According to the applicant's counsel, I understand they met
7 with one to two residents. I would question whether many
8 residents knew about this meeting. As such, I would not
9 consider this engagement to be significant.

10 In closing, I'm here tonight because I care deeply
11 about the quality of life my family enjoys in our home. The
12 additional height and glass wall design would detract from
13 that quality of life. This isn't about being against
14 development. The development that has occurred in Navy Yard
15 has brought economic prosperity to the region. This is about
16 a commercial development's negative impact on an already
17 existing residential community and my home. I thank the
18 Commission for the opportunity to speak this evening.

19 CHAIRMAN HOOD: Mr. Cox, I notice you skipped some.
20 Did you want to say something else? Because there's only
21 three of you all, so I wasn't really hard on the time. So I
22 don't want to sleight you, because I'm going to do that with
23 everybody else, it's just that you went first.

24 MR. COX: Sure. I think I listed most of my
25 concerns in my testimony, but I appreciate the offer for the

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1 additional time.

2 As I mentioned earlier, I have concerns about the
3 quality of outreach that occurred to our building. As I said,
4 I don't recall ever having to -- received an invitation to
5 a meeting. I would have been more than happy to attend to
6 express my concerns about the privacy, or the ambient light
7 at night, just to hear the developer out.

8 Like I said, I also have concerns about the
9 shadow, primarily because I thought the shadow study that was
10 initially filed on December 20th was a bit hard to read for
11 homeowners. It only had 13 floors. Our building has 14. I
12 understand they filed a shadow study with a new depiction
13 this evening. And I'm still trying to understand that.
14 However, any way you cut it, it still seems that dozens of
15 homes, most likely including my own, will be impacted by the
16 new study.

17 So that's what I would say for the Commission. But
18 again, the quality of outreach that occurred with my
19 building, I would say, is not particularly significant.

20 CHAIRMAN HOOD: So we'll probably ask some more
21 questions and follow up with you on that, so you can just
22 hold your seat.

23 Okay, next.

24 MR. COX: Thank you.

25 MR. JACOBS: Thank you, Commission members. My name

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1 is Bob Jacobs, here with my wife, Meredith McKay.

2 When we stand at our kitchen, we see the blue sky.
3 We're condo owners, obviously, in the Velocity building. We
4 moved to the city from Virginia to build a life and a family.
5 It was hard for us to make the decision to move to D.C., as
6 we considered the loss of what statehood means, having a
7 member of Congress to appeal to if needed. After researching
8 D.C. more, we saw that there were city managers who could
9 serve that function. So here we are appealing to the
10 Commission members.

11 We bought our condo in the Navy Yard before the
12 restaurants, and Whole Foods, and other amenities existed.
13 We invested in the community on the promise of what the city
14 was trying to build. We wanted to be a part of that future.

15 Adding a story or three to the building at 800 M
16 Street S.E., does not simply mean that there will be
17 additional shadows on our building, a natural part of city
18 life. It means we will no longer see the sky from our condo.
19 In trying to put ourselves in the Commission's place, we
20 appreciate that weighing individual residents against
21 corporations is a challenge.

22 However, we note that so many empty buildings,
23 with several that have empty floors throughout the
24 neighborhood, sitting available for sale or lease. Why not
25 fill those first? Wouldn't that enhance the market rate for

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1 the neighborhood?

2 Or if this developer can fill those three floors,
3 isn't there a concern for the Commission regarding bringing
4 in more businesses? Why not encourage the developer to build
5 on one of those empty lots in the Navy Yard? Why not invest
6 in the construction in developing the sore-thumb empty lots
7 that are sorely needed?

8 We invested in D.C., in the Navy Yard, because we
9 shared the vision of a vibrant, mixed-use community. We not
10 only live here, but work here, and actively work to support
11 the businesses here. We would ask that the Commission
12 consider the impact to the residents, like us, who invested
13 early in the potential of the Navy Yard. We implore the
14 members of the D.C. Zoning Commission to deny the request
15 adding to the existing building at 800 M Street, S.E.

16 We fell in love with our condo because we could
17 still see the sky, even with the city all around us. And we
18 are heartbroken at the thought of no longer seeing the blue
19 sky from our condo.

20 Thank you.

21 CHAIRMAN HOOD: Thank you.

22 Next.

23 MS. ASHE: Hi, thank you very much for hearing me
24 speak tonight. My name is Caroline Ashe, and I'm a resident
25 of Velocity. I live in unit 103.

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1 And I've recently purchased a one-bedroom condo
2 there for over \$600,000. My unit is affected directly, as I
3 sit on the terrace level and face 80 M Street. I want to
4 clarify that at no time -- I've become very active in the
5 board and the community activities -- at no time did I ever
6 receive any type of notification. I've attended any board
7 meetings and any such meetings that have occurred in our
8 building since I moved in, in September of 2019, and the
9 first time I heard about any of this was on January 2nd, when
10 a notice came out from another resident saying, were you
11 aware, to all the residents.

12 During the course of this meeting, I was able to
13 contact some other residents in the building, since the
14 beginning of our meeting tonight, and nobody recalls ever
15 being notified. I'm not sure if that was something on our
16 end, where it just sat with board president, but at no time,
17 or I would have become more actively engaged before I saw the
18 notice about tonight's meeting.

19 So, I'm sorry for not being prepared to have
20 further discussion, but it will definitely affect the
21 one-bedroom unit that I just purchased there, again, for over
22 \$600,000.

23 I've dealt with this building before, early in the
24 morning with some type of renovation, construction. Early on
25 a Saturday morning, starting at about 5:45, 6:00 a.m. Walked

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1 out, talked to somebody who was disposing, I guess
2 renovation, construction had already begun there. They were
3 very aggressive to me when I tried to ask them to please wait
4 to start until 7:00 a.m. So, I do have questions and concerns
5 about this construction, and this literally is in my
6 backyard. So I appreciate your time.

7 CHAIRMAN HOOD: Okay, I want to thank all three
8 of you for coming out and providing testimony. Let's talk a
9 little bit about, you heard Ms. Prince say only two people
10 made the meeting. I guess that's because, from what I'm
11 hearing from you three, that there was not, I guess, notice.

12 And this is not our first rodeo dealing with
13 boards, and condos, and how they operate, and I know
14 sometimes the board speaks for everybody. And I think when
15 you vote -- now, I don't want to get in trouble, I'm just
16 trying to figure out what -- because I've been a president
17 of a -- I know how it works. I've been beat up on as well,
18 but one of the things you want to make sure you do is make
19 sure that everybody's communicated with, everybody knows
20 what's going on.

21 Obviously, if only two people showed up, there's
22 a disconnect somewhere. So one of the things I did ask Ms.
23 Prince to do is go back out and explain what they're doing,
24 and have a conversation. And it might not get to all of your
25 issues, but it might close the gap some, depending upon how

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1 this Commission moves forward.

2 But I want to ask Mr. McKay a question. Mr. McKay,
3 I see the blue sky, and I understand all that. I got some
4 skies I'd like to look at. But, I think the Supreme Court
5 ruled that I can't look at them sometime because I don't own
6 a right to a view.

7 So, I'm looking at this, and I also know what
8 we're faced with. We're faced with some regulations that we
9 have to abide by, which we have to deal with, and we have to
10 deliberate. How do I get to where you are if I'm in the
11 regulatory scheme? Just, how do I get there?

12 I understand the impacts. Sometimes my job is to
13 minimize impacts, even with a design review, to take some of
14 the pressure off the neighborhood. But how do I get to where
15 you are here?

16 MR. JACOBS: Well, I thought the question that
17 Commissioner Miller asked, I believe just a few minutes ago,
18 was interesting, in terms of asking, did you have tenants for
19 it?

20 And it was a handshake deal on there. And again,
21 in asking developers in the past on when they were going to
22 build, or additions for, in constructing, did they have
23 tenants, when there are so many empty buildings in the area,
24 and so many empty floors. Did they do studies for how they
25 were going to fill that?

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1 And often the answer is, well we're going to
2 manage it differently. Or, we're going to do it better.

3 And in the end, it's okay, I guess they've got the
4 right to do it, so there probably isn't much we can do about
5 it. I know Mr. Zimmerman was talking about, they were
6 approving it because of all the amenities they were doing.

7 Probably 90 percent of what you were talking
8 about, they could do without all the construction. They could
9 do the bicycles, they could do pretty much everything that
10 you were talking about without adding three floors to the
11 building.

12 So, I don't know. All I know is that from our
13 condo building, we could look over and see Nationals stadium.
14 When there's a home run, we can see the fireworks. When there
15 are special events, we can tell it. And when they finish the
16 construction, I'll see a wall. And that's why I'm here. I
17 care enough about it to take off work early to come down here
18 to appeal to you that that's not what we want from our home.

19 Are we going to win? Probably not. But we care
20 enough to come down here and express our concerns.

21 How did we find out about the notice? There was
22 a yellow sign on the side of the building just when my wife
23 and I happened to be walking by, and we saw a notice on the
24 Facebook page. So yeah, there's clearly a communication
25 issue.

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1 In the end, would it result in anything different?
2 Probably not. But, we care enough to come down and voice our
3 concerns about it. So, yeah, I don't know how we get from
4 here to there, but it's enough that we come down here and
5 tell you about it.

6 CHAIRMAN HOOD: And that's fair, but I think your
7 comments, though, are -- don't sell yourself short, because
8 I can tell you, it might not be a denial, but I think -- and
9 I'm just speaking from one commission, because I never know
10 what goes on down here, and I sit here.

11 But I think the conversation, and coming down and
12 letting us know what's going on out there, I think is very
13 important. As you've noticed, because of Velocity, I've
14 already asked the community to come back out because they
15 had two people at the meeting. Nobody's been talking, nobody
16 understands, and I think the email I was looking at from Ms.
17 Joanne Pozzo, really was some thoughtful -- just, let us know
18 what's going on.

19 Like you say, you bought here, and I think that
20 makes a difference. Had you all not done none of this, we
21 would have thought everybody was holding hands. There were
22 no issues, had this not been brought up. So I don't want you
23 to sell yourself short about coming down here. We appreciate
24 you taking off of work, because it does make a difference
25 with us. You might not get all outcomes, but we're going to

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1 ask and see how we can close some of the gaps closer
2 together. But let me go to Mr. Cox.

3 Mr. Cox, you also didn't get notice, but, anybody
4 can answer this, do you go to the ANC meetings? Do you go to
5 your ANC meetings?

6 MR. COX: I have a full-time job. I appreciate a
7 lot of people do who might go to those. As I mentioned in my
8 petition for a late filing, I didn't know about that meeting.
9 I don't have a Facebook account. I'm not on social media. I
10 simply did not know that there was an ANC meeting occurring
11 then.

12 I would have been happy to have gone to it and
13 expressed my concerns. That would have been fantastic had the
14 Commissioner asked our building to send out some sort of
15 notification to all building residents. We have a system that
16 we can get her direct email to our personal email address.

17 If I had received a notice that, hey, we're going
18 to be talking about this project at this meeting, I would
19 have made efforts to have gone.

20 I simply did not know about the meeting.

21 CHAIRMAN HOOD: So that was one meeting. But ANC
22 -- and I know you work -- but, I mean ANC in general, because
23 I know they post when they're having their meetings. You have
24 a single-member district commissioner, I'm not sure who that
25 is. I think, I'm not sure. We called her name earlier.

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1 MR. COX: I believe it's Anna Forgie.

2 CHAIRMAN HOOD: Forgie. Okay, so you have a
3 single-member district. Have you had a conversation with your
4 ANC commissioner?

5 MR. COX: I have. I reached out when I found out
6 on January 1st, I reached out. I had multiple emails with her
7 expressing my concerns. She thanked me for my comments, and
8 said that she would incorporate some of them into the letter.
9 I believe the letter includes my concerns about the
10 intersection. But again, I would have been happy to have gone
11 to an earlier meeting. But I have been communicating with her
12 since then.

13 CHAIRMAN HOOD: So, I'm taking time with this
14 because I think this is very important, especially when I
15 hear from Ms. Prince only two people showed up at the
16 meeting. At the Velocity meeting, only two people showed up.
17 So I think that's important. I don't know how we get there.
18 You've heard my ask of Ms. Prince and the development team
19 to come back out and at least have a conversation, because
20 I think that's very important. Because the people who are
21 going to be most impacted are the people who live there.

22 I say this all the time, because developers come
23 and they go back home. We have to endure what goes on. Now,
24 is this going to get you where you all want to be? I'm not
25 sure, because I never know what others are thinking.

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1 But I also know that, as I mentioned to you, Mr.
2 McKay, we have regulations we have to go by, and if not, I
3 don't know if you've been following the Zoning Commission
4 lately, but a lot of our decisions end up somewhere else, and
5 they make them for us. So we have to make sure we stick to
6 the regulations, and that's what I intend to do in this case.

7 But also, I want to make sure to mitigate any
8 concerns as much as possible that are had into what we're
9 doing here. That's why I want to ask Ms. Prince again to come
10 back out.

11 But let me open it back up, see if any of
12 colleagues have any questions or comments.

13 Commissioner May.

14 COMMISSIONER MAY: Yeah, I'm just wondering where
15 your units actually are. So, you've described, Mr. Jacobs,
16 where the view is, but does that mean you're on the tenth,
17 11th, 12th floor?

18 MR. JACOBS: Yeah, 1013.

19 COMMISSIONER MAY: Ten-thirteen. And right now,
20 when you look straight across, you see the rooftop?

21 MR. JACOBS: I look across the top of the roof.

22 COMMISSIONER MAY: Yeah, but can you see actually
23 the roof surface itself?

24 MR. JACOBS: Yes.

25 COMMISSIONER MAY: Okay. And Mr. Cox, where are

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1 you? MR. COX: I 'm on the 11th floor. I currently
2 would be at eye-level of the proposed structures, which is
3 why I raised concerns about the privacy with the design.

4 COMMISSIONER MAY: Sure, yeah. Okay.

5 So, Mr. McKay, you made the statement that -- not
6 McKay, sorry, Jacobs.

7 MR. JACOBS: That's okay.

8 COMMISSIONER MAY: Yeah, right, I got it.

9 MR. JACOBS: One of those progressive marriages.

10 COMMISSIONER MAY: I got confused.

11 MR. JACOBS: Jacobs. McKay. McKay. Jacobs. We both
12 answer.

13 COMMISSIONER MAY: Go both, yeah, okay. Either way,
14 your letter says that you will not be able to see the sky.
15 Right? That's a bit of hyperbole, right? You can actually
16 look out your window and see the sky?

17 MR. JACOBS: Left-hand side, yes. Straight ahead,
18 where we can, we'll see building and probably windows, but
19 the view is --

20 COMMISSIONER MAY: So, if you're standing at your
21 window, you can't see the sky?

22 MR. JACOBS: Two-thirds, once you add the three
23 stories, no I don't think so.

24 COMMISSIONER MAY: I don't understand how that
25 works. That's like saying that because they can't --

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1 (Simultaneous speaking.)

2 MR. JACOBS: No. We can look down the street, we
3 can. But like I said --

4 COMMISSIONER MAY: No, but you could look up,
5 right? You can see the sky when you look up. You can still
6 see over the building. You can't necessarily see anything
7 beyond the building, but you can see over the building and
8 see the sky.

9 MR. JACOBS: I won't be able to see over the
10 building anymore, because the building will be 15 stories --

11 COMMISSIONER MAY: Are you that close? You're a
12 hundred feet away.

13 MR. JACOBS: No, we won't be able to see above the
14 building from across the street.

15 COMMISSIONER MAY: When you look straight out,
16 you'll see the building.

17 MR. JACOBS: Yeah. When we look straight across
18 street --

19 COMMISSIONER MAY: If you look like that, what will
20 you see?

21 MR. JACOBS: I think we'll still see the building.

22 COMMISSIONER MAY: When you look like that, what
23 are you going to see? The building is not 200 feet tall.

24 MR. JACOBS: No. Yes.

25 (Simultaneous speaking.)

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1 COMMISSIONER MAY: There will still be sky in your
2 frame of view.

3 MR. JACOBS: You will still be able to look up and
4 see --

5 COMMISSIONER MAY: When you look straight out.

6 MR. JACOBS: Sky.

7 COMMISSIONER MAY: It's just when you look straight
8 out?

9 MR. JACOBS: Yes

10 COMMISSIONER MAY: Okay.

11 MR. JACOBS: Yes, you'd be standing in front of the
12 window, and go to the edge of the window, you would be able
13 to look up and see the sky. But if you're standing back from
14 the window, you still see the building.

15 (Simultaneous speaking.)

16 COMMISSIONER MAY: Right, when you're standing back
17 from the window, you will only see the building. I can
18 understand that. I didn't know what your understanding was
19 of what the sky was or what the building was.

20 MR. JACOBS: Yes, but when you're standing back in
21 the great room now and look across there, like I said, you
22 could see the edge of the Nats stadium, you could see --

23 COMMISSIONER MAY: Right, I understand that, I got
24 that point. And in both your circumstances -- since you're
25 in the tenth, you're in the 11th -- so, the shadow study

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1 shows pretty clearly that if there are any shadows cast on
2 the building itself, they're going to be in the lower floors
3 in the winter.

4 MR. COX: You know, if you look at the shadow
5 study, I'm not sure about that. At the --

6 COMMISSIONER MAY: Okay, well, can we bring up the
7 shadow study image? It's a pretty simple image.

8 (Pause.)

9 All right, there we go.

10 So, let's look at that. Okay, that's the sort of
11 a maximum building-- maximum impact on the most number of
12 units in the building, right? So, we're really talking about
13 the shadows reaching only about seven, maybe eight floors up,
14 right?

15 MR. JACOBS: Is that the exhibit that was filed on
16 December 20th, or the one that was filed this afternoon?

17 COMMISSIONER MAY: I don't know, it's the one
18 that's in front of us. It's in the record, this is what
19 they're testifying is accurate. You can see it right now,
20 right?

21 MR. JACOBS: The reason I'm asking is because on
22 the one that was filed this afternoon, it depicts an
23 additional floor at the bottom. My concern initially was that
24 I was having difficulty with the 9:00 a.m., the 12:00 p.m.
25 phase, reading the shadow study as it only had depicted 13

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1 floors at our building.

2 When I just had a few conversations with the
3 architect prior to the hearing, and I'm not sure they were
4 aware that the building had 14 floors when the study was
5 created. Therefore, I have difficulty comprehending --

6 COMMISSIONER MAY: I don't want to be distracted
7 by the 13 versus 14 floors. I can ask them a question about
8 whether the height is accurately depicted, it doesn't really
9 matter what the lines are at this moment. I'm just asking,
10 based on the image that I have circled there, that's not
11 casting anymore shadow on your unit, right?

12 MR. JACOBS: From that phase, if you're counting
13 at the top from 14 --

14 COMMISSIONER MAY: Well count from the bottom.

15 MR. JACOBS: I don't believe it would actually.
16 However, again, I haven't been able to commission my own
17 study --

18 COMMISSIONER MAY: And I'm not asking you to. This
19 is what the evidence is in the record, and it shows, to me,
20 pretty clearly that the shadow, it's going to definitely
21 affect more units, but it's not going to reach above the
22 eighth floor, or something like that.

23 MR. JACOBS: I guess I just have concerns as
24 whether or not that's fully portraying the shadow from the
25 additional floors. That's my concern. I understand it might

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1 not be shared by the Commission. I understand --

2 COMMISSIONER MAY: No, we're not to the point of
3 addressing what our actual concerns are, we're just in the
4 fact-finding mode at the moment. All right, well I appreciate
5 your answers to that.

6 Can I ask the applicant, putting aside the number
7 of lines that are shown for floors, is the height accurately
8 depicted there, of the Velocity building?

9 MR. CORRADO: So we based the height at 130 feet,
10 which is the maximum height for a 110-foot right of way on
11 1st Street.

12 COMMISSIONER MAY: Right. And what that means is
13 that somebody probably just drew lines every ten feet.

14 MR. CORRADO: Yes sir. Ten feet, exactly, for
15 residential buildings.

16 COMMISSIONER MAY: Right. Okay, so the overall
17 height of the building is about the same. It may not depict
18 exactly which floor is which, correctly.

19 MR. CORRADO: We did go back after we were
20 notified, because we don't have the schematics for the
21 building to know what it was, we didn't. If you look at the
22 building itself along 1st Street, it actually is 13 levels.
23 The fourteenth floor is a half-submerged floor on the L
24 Street side. So we have updated, with that information being
25 called to our attention, the lines --

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1 COMMISSIONER MAY: And what we're seeing is the
2 updated information?

3 MR. CORRADO: Correct, sir.

4 COMMISSIONER MAY: Okay. All right, then my
5 questions are answered. Thank you very much, all of you.

6 CHAIRMAN HOOD: Okay, any follow up questions?
7 Vice Chair Miller.

8 VICE CHAIR MILLER: Thank you Mr. Chairman.
9 And thank you for your testimony.

10 This may have been covered, and I may have missed
11 it, Mr. Cox, and I think the ANC, as he mentioned, a
12 reference in their statement of no-opposition, that there was
13 concern about -- this is for DDOT -- there was concern about
14 pedestrian safety at 1st and L Street S.E., and if you
15 already addressed this, I'm sorry. But if you could just
16 address this again: What is being done? Do you agree with the
17 concern? And, what's going to happen there?

18 MR. ZIMMERMAN: As of right now, we're not
19 considering a traffic signal at that intersection. As all
20 these different Navy Yard developments happen in Yards West,
21 and we have traffic studies done for each one, we kind of
22 keep an eye on the growth of traffic volumes up and down New
23 Jersey and up and down 1st Street.

24 We're currently really eyeing 1st -- pardon me,
25 New Jersey and I, that area more for traffic signals. But

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1 what we're thinking of on 1st Street is actually doing a kind
2 of a road diet and actually reducing the number of lanes on
3 that street, and then doing protected bike lanes. Because it
4 is curb-to-curb very wide, and the volumes are not warranted
5 for such a wide road. So we take pedestrian safety very
6 seriously, and this is one of those things that we're looking
7 at doing, which would shorten the crossing distance, or
8 shorten the number of lanes that people have to cross as they
9 cross on 1st Street.

10 VICE CHAIR MILLER: I would encourage you to
11 continue to examine the pedestrian issues at that
12 intersection as you're looking at all the intersections in
13 the whole ballpark area.

14 CHAIRMAN HOOD: Any other questions or comments up
15 here?

16 Okay, I want to thank you all -- oh, wait a
17 minute, let's see. Do we have any cross?

18 MS. PRINCE: No cross.

19 CHAIRMAN HOOD: Okay. Again there's no one here
20 from the ANC, so, all right thank you all for your testimony.
21 We appreciate it.

22 All right, is there anything else, any other
23 follow up questions?

24 So, Ms. Prince, do you have any rebuttal, in
25 closing?

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1 MS. PRINCE: Just a few comments in closing, and
2 thank you for your time tonight.

3 We believe we meet the standards for design review
4 under subtitle I, section 616.6 and 616.8. The project's
5 consistent with the objectives of M and South Capitol Street
6 sub-area. And also it has no effect on the axial views of the
7 Capitol dome.

8 The height is very consistent with the
9 neighborhood, as we showed in many of the diagrams. Many of
10 the surrounding buildings are 130 feet. They range from ten
11 to 130 feet in height. The Velocity itself, as we've heard,
12 is 130 feet, close to what we're trying to be.

13 In terms of neighborhood outreach, I do want to
14 be clear on this. This ANC, which I think you see regularly,
15 is a very, very activist ANC. We appeared three times before
16 this ANC. We worked directly with our SMD, Anna Forgie, who
17 organized the meeting with the president of the condominium
18 association. She gave us his contact information, was at the
19 meeting, she was a third person at the meeting.

20 I've been doing this for a long time. When people
21 don't show up at a meeting, it can be two things. It can be
22 that they didn't get notice, or it can be that they're not
23 particularly concerned. And I have to say, in this instance,
24 I assumed, given a 130-foot building that they have, given
25 that the president of the condo association was there and did

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1 not have concerns, and given that he had explained that he
2 had given proper notice that it was the latter, that people
3 didn't have concerns.

4 But we went back to the ANC a third time, and Anna
5 specifically asked for residents of the condominium
6 association, if there were any in the audience, to speak up,
7 and none were there. And we spent about probably six hours
8 at ANC meetings on this project, waiting for our case to be
9 called. I fully expected someone from Velocity would be there
10 if they had a concern. There's only so much that we can do.
11 We try to deal with the right people at the right time.

12 Having said all of that, we want construction,
13 should this project get approved, to go very smoothly. We
14 have every intention of not just reaching out to the Velocity
15 owners, but all nearby owners, to make sure construction is
16 handled in a way that doesn't create adverse impacts.

17 But, as we all know, there's no entitlement to a
18 view. I believe the unit owners will still see sky. I believe
19 that the glassy nature of the addition will actually be a lot
20 more favorable than if we had chosen a different design
21 approach.

22 So with all due respect to the concerns they've
23 raised, I believe we meet the standards, but we're happy to
24 meet further. We will engage further, we'll find out what
25 happened with the president of the condo association, why

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1 broader notice wasn't given. But I believe we had a right to
2 rely on his representations.

3 So I thank you for your time tonight, and I ask
4 for your action as soon as you feel you're able to take it.

5 CHAIRMAN HOOD: All right, thank you.

6 Mr. Cox, can you come back to the table? I want
7 to ask you a question.

8 (Pause.)

9 I'm a firm believer in not wasting anybody's time.
10 Do you think it's well-advised to continue to have a
11 conversation with the applicant?

12 MR. COX: How do you mean, sir?

13 CHAIRMAN HOOD: Because I wanted the applicant to
14 come back out and talk to you all and Velocity.

15 I don't want to waste the applicant's time or
16 Velocity's time. If it's a non-starter, then I'm not going
17 to ask for it.

18 But if it's where we can mitigate -- I probably
19 should ask everybody -- we might not get to where we all want
20 to be, but we're getting closer than where we are now. Do you
21 think that would be beneficial?

22 MR. COX: I understand now, Mr. Chairman. Thank
23 you, and thank you for asking that.

24 I do think that would be beneficial. I would take
25 it upon myself personally to make sure that a notice is sent

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1 out to the building, to make sure that everyone knows about
2 the opportunity to meet. I'm sure, as you've seen tonight,
3 from my fellow residents, that a lot of folks would probably
4 appreciate that opportunity, and so if the applicant offered,
5 we would certainly take them up on that.

6 CHAIRMAN HOOD: Okay, all right. Thank you.

7 MR. COX: Thank you.

8 CHAIRMAN HOOD: I appreciate you coming back up.

9 Okay, so Ms. Prince, let's see what we can do. I
10 know you all have done it a number of times, and I don't know
11 where the disconnect was. But we do this -- I always push
12 this a lot. I think this is important.

13 While we may not be a hundred percent, we may not
14 always get there, and some of the issues, probably not before
15 us, but it would be, what I call, the good neighbor policy.
16 So let's see what we can do to try to facilitate that
17 meeting. I'm not sure how you even do it, because sometimes
18 the board runs things, and I've seen it all.

19 Let me ask the same question to you Ms. Prince.
20 Do you think this is doable? You'll try, let me just say
21 that. In your circumstance, you'll try.

22 MS. PRINCE: We are always happy to meet with
23 neighboring property owners, particularly the Velocity. We
24 feel we've designed an addition that fully complies with the
25 design review standards. So, just to be very straightforward

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1 about this, a meeting that would involve any kind of
2 negotiation about the scope of the addition I think would be
3 fairly futile.

4 We're happy to talk about construction impacts,
5 we're happy to talk about the use of the community room,
6 we're happy to talk about concerns about safety of the
7 street. But the design itself is one that I believe fully
8 meets the standards of the regulations, and while I respect
9 that they have concerns, I don't think we're in a position
10 to address those concerns.

11 CHAIRMAN HOOD: So let me let you know where I'm
12 coming from, and you tell me whether that's doable or not.
13 The email I keep referencing talks about how, it's more of
14 a questionable. How is this going to work? It's a
15 fact-finding email, from what I saw. That's kind of what I
16 want you all to go out there to explain.

17 I'm not talking about the design, I'm not talking
18 making no changes, I'm not talking about negotiations. I'm
19 not evening talking about an amenities package, because
20 that's not in our jurisdiction. What I'm talking about is
21 some of the things that she had curtailing to her -- and
22 maybe some other outcomes may come out of her discussion, but
23 she has some very thoughtful, I thought, concerns. Even
24 though she didn't make the ANC, I can't say what happened to
25 all of that, she didn't make those things, but it would have

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1 been nice to have made it, because those questions I think
2 are better suited to be answered and dealt with there. But
3 since it wasn't, I'm asking, can you go back out and explain
4 to --

5 MS. PRINCE: We will absolutely meet with her. She
6 wondered if there was asbestos in the building. The building
7 was built after asbestos was ended as a material for use. She
8 asked about the structural integrity of the building, and the
9 ability of the addition to be supported. Well of course we
10 had a structural engineer look at that before we designed the
11 addition. There are questions that can be answered very
12 easily, we're happy to answer them.

13 CHAIRMAN HOOD: And I think that's more the
14 discussion, I think. While it won't get some to where they
15 want to be, I think it will close the gap a little more and
16 at least keep them informed. Ok.

17 All right, any other questions or comments?

18 Mr. Shapiro.

19 COMMISSIONER SHAPIRO: Thank you.

20 I just want to remind you that you said you'll be
21 getting back to us as well about some of the green building
22 features, and specifically looking at the lack of solar
23 array. And I would like to hear some kind of response on that
24 as well.

25 CHAIRMAN HOOD: All right, did you give us your

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1 closing? You already gave us your closing?

2 MS. PRINCE: I gave you my close.

3 CHAIRMAN HOOD: Okay, so we're closed. Okay.

4 Any other questions or comments up here?

5 COMMISSIONER MAY: I just want to be clear what
6 we're expecting to see ourselves as a result of that further
7 outreach. Are we just looking for a report back from the
8 applicant about what has --

9 CHAIRMAN HOOD: Yeah, just from the applicant about
10 what happened. I'm sure that they will represent everyone.
11 I'm sure they'll do it well. That's what we'll be looking
12 for.

13 COMMISSIONER MAY: And of course, once we get it
14 from the applicant, then the ANC can also respond --

15 CHAIRMAN HOOD: Yeah they can respond. So the three
16 who spoke tonight, you can work through your ANC, and then
17 they can help with the response to what the applicant put
18 back to the file. Okay?

19 VICE CHAIR MILLER: As long as the applicant's
20 going to be required to give something back. If you could
21 just give us a guesstimate on that Housing Production Trust
22 Fund contribution --

23 MS. PRINCE: I'll give you an exact number. I have
24 a rough one, but I'll give you the exact number.

25 VICE CHAIR MILLER: Okay.

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1 MS. PRINCE: So, just to be clear, we'll arrange
2 a meeting immediately with Velocity. If the ANC is given the
3 opportunity to comment on our summary of the Velocity
4 meeting, that would need to happen at a regular meeting of
5 the ANC. So you're asking us to go to Velocity and then go
6 to another ANC meeting.

7 CHAIRMAN HOOD: No.

8 MS. PRINCE: No?

9 CHAIRMAN HOOD: I'm trying to figure out the best
10 way for the residents, the three especially who came down,
11 who showed interest today, to be able to respond back to us.

12 So what I think -- and let me talk to my
13 colleagues -- I think we should at least leave the record
14 open for those three to give us a paragraph. We don't need
15 a dissertation, just a paragraph on how the meeting went with
16 the discussion. That way you all are inclusive in the
17 response.

18 COMMISSIONER MAY: From the three who testified.

19 CHAIRMAN HOOD: Just the three.

20 COMMISSIONER MAY: And in terms of the ANC, it's
21 just a matter of the normal process that they get to respond
22 to anything you submit. That's all.

23 MS. PRINCE: Okay.

24 CHAIRMAN HOOD: So we were trying to cut that other
25 stuff out, but I think, since we only have three, gives us

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1 a paragraph --

2 COMMISSIONER SHAPIRO: I think, Mr. Chair --

3 CHAIRMAN HOOD: Yes?

4 COMMISSIONER SHAPIRO: I think the complication is,
5 what Ms. Prince is saying is right, which is for the ANC to
6 respond --

7 CHAIRMAN HOOD: They get it anyway. They get to
8 respond anyway, I was trying to include that in it.

9 COMMISSIONER SHAPIRO: But that's built into our
10 calendar, whatever happens.

11 MS. SCHELLIN: Staff understands that the three
12 individuals who spoke at the end of the evening, if they'll
13 come up and give me their email address, I'll make sure that
14 they're included, allowed to make a submission, and the
15 record will be closed to everyone else.

16 CHAIRMAN HOOD: So that way we don't have to take
17 that back through the ANC, I think. I think that'll be
18 easier. Okay.

19 Are we good, Commissioner Shapiro?

20 COMMISSIONER SHAPIRO: Yes sir.

21 CHAIRMAN HOOD: Okay.

22 All right, anything else?

23 MS. SCHELLIN: Dates.

24 CHAIRMAN HOOD: Oh, okay. Ms. Schellin, dates.

25 MS. SCHELLIN: I would just ask the Commission, are

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1 you looking to bring this case -- obviously it's not going
2 to be ready for Monday's meeting -- but, for the second
3 meeting in January, which is the 27th, is that what you're
4 shooting for?

5 CHAIRMAN HOOD: Think we can have a meeting by
6 then?

7 MR. COX: I'm sorry Mr. Chairman, which date again?

8 MS. SCHELLIN: Try to come back here for a decision
9 on January 27th. Can you arrange for a meeting with your
10 condo association and the applicant prior to then?

11 MR. COX: I'm here tonight acting in my individual
12 capacity, I'm certainly not speaking on behalf of my
13 association. I'm happy to pass that message along and
14 certainly try to my fullest extent to arrange and make sure
15 that meeting occurs with at least the folks that spoke here
16 tonight.

17 MS. SCHELLIN: Okay, because it's open for the
18 three, so do you guys want to try to do something in time for
19 the second meeting in January?

20 MS. PRINCE: Absolutely.

21 MS. SCHELLIN: Okay. So then, based on that --

22 CHAIRMAN HOOD: But let me ask this, though,
23 because I'm a realist. Is that realistic? Can we do the first
24 meeting in February?

25 MS. SCHELLIN: I believe there's only one.

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1 CHAIRMAN HOOD: Well that won't -- and I'll tell
2 you why --

3 (Simultaneous speaking.)

4 MS. SCHELLIN: No, there is two.

5 CHAIRMAN HOOD: Because I don't want to come in
6 here on the 27th and we got all kinds of other problems.

7 We couldn't get a meeting. The president wouldn't --
8 but he couldn't get a meeting, and I just don't want to keep
9 delaying it either, but I just can't be predictable about
10 what may happen at your condo association.

11 MS. PRINCE: Well that's three weeks to have a
12 meeting with the condo association. I think we can get in
13 touch with the condo president tomorrow, and I --

14 CHAIRMAN HOOD: Okay.

15 COMMISSIONER MAY: But we need to allow for the
16 ANC's response. So we would have to have a response from you
17 by the 20th, but the 20th is a holiday, so probably needs to
18 be the Friday before, which is a week from this Friday. So
19 that would be between now and next Friday, you'd have to have
20 your meeting and report back to us.

21 MS. PRINCE: That seems reasonable.

22 MS. SCHELLIN: Yeah, and IZIS is open, so they can
23 still --

24 (Simultaneous speaking.)

25 CHAIRMAN HOOD: So Ms. Prince seems very confident,

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1 forget my comments, let's go with it. She seems very
2 confident.

3 MS. SCHELLIN: Okay. So, in that case then, if we
4 could have the additional items that the Commission asked you
5 to submit, I'm sure Mr. Ferris was taking notes, right? And
6 we'll have those by 3:00 p.m. on the 20th, even though we'll
7 not be here, the office will be open.

8 MR. COX: Mr. Chairman, I'm sorry to interject. My
9 fellow residents -- as I said, I'm just speaking for myself
10 -- my fellow residents might have their own thoughts on this
11 and I wouldn't want to speak for them, so if you'd like to
12 invite them back up to ask their opinion on that --

13 CHAIRMAN HOOD: So I actually looked, I've been
14 doing this for a while. I saw some heads nod, so I'm pretty
15 sure that they were okay, unless they have something
16 different --

17 So I'm not sure how all this --

18 Yeah, a week or two, or whatever the --

19 MS. SCHELLIN: A week.

20 CHAIRMAN HOOD: A week?

21 Within a week.

22 Okay, so I'm going to ask if your husband wants
23 to say something, he can come here. You can come, too, but
24 you didn't testify. But I know how it works, so if you want
25 to come up.

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1 (Laughter.)

2 Believe me. I hope my wife's not watching, but
3 anyway. If you want to come up and articulate it, you can,
4 but I think it's doable. Ms. Prince seems to be very adamant,
5 I believe. And she's been doing this a long time. She seems
6 like she can get it done.

7 MS. SCHELLIN: Okay.

8 CHAIRMAN HOOD: Okay. All right.

9 MS. SCHELLIN: So the applicant's submissions would
10 be due by 3:00 p.m. on the 20th of January, and the ANC --
11 and also the three individuals, your one-pagers, or one
12 paragraph, as Chairman Hood said, would also be due by 3:00
13 p.m. on the 20th of January. And the ANC would have until
14 3:00 p.m. on the 27th of January to respond. And we can put
15 this on for January 27th, because we'd only be waiting for
16 the ANC's response. And OAG, when would you like the draft
17 order, the 20th?

18 MR. RITTING: Yeah, that's fine.

19 MS. SCHELLIN: It would just be missing the ANC
20 paragraph, which you could kind of fill in. So if we could
21 get a draft findings, facts, and conclusions of law by 3:00
22 p.m. on the 20th, also.

23 MS. PRINCE: That's fine. Just to be clear, what
24 is the applicant filing? I understand the solar studies, and
25 I understand --

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1 MS. SCHELLIN: You're going to --

2 MS. PRINCE: I got lost after the statement of the
3 three individuals. Are we also reporting on the meeting?

4 MS. SCHELLIN: Yes.

5 MS. PRINCE: Right, okay.

6 MS. SCHELLIN: They're reporting on the meeting.
7 You're reporting on the meeting.

8 MS. PRINCE: We're reporting on the meeting as
9 well.

10 MS. SCHELLIN: In addition to the other items that
11 the Commission asked you for. The solar --

12 MS. PRINCE: Great, okay.

13 MS. SCHELLIN: Yeah, and the outreach, and the
14 Housing Production fund amount, and anything else that notes
15 were taken on. But those are the only things that I wrote
16 down, but of course I wasn't listening to the whole thing.

17 MS. PRINCE: Great, I just wasn't clear on that one
18 piece, the reporting on the -- okay, excellent.

19 MS. SCHELLIN: Okay. Then the meeting will be at
20 6:30 p.m. on the 27th of January.

21 MS. PRINCE: Thank you.

22 CHAIRMAN HOOD: Okay, do we have anything else?

23 All right, I will say, the reason why I said
24 paragraph is because I think three people who have given us
25 their opposition, we know what the issues are, we just want

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1 to give you a chance to respond to the meeting as well,
2 that's just fair. That's what I think.

3 All right, anything else?

4 All right, I want to thank everyone for their
5 participation tonight, and this hearing is adjourned.

6 (Whereupon, the above-entitled matter went off the
7 record at 8:04 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Public Hearing

Before: DCZC

Date: 01-09-20

Place: Washington, DC

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.



Court Reporter

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