

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING COMMISSION

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PUBLIC HEARING

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THURSDAY

JUNE 3, 2021

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IN THE MATTER OF:           :
                             :
Design Review for Parcel H  : Case No.
In the Southeast Federal   : 21-06
Center, 111 N Street, S.E  :
Square 744, Lot 808       :
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The Public Hearing of the District of Columbia Board of Zoning Commission convened via Videoconference, pursuant to notice at 4:00 p.m. EDT, Anthony Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY HOOD, Chairperson
 ROBERT MILLER, Vice Chairperson
 PETER SHAPIRO, Commissioner
 MICHAEL TURNBULL, Commissioner
 PETER G. MAY, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary
 PAUL YOUNG, Zoning Data Specialist

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OFFICE OF PLANNING STAFF PRESENT:

BRANDICE ELLIOTT

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF PRESENT:

AARON ZIMMERMAN

OFFICE OF ATTORNEY GENERAL STAFF PRESENT:

JACOB RITTING, ESQUIRE

The transcript constitutes the minutes from the
Regular Public Hearing held on June 3, 2021

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PRESENTATIONS:
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CLOSING REMARKS:
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 Commissioners 75

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

(4:00 p.m.)

CHAIRPERSON HOOD: Good afternoon, ladies and gentlemen. Today's date is June the 3rd, 2021. We are convening and broadcasting this public hearing by videoconferencing. My name is Anthony Hood. Joining me are Vice Chair Miller, Commissioner Shapiro, soon-to-be Commissioner May, and Commissioner Turnbull. We're also joined by the Office of Zoning staff, Ms. Sharon Schellin, our secretary, and Mr. Paul Young, who will be handling all of our virtual operations, and Mr. Jake Ritting, who is our legal counsel. Others will introduce themselves at the appropriate time.

The virtual public hearing notice is available on the Office of Zoning's website. This proceeding is being recorded by a court reporter, and the platforms used are Webcast Live, Webex, and YouTube Live. The video will be available on the Office of Zoning's website after the hearing.

All persons planning to testify should have signed up in advance and will be called by name at the appropriate time. At the time of sign up, all participants will complete the oath or affirmation required by Subtitle Z, 408.7. Accordingly, all those listening on Webex or by phone will be muted during the hearing and only those who have signed up to participate or testify will be unmuted at the appropriate time. When called, please state your name and home address before providing your

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1 testimony. When you are finished speaking, please mute your
2 audio.

3 If you experience difficulty accessing Webex or with
4 your telephone call-in or have not signed up, then please call
5 our OZ hotline number at 202-727-5471. If you wish to file
6 written testimony or additional supporting documents during the
7 hearing, then please be prepared to describe and discuss it at
8 the time of your testimony.

9 The subject of tonight's hearing is Zoning Commission
10 Case 21-06. This is the Southeast Federal Center, Parcel H,
11 Zoning Commission Design Review under the Southeast Federal
12 Center Overlay for a new 12-story mixed retail and residential
13 building.

14 This hearing will be conducted in accordance with
15 provisions of 11-Z DCMR Chapter 4 as follows: preliminary
16 matters, applicant's case -- the applicant has up to 60 minutes,
17 report of the Office of Planning, and the District Department of
18 Transportation, report of other government agencies, report of
19 the ANC; testimony of organizations, five minutes, and
20 individuals, three minutes. And we will hear in the following
21 order: from those who are in support, opposition, and undeclared.
22 Then we will have rebuttal and closing by the Applicant.

23 Again, the OZ hotline number is 202-727-5471 for any
24 concerns during this proceeding.

25 At this time, the Commission will consider any

1 preliminary matters. Does the staff have any preliminary
2 matters?

3 MS. SCHELLIN: The first one is a motion from the
4 Applicant requesting a waiver of the requirement for notarization
5 of their posting and maintenance affidavits. So they ask the
6 Commission if they would make that waiver for notarization of
7 those affidavits.

8 CHAIRPERSON HOOD: Thank you, Ms. Schellin. Any
9 objections -- and this is our Exhibit 10. Any objections to
10 notarization protocols which -- especially during this time of
11 COVID? I'm not seeing any, so we will -- no objections. Next,
12 Ms. Schellin.

13 MS. SCHELLIN: Okay. Next would be proffered expert
14 witnesses. Going with the previously approved experts, we have
15 Erwin Andres, previously approved in transportation engineering,
16 and Sean Stadler, with WDG, previously approved in architecture.
17 If the Commission would accept both of them as experts in this
18 case.

19 CHAIRPERSON HOOD: Okay. Unless I hear an objection,
20 we will continue that status.

21 MS. SCHELLIN: Okay.

22 CHAIRPERSON HOOD: No objection, we will continue that
23 status.

24 MS. SCHELLIN: And then those that staff could not find
25 them as approved in -- by the Commission, Erik -- and I'm probably

1 going to mess up the last name, Vermeulen, as an expert in
2 architecture. The resumes for all of these are at Exhibit 15E.
3 Do you want me to just read them all, or do you want to do one
4 at a time?

5 CHAIRPERSON HOOD: There's only two, I think.

6 MS. SCHELLIN: Yes.

7 CHAIRPERSON HOOD: (Indiscernible), as well, right?

8 MS. SCHELLIN: Yes. So Erik Vermeulen, in
9 architecture; Orna Best and Gabriela Clark, those two for
10 landscape architecture. So, it's three.

11 CHAIRPERSON HOOD: Okay. Let's do Mr. Vermeulen first.
12 Again, as Ms. Schellin has mentioned, those exhibits are in 15E.
13 Any questions or any concerns about Mr. Vermeulen being an expert
14 in architecture? We do have quite a few experts who have been
15 proffered in architecture so, and then we have Mr. Stadler, as
16 well. Any objections?

17 COMMISSIONER TURNBULL: Yeah. Well, Mr. Chair, Mr.
18 Stadler is well known to us, and so I have no problem there.

19 Mr. Vermeulen, I -- the only problem is I don't know.
20 I don't see the jurisdiction license. I don't see where he's
21 licensed at all as an architect. If he's just studied
22 architecture, has he designed some things, is he a designer? But
23 is he a licensed -- I don't see a license for him in any -- in
24 the United States.

25 CHAIRPERSON HOOD: So we're going to -- Mr. Turnbull,

1 I agree. I did look for the licensure. That's what I'm starting
2 to look at for first, now. I didn't see it. We can bring him
3 up. But while we're doing that, let's go to landscape architect,
4 not to confuse things, but let's see if we can do the two
5 landscape architecture -- Fraifeld and Canamar. I hope I didn't
6 mess all those up. And again, those are in Exhibit 15E, as well.

7 COMMISSIONER TURNBULL: Well, Ms. Canamar is a licensed
8 landscape architect in five jurisdictions: Maryland, Virginia,
9 D.C., I think, and she's got several. The other person, Ms.
10 Best, I don't find any kind of a license in any jurisdiction for
11 her.

12 CHAIRPERSON HOOD: Okay. So unless my colleagues
13 disagree, we will grant everyone expert status except for Mr.
14 Vermeulen and Ms. -- I believe, it's Orna Best. Any objections?

15 (No audible response.)

16 CHAIRPERSON HOOD: Again, they can provide testimony.
17 I think they have enough on the list of our experts that can
18 present to us, but we will -- they can provide testimony, unless
19 they -- I didn't see Mr. Vermeulen come up, so that's why I went
20 ahead and tried to expedite that. So unless I hear an objection,
21 that's the way we'll proceed. Any objections? Mr. Turnbull, are
22 you fine with that process moving forward?

23 COMMISSIONER TURNBULL: Absolutely, Mr. Chair.

24 CHAIRPERSON HOOD: Okay.

25 COMMISSIONER TURNBULL: Thank you. Mr. Shapiro and

1 Vice Chair Miller, you all are fine?

2 COMMISSIONER SHAPIRO: I'm fine with it, Mr. Chair.

3 VICE CHAIR MILLER: I'm fine.

4 CHAIRPERSON HOOD: Okay. And Commissioner May is not
5 here yet, so he's going to have to be fine. Okay. So Ms.
6 Schellin, anything else?

7 MS. SCHELLIN: No, sir. Ready to proceed.

8 CHAIRPERSON HOOD: Okay. So we can bring the Applicant
9 and his team up, Mr. Avitabile, I believe.

10 MR. AVITABILE: Thank you. Good afternoon, Chairman
11 Hood, Members of the Commission.

12 CHAIRPERSON HOOD: Mr. Avitabile, let me -- you heard
13 the discussion about the expert witnesses. Do you have any
14 pushback for us, or are we good?

15 MR. AVITABILE: No, sir. I think that's fine. While
16 I do believe that both Mr. Vermeulen and Ms. Best have a long
17 -- long years of practice, you know, it -- we don't have any
18 opposition here. So we're fine proceeding with Mr. Stadler --

19 CHAIRPERSON HOOD: Okay.

20 MR. AVITABILE: -- and Ms. Clark as our experts instead
21 of the local experts.

22 CHAIRPERSON HOOD: Okay. Sounds good. All right. So
23 Mr. Avitabile, you may begin.

24 MR. AVITABILE: Great. Thank you very much. Good
25 afternoon --

1 COMMISSIONER TURNBULL: Mr. Vermeulen, if you have
2 anything from the Netherlands, if they're licensed in the
3 Netherlands, and you could show us that, we might consider that.

4 MR. AVITABILE: I know. I was looking for that. I
5 couldn't find it at my fingertips, but I think we'll just proceed
6 and not worry about it. And next time Mr. Vermeulen is here,
7 we'll bring his license with us.

8 COMMISSIONER TURNBULL: Yeah. I mean, we would be more
9 than willing to accept a foreign license just as long as we had
10 seen something.

11 MR. AVITABILE: Exactly. I understand. Thank you.
12 Thank you.

13 Well, good afternoon everyone. Thank you for having
14 us. We're here to present a design review for Parcel H in The
15 Yards. This parcel is in the Redevelopment Zone of the Southeast
16 Federal Center. It's immediately south of Parcel F, which we
17 reviewed with you back in February of this year. Parcel H is
18 located in the SEFC-1B Zone. Design review is required here,
19 because we're seeking to utilize the additional density and
20 building height that's permitted under the regulations in that
21 zone. We're also seeking flexibility from the one-to-one setback
22 requirement for the guardrails on the sixth-floor terrace, as
23 well as for the roof structure that's above that fitness center
24 on the sixth floor.

25 As with all the projects in The Yards, our building

1 design has been informed by feedback from multiple stakeholders
2 through the GSA-led review process, and we're pleased to be here
3 with a design that's been approved by the General Services
4 Administration, as well as endorsed by NCPC and the Commission
5 of Fine Arts, and we're equally pleased to be here with the
6 support from the Office of Planning, DDOT, and ANC 6D.

7 I'd like to turn the presentation over to Michael Odum
8 from Brookfield Properties, who will summarize the program goals
9 and introduce you to Brookfield's development partner on this
10 project.

11 MR. ODUM: Good afternoon, Commissioners, and thanks
12 -- thank you, David, and thank you for having us. As David
13 mentioned, my name is Michael Odum. I am with Brookfield
14 properties.

15 Today we will be presenting our next development parcel
16 in The Yards West neighborhood, is Parcel H. This parcel is
17 immediately east of Nationals Park. It's bounded by N Street to
18 the north, Yards Place to the east, N Place to the south, and
19 First Street to the west. This parcel will be a residential
20 parcel providing 466 units to the neighborhood. Consistent with
21 the other Yards' residential parcels, it will be 20 percent
22 affordable, at 50 percent AMI. That provides 94 affordable units
23 to the neighborhood, including five three-bedroom affordable
24 units. There will be two levels of below-grade parking, as well
25 as 26,000 square feet of retail -- of ground-floor retail, as

1 well as a publicly accessible public courtyard.

2 As David mentioned, we are already with a partner on
3 this building -- on this project. This partner is Urby. It has
4 been designed and will be marketed as an Urby building. And so
5 with me today we have Josh Wuestneck, who can speak a little bit
6 further to the Urby concept.

7 MR. WUESTNECK: Thank you, Michael. I don't see my
8 video. Is everyone able to hear me?

9 (Crosstalk.)

10 CHAIRPERSON HOOD: We're able to hear you.

11 MR. WUESTNECK: Apologies, but my video seems to be -
12 - there we go. So thank you, Michael. Thank you, Commissioners
13 for having us here this afternoon. My name, as Michael mentioned,
14 is Josh Wuestneck. I'm an executive vice president with Ironstate
15 Development and Urby. Ironstate is one of the parent companies
16 to the Urby brand, and we're partnering with Brookfield, as
17 Michael noted.

18 Urby, for us, is a special development brand that's,
19 kind of, developed and cached for us as concept a little over 10
20 years ago with a strong intention to take a more thoughtful
21 approach to residential apartment living. We set off to monitor
22 demographic trends, to take a deep dive into the future lifestyles
23 within apartment living. We wanted to react to what we saw
24 sometimes a generic and less inspired development sector, you
25 know, and take some of the keys from the hospitality industry and

1 bring a little more energy to our projects.

2 So our focus with the brand is on certain key features.
3 The connections between residents and the community is paramount
4 to the brand. We focus on inspired design with a strong bias
5 towards fitness and recreation. Indoor and outdoor amenities are
6 part of that function. We'll hear a lot about how they're
7 specifically designed and laid out in this project as our
8 presentation continues.

9 And then maybe less -- less able to put your finger on
10 is the neighborhood vibe that we try to create as part of these
11 projects. It's, you know, not a necessarily an attribute that
12 you can put your finger on. I think it's something that we all
13 feel and recognize when we see it, and that's part of one of the
14 cues that we've taken from the hospitality industry in creating
15 this brand.

16 So in moving forward with that intention, we brought
17 more thought to the programming, the residents' engagement. We
18 actively sponsor events within our projects, try to foster social
19 connections between our residents, the community, our management
20 team. We have public-facing lobbies that include a cafe that's
21 publicly accessible. Our lobbies include not only the essential
22 functions that are necessary within a lobby, mail, packaged
23 concierge, a doorman, things like that, but they also become
24 community gathering places, Wi-Fi lounges, and in this case, we
25 have a dual benefit of our integrated cafe being accessible from

1 both the street and the internal courtyard. And we'll learn a
2 little bit more about that design as we move forward.

3 We also focus hard on the units themselves, and both
4 the light and air that's gets within the units, our lighting
5 packages, modern technology. We try to bring in clever touches
6 to storage and other -- appliances, things like that, within the
7 units that sometimes unique, and took a look at the layouts
8 themselves and tried to create flow and function in a different
9 way than may be typical in the marketplace and utilize space more
10 efficiently.

11 So we have just about under 3,000 units under
12 management in seven states, soon, hopefully, the District of
13 Columbia, as well; five projects in current operations; four that
14 are under construction; and another 8 or 10 that are in our active
15 pipeline at this time.

16 So with that, I'd like to turn the presentation over
17 to Erik Vermeulen who will introduce you to the architecture from
18 the concept perspective. And then we'll move forward into more
19 details.

20 MR. AVITABILE: Great. And if -- Mr. Young, if you
21 could pull up our presentation that we sent along, that would be
22 great. Thank you so much. And we can probably skip ahead a
23 slide or two here to get to the presentation. Great.

24 All right. So Sean and Erik, it's all yours.

25 MR. VERMEULEN: All right. Well, thank you very much.

1 Thank you, Commissioners. Sorry for the confusion about the
2 certificate. So I'm pretty sure we'll make that work. I am,
3 obviously, licensed, of course, here in the Netherlands, and now
4 being a partner and head of architecture of our design firm --
5 or architecture firm named Concrete. We're based in Amsterdam;
6 we're 50 people strong, but a lot of our work is actually outside
7 of the Netherlands. And in all of those instances, we always
8 work together with a local architect, so that's why WDG is the
9 architect of record, and kind of, you know, developed and designed
10 this jointly together.

11 The reason that we are involved is that we are, let's
12 say, the designing and concept architects of Urby as a whole. So
13 in this project and the projects that Josh just mentioned, which
14 are, you know, like, sort of in the greater New York area, we
15 have the old designs, and also in successful collaboration with
16 local teams.

17 So this is the location of the project, Parcel, H,
18 right next to the Nationals Park stadium -- and if you could
19 switch -- move forward, please, a page of two, three, because
20 this was a little bit part of the introduction that Josh just
21 gave to you. So, please, next one, and next one.

22 These are all images that you see here are actually
23 part of our already open Urbys and current projects that we are,
24 you know, successfully operating right now and have designed
25 successfully.

1 Next, please.

2 So Parcel H, part of The Yards Revised Master Plan, we
3 are right on the western border of it. What's interesting about
4 that is that, you know, like, that it still holds the grid system
5 of the original L'Enfant plan. So that's also why we really
6 started with this idea of that. We want to create this fully,
7 you know, like, city block, and make sure that we build all four
8 street walls and make them active, let's say, in the spirit of
9 L'Enfant, for that matter.

10 It's a residential building with a fair amount of
11 retail on the ground floor.

12 Next one, please.

13 And I guess that we tried to create that city look,
14 which you can see on the right, top image, but we did want to,
15 you know, kind of, respond, obviously, to our context and
16 environment. So on the north side and east side of our plot,
17 the rest of the, you know, projected buildings, and some are
18 already starting construction soon, is already, you know, at the
19 same height. So they will also level, you know, like, 12, 13
20 stories. South of us, you know, the developments are a little
21 bit insecure right now, but on the west side of us, we know have
22 the stadium and we have a parking lot, which are lower buildings,
23 and a different form of, you know, like six floors in height.

24 It also is, you know, like, by accident, let's say, the
25 southwest corner, so what we tried to do is, you know, kind of,

1 lower the building. You can see this on the second, right image.
2 We tried to lower the building on the southwest corner in order
3 to let the daylight in, and also a little to exploit the views
4 for our residents, you know, like, kind of, over the ballpark and
5 towards the river, as well. And by lowering the building and
6 letting sun and daylight into the court, it also helps us to
7 create more additional quality to the court and, ultimately, we
8 decided to make it a public space, which I will speak about a
9 little bit more later on.

10 Then the last -- and it's on the bottom, and so it's a
11 little bit further, you know, like, the defining of the massing
12 with the most important aspects of, you know, like, at a certain
13 height along N Street and Yards Place, we set the building back
14 five feet, and also along Yards Place, we also took two floors
15 off the overall massing to ensure enough daylight and air into
16 Yards Place, which is a little bit of a smaller street in relation
17 to the other streets.

18 Next, please.

19 So here you can see, kind of, a buildup, programmatic
20 wise and massing wise. So top left shows the idea of the open
21 courtyard. We'll be looking, now, let's say, in a bird's-eye
22 view, so to speak, from the northeast corner. So the street on
23 the right would be N Street, and the street on the left would be
24 Yards Place. And like I said, we, you know, we want to create a
25 specific, you know, like, designed courtyard that would open up

1 to the public and create something additional to the public realm
2 that is, you know, in the public's interest.

3 Around the courtyard, and of course, facing all the
4 streets, we have as much as we could create, you know, like,
5 retail spaces and some amenity spaces for Urby, itself. The
6 small gray block on the left side of that image -- middle left
7 image, is along Yards -- along N Place, sorry, which receives all
8 loading, back of house, and parking entrances, and that leaves
9 us, you know, a lot of space, specifically, all four corners, to
10 create retail. So the yellowish corner -- color is the retail,
11 and then the blue is the Urby amenities, but that also includes
12 our Urby Cafe, which is a public assembly. So it's not only for
13 residents but is very much also for the public to use.

14 So all four streets and all four corners have, you
15 know, like, public functions facing the streets, and what you
16 further see is that, you know, like, a lot of the facades on the
17 ground floor are not all in the same plane. We make small jumps,
18 and even have a scalloped portion of the facades on one corner
19 to create differences in scale, some interest on the ground floor
20 on the human scale level, and to be a good, let's say, transitions
21 between the street and the private.

22 The bottom left image shows the first five floors. So
23 it's a brickwork building. The brick, sometimes, comes down to
24 the ground, sometimes gives a little bit more room to the retail,
25 and at some places it even gets tiered up another floor to

1 emphasize the entrances towards the court and into Urby itself.

2 And then top right image is where you see how we, kind
3 of, you know, build it up to the 12th floor. On the northeast
4 corner, we, kind of, continue the brickwork to, in a way, landmark
5 the building a little bit on that important, you know, like,
6 pedestrian corner of N Place and of Yards Place and N Street.
7 And it's also, you know, the closest towards the subway station.
8 And then the two wings on the sides along N Street and Yards
9 Place have small setback of five feet and the one along Yards
10 Place, you know, two floors down.

11 On the 6th floor, you can see that in the middle right
12 image, on the southwest touch, you know, flares out closest
13 towards the stadium, we created a communal roof garden so that
14 is meant an active -- to be actively used roof garden for our
15 residents, facing southwest, facing the views, letting the sun
16 in and it, also, next to a pool, and so garden facilities. It
17 also houses the gym building as a specific -- its own designed
18 pavilion that, kind of, sits in the garden on the 6th floor.

19 And then the top -- sorry, the bottom right image kind
20 of concludes the whole, you know, like, massing of the whole
21 building, including the penthouse floor along N Street.

22 Next, please.

23 I'm going to show you two rendered images to give it a
24 little bit of context, and then I'll dive a little more into the
25 plans and the materiality of each and every part of the facades,

1 but this is not -- east corner with the brickwork, let's say,
2 lower five floors, sometimes touching the ground on this corner
3 going up all the way to the 12th floor, with some, you know,
4 like, additional penetrations in there for recess loggias, some
5 openings in the brickwork, as well, to emphasize the entrances
6 towards the court, and of course, giving enough room to the
7 retailscape on the ground floor and then the two wings, kind of,
8 set back five feet along the -- let's say, on the two sides.

9 Next, please.

10 And this is the exact opposite corner, the southwest
11 corner facing the stadium. So here you can -- you (indiscernible)
12 the five-story high brickwork building. Again, giving it a lot
13 of, like, room for the retail on the ground floor, and then the
14 activator to the roof garden on top if it, including the gym
15 pavilion.

16 Next, please.

17 So this is the ground floor plan. Everything in blue
18 is the retail and our cafe. The gray area on the bottom would
19 be the loading area and the parking entrances facing N Place.
20 N Place is dedicated as a street for services. The yellow areas
21 are the Urby amenities and the Urby entrance, which you already
22 can see also what you saw in that -- those massing diagrams is
23 that it's not just one straight facade, but every, you know,
24 retail space, and also the cafe, you know, like sometimes they
25 jog in a little bit from the face of the street -- from the

1 sidewalk, and sometimes, you know, it gets more scalloped, like
2 you can see in the northwest corner, to give it some interest on
3 streetscape, as well. The sidewalks themselves and all of the
4 landscaping around the building is according to the whole, you
5 know, like, the landscape design and street design of the whole
6 area of which some portions are already starting construction or
7 have been started. I'm not sure. I haven't been there in a year
8 due to the circumstances. And then in the middle, you can find,
9 kind of, the courtyard. So you see an entrance off N Street, as
10 well as off First Street. And then you, kind of, see how a green
11 courtyard, kind of, sits in the middle of the block, obviously,
12 trying to create a contrast with the street and more of a relaxed
13 green hidden gem for the people to use.

14 Next, please.

15 So on the retail, we kind of tried to design that
16 carefully. We didn't -- we don't have just full glass facades,
17 but we want to create, you know, some transoms in there, some
18 windowsills in there. Sometimes the brick comes down to the
19 ground to where we feel it's needed. Sometimes it's tilted up
20 to create entrances towards the courtyard. So there's refinement
21 in the retail, as well. And we also designed canopies in there
22 to create a transition between, you know, the street and the
23 spaces inside.

24 Next, please.

25 And now further to the materiality of the base. So the

1 detail, like I said, you know, it's aluminum, brown, anodized
2 facade. It has a little bit of materiality on the sill. It has
3 the transoms on top. This is the scalloped portion where you
4 can kind of see how the facade, kind of, jumps in and out to
5 create some interest. And then we have also a bronze anodized
6 canopy above it. And then the brick work itself, we are looking
7 into the direction of -- it's a mid to darker gray brick. It's
8 not a black brick. It's also not a dull brick, but, you know,
9 it tries to find something interesting in between that.

10 And now with the windows, they are anodized, you know,
11 champagne brass tone. We like anodization, because it's not just
12 a flat paint, right. Anodization is a natural process, so it
13 has a little bit of more interest and shade to it, in a way, than
14 just painted aluminum. The brass, champagne also gives it a
15 little bit more sophisticated addition to it. And then the brick,
16 kind of, around it, we give it some detail.

17 So the windows itself, first of all to start, so they
18 are not all the same dimensions, right. We work with a pretty
19 strong, like, pier system or grid system of the brickwork, but
20 it gets alternated at points. Sometimes, it is, you know, a
21 double, you know, a double window connected to one another, so
22 it breaks through the brick piers. Sometimes we make it denser,
23 which mostly happens at bathrooms, because, you know, like, it's
24 fine for the function behind the windows in terms of privacy.
25 And then we have some more of the, you know, smaller, vertical

1 windows, as you can see, filled in with brick next to it, but
2 the brick is a little bit recessed from the main brick surface.
3 We work with soldier courses on the bottom, as well as above the
4 windows, and at the parapet. And in the windows itself, we have
5 louvers that are -- metal louvers that are stretching the whole
6 width of the window frame. It's in the same champagne
7 anodization. It's integrated into the window design, and we have
8 it there to also -- to integrate, kind of, the different exhausts
9 that we have, but we wanted to detail that into the architecture
10 and not have a separate, you know, like, outlets on the facade.

11 And next, please.

12 So we're not assuming of specifically the retail in the
13 base. This would be the northwest corner that shows the scalloped
14 facade on the ground floor.

15 And then the next one would be on the southwest corner
16 facing the stadium. And this is also an image more at night or
17 at sunfall where, like, the way we want to treat the, for
18 instance, the signage with some small lights and blade signs, et
19 cetera, that keeps, a little bit, that whole storefront -- or
20 retail area active, as well as, obviously, the openings towards
21 the courtyard.

22 Next, please.

23 So speaking about the courtyard and the courtyard
24 entrances and the gates that we have there, so you can see here
25 that we, kind of, you know, we took the brick facade, but we

1 really lifted up a floor to emphasize the entrance towards the
2 court. Above it, it gets further, kind of, announced by the fact
3 that we have, not windows above there, but -- well, actually,
4 they are recessed five foot, and we create these recessed
5 balconies or these recessed loggias above the facade.

6 And what we tried to do with the design of this facade,
7 is that, you know, the courtyard itself is a very green space.
8 It really wants to be a contrast from the more buzzy streets on
9 the outside into a much more silent and relaxed green space on
10 the inside. Once you look into the facade, you can already see
11 the green, and you can see that there's a completely different
12 world happening there. There's a transition in grade, as well,
13 and it suddenly becomes a wooden floor and makes it much softer.
14 But we also wanted to, you know, like, help people a little bit
15 that they go into a completely different world by creating this
16 more of a, you know, like, rounded shape that, you know, almost
17 helps you forget a little bit, you know, like, the urban vibe
18 before you enter the court.

19 So there's a -- it's a stucco wall. It has indirect
20 lighting coming off the ceiling that, kind of, lights up the
21 rounded shapes in the top, and it has gates, obviously, but the
22 gates are integrated into recessed pockets into the stucco walls,
23 as well. So it's clad with a metal mesh in the same color as
24 the stucco, so it's, kind of, flush with the rest of the wall
25 within the facade.

1 Around the facades, we have the facade in wood --
2 vertical slats of the wood. It gives a little bit more natural
3 appearance before entering towards the green courtyard.

4 Next, please.

5 So these are some drawings explaining that further.
6 Also when the gate is closed, operational hours are between, I
7 believe, 9:00 in the morning and 6:00 in the evening. So during
8 daytime, when the evening falls, like, most instances, the gate
9 will be closed. It's a metal mesh fence. We have to integrate
10 an escape door in there, as well. So it's, again, kind of tricky
11 how we detail it, but you know, with having all of the metal
12 mesh, you know, in front of it, we create one simple surface when
13 it's closed, but also when it's open, again, like I said, it's
14 integrated into pockets into the side walls to almost disappear
15 once the courtyard is open.

16 Next, please.

17 A little bit on the courtyard design, which is designed
18 by TeMa together with LandDesign -- I'll speak for them a little
19 bit. So we have different treatments in the -- on the flooring.
20 It's a wooden, kind of, paving that leads from one entrance
21 towards the other entrance in a curvy way. So in a kind of,
22 natural way, it guides people through the courtyard -- well, into
23 the courtyard and then, again, out the moment they want to. And
24 there's a water feature in there that, kind of, follows that
25 direction, as well. Then we have some hardscape, two trellises.

1 One is connected to our own Urby Cafe, which we operate. But
2 again, it's a public assembly which sits on the right side of
3 the court. It also has a winter garden feature, so it's not only
4 to be used, you know, during nice days, but also, you know, in
5 colder months, you know, like, and still this space looks active,
6 because you can see people in the winter garden behind the glass
7 and when the sun a little bit peaks in, we just open up a door.
8 And on the left side, you can see another terrace that is
9 connected to a restaurant that is in the retail space of First
10 Street.

11 For the residents, a lot of green there, a lot of
12 vertical green specifically on the northwest corner where we have
13 some green hills and a lot of trees. And, also, the landscape
14 designers worked carefully on creating a palette of green that
15 it's not only looking good during summer months, but obviously,
16 also, we have winter greens in there to make sure that the whole
17 year round this is a nice escape -- a hidden gem from the
18 streetscape.

19 Next, please.

20 So here you see around the image of the court. So on
21 the far left side is more of the vertical green. You can see
22 the wooden paving in here, and you can see some stone paving in
23 here. And the winter garden -- glass winter garden at the end,
24 in terms of the materiality of the rest of the facade so that
25 the whole ground floor is treated in the same brick as we have

1 on the outside of the building.

2 As of the second floor up to the fifth, it's a synthetic
3 stucco treatment. The -- our whole concept for this court was
4 to create almost like an Italian residential court. That's why
5 we integrated a lot of balconies. The whole south facade, as
6 you can see on the left, are recessed balconies, loggia type of
7 balconies. On the other two facades, we have multiple Juliet
8 balconies, kind of, scattered around the facade. We treat the
9 synthetic stucco in a light, green color, also referencing a
10 little bit the, you know, maybe like an Italian court where you
11 use those soft colors in these types of spaces.

12 I know we all have, as architects, something against
13 synthetic stucco, essentially, because we mostly know it from
14 those lots, you know, like, blind side facades of buildings, and
15 then you have all of these expansion joints. And it always looks
16 like, you know, like, the neighbor is going to build a building
17 next to it, but it never happens. But in this instance, because
18 we really felt we wanted to give it that stucco appearance, we
19 felt like it would be appropriate.

20 It's also a drainage system, so it's one of the better,
21 you know, like, versions of it, obviously. But with the amount
22 of windows with all of the different, you know, like, balconies
23 with the small fences that we have detailed in there and the
24 limited amount of stucco altogether and the high quality that we
25 want to use giving us, you know, like, a limited amount of

1 expansion joints, we felt that it was, actually, a great choice
2 or a great solution to create a world there in the courtyard that
3 is completely different from what's happening on the outside.

4 Next, please.

5 Yeah. So this is the -- that's a part of the elevation.
6 It's a section over the recessed balconies on the right, and then
7 you can see the facade with the different Juliet balconies. The
8 aluminum windows, as well as the steel fences, et cetera, are
9 thought of in a little bit of a darker green and that matches
10 with the lighter green of the stucco. And also, we kind of
11 detailed in a C channel profile that is between the brick on the
12 ground and the second-floor stucco, as well as at the parapets
13 to, kind of, you know, break the larger surfaces of stucco and
14 give it a little bit of an end detailing and the beginning
15 detailing at the lower level to break up the stucco and give it
16 a little bit more of a detailing interest.

17 Next, please.

18 So here are the floor plans of -- on the left, the
19 level 2 to 5. So the full enclosed city block, you only see
20 three small entrances, that is above the two entrances towards
21 the court. So those are loggia balconies, as well as above the
22 main entrance into Urby itself.

23 So the rest is just, you know, like, full facades facing
24 the streets creating, you know, like, full street walls, which
25 we feel like is very important. And then as of the 6th floor

1 level, 6 on the right, is where, like, the southwestern portion
2 drops or stops, in a way, and we only build these recessed
3 portions -- five feet of recess on the north and the east side.
4 And here you can also find the roof garden.

5 Next, please. I think it's on the next one.

6 Yeah. So the communal roof gardens are where the --
7 the courtyard on the ground floor is public, and it works also
8 very well with our public cafe. This is a communal space on the
9 6th floor. With Urby, next to the fact that, you know, we try
10 to be a residential building that is open to people. So that's
11 why we made the cafe, and that's why we opened up the court to,
12 like, force some interaction with the neighborhoods. Next to
13 that, what's important for Urby is a, like, a little bit of a,
14 you know, like -- promoting is maybe the wrong word, but
15 facilitating for whoever wants a positive healthy lifestyle,
16 garden spaces play a very important role in that.

17 Again, it's a very green garden. We have mixes of
18 barbecue pits and firepits. We have garden lots for the residents
19 to use. We have a cultural programming running within Urby, and
20 one of them is every now and then, there will be farmers here to
21 help you with your garden lots, but also exercising is a part of
22 it. So that's why we, you know, made the gym -- the gym a little
23 bit more of a feature instead of just putting it, you know, like,
24 in the darkest place of a building, which typically happens. So
25 that's why we -- we created this specific building on the

1 southwest portion. It has a cross shape, a crucified shape, so
2 it's not -- it doesn't become too bulky, and it creates kind of,
3 pockets, in a way, where we have some vertical green in there,
4 so it starts to blend in with the garden design, as such.

5 Next, please.

6 So in its materiality, it's a corrugated metal façade.
7 It doesn't have a straight corrugation, but it has more of a
8 playful corrugation, as you can see on the top left image. It's,
9 again, champagne, anodized, so it creates a relationship with the
10 window frames on the brick portion below it. And also, since we
11 have an elevator overrun and some MEP integrated in there, we
12 know we need to screen it, but instead of just making a separate
13 screen in a different color or whatever, we kind of integrate it
14 more into the building's architecture. So behind Number 5 is a
15 -- is the MEP equipment, then there is a blank wall, so we won't
16 be seeing it from the outside. Then we create, on the outside,
17 a perforated facade. It's in the same profile as the facades
18 below of the gym building. There's a minor perforation, and we
19 put some light behind it. And I think that's in the next image.

20 Yeah. So we put a little bit of light behind it to
21 have it, you know, lit up a little bit. It's really toned down.
22 It's not like a full-blown lantern, it's really turned down, but
23 we do want to give it a little bit of a sparkle and some point
24 on interest to, you know, express a little bit the activity that
25 could happen in there.

1 Next, please.

2 I think this is the -- one of the -- not one, but at
3 least an important part of a small deviation, we are addressing
4 here that is in regards to the setback rules, and that is
5 specifically for the balustrades; first of all, because we want
6 to use, you know, like, as much of the roof garden as possible
7 in making green space for the people -- the residents to use.
8 Also, in order to reach the garden on the very southwest tip of
9 the building, kind of in the crucified shape, we have a small
10 -- and you can see this in Lot Section 1B, we have a small pathway
11 that leads to it. So therefore, you know, we are forced to put
12 the balustrades on, kind of, on the parapets of the brick
13 building. It's not exactly in the parapet. It has a setback -
14 - a recess of probably, 10 inches, but, you know, it doesn't
15 really follow the one-to-one line. Same count for the bulkhead
16 on top of it. Since we created -- you know, made it part of the
17 architecture, more a part of the crucified sculpture of the gym
18 building, also a little bit in the third dimension, there is one
19 small portion which you can see in Lot Section 1A, at the bottom
20 right, where we would not meet that one-to-one setback
21 regulations.

22 Next, please.

23 And then we go to the building up to the top floor, so
24 on the left, levels 7 to 10. What you find here is the -- that's
25 the two wings of the building, which are five feet recessed,

1 | except for the portion on the northwest corner where we, kind of,
2 | extended the brickwork all the way up to the top.

3 | Levels 11 to 12 show only the section along N Street,
4 | because we dropped the building two floors along Yards Place,
5 | because Yards Place is only a 70-foot wide, more pedestrian-
6 | focused road, so we wanted to create a little bit more daylight,
7 | and air in that. And then on the roof level, there's this --
8 | there's a penthouse and floor.

9 | Next, please.

10 | So this -- the two upper wings are clad in metal. We
11 | wanted to give it a relationship with the building below and not
12 | create something completely different in order to, you know,
13 | like, still make sure it is, you know, designed as a whole, and
14 | it doesn't become, you know, too busy or too complicated with all
15 | kinds of different, you know, like, colors and materials, you
16 | know. So we do continue, kind of, the pier rhythm of the base
17 | of the brick below, extend it up in a metal that is -- we call
18 | it a little bit -- a gunpowder gray, but it is, you know, again,
19 | between mid-gray and anthracite gray, matching or getting, you
20 | know, close towards the brickwork.

21 | Within that, again, we play a little bit with the
22 | windows. It's not all of the same window sizes, but it, you
23 | know, it shows some differentiation like, you know, behind every
24 | window there's also a different person. So one of the, you know,
25 | ideas to make sure that it doesn't become "officey," but it, you

1 know, it plays as a residential building, it has more, let's say,
2 silver anodized windows in it, as well as more vertical louvers.
3 So there's a little bit of a play between the windows and some
4 vertical parts that are filled in with architectural louvers.
5 And again, it also helps us to integrate the exhausting MEPs.

6 And then at the ends of these rings, we also created,
7 you know, we kind of extended, you know, a part of the floors
8 like covering the way creating these balconies at the ends of
9 both wings facing south and facing west.

10 Next, please.

11 And then the top roof level showing the different green
12 areas of green roofs, as well as solar panels, which we have on
13 certain flat areas, so roof areas as indicated in here, as well
14 as on vertical surfaces where we have -- where we need to make,
15 of course, the screenings around the -- all of the MEP and the
16 bulkheads. So when facing south, they are cladded in solar
17 panels, as well.

18 (Indiscernible) get it up on the next image. There's
19 just a few more to go. Sorry, people, for the long story, but
20 these are a couple of renders that, kind of, you know, like,
21 brings all of this whole story together. So this is the bird's-
22 eye view seen from the ballpark overlooking at the bottom here.
23 So we're kind of looking into the courtyard right now, and this
24 image also shows the solar panels that we have on the south facing
25 with screen walls of the MEP spaces on the top roof.

1 Next, please.

2 The imaging you've seen before. So the brickwork,
3 let's say, city block, five-story based, sometimes touching the
4 ground, sometimes elevated up, lifted up in order to create
5 entrances to the court and to the main entry into the building.
6 The recessed balconies on top of it. Then we have, as of the
7 sixth floor, the two recessed wings on the two sides. Also there
8 we have, like, all of these, like, are units on the sixth floor
9 have their outdoor spaces there. We kind of continue it, as you
10 can see, on the sixth floor in this, sort of, slot under the
11 brickwork panel portion. So we extend the five feet setback
12 there, as well, connecting one wing with the other. And then on
13 top of it, you know, another six floors of brickwork treatment.
14 And what you can also see here, the window pattern is that once
15 it gets towards the top, it -- in the big facade, it -- the
16 windows are -- get a little bit more windows, a little bit less
17 brick. So it kind of lightens up a little bit once we go towards
18 the top floors of the brick portion.

19 Next, please.

20 This is the view on N Street facing -- looking east.
21 So here you can see, you know, again, the five-story brickwork
22 building with the detail on the ground floor, and then the metal
23 and glass portion on top of it recessed five feet from N Street.
24 And here you can also see, kind of, the end of building with the
25 balconies facing west. And then right next to it you can find

1 the, you know, the first portion of the roof garden.

2 Next, please.

3 And this is the view, which you've seen before from the
4 southwest corner, the roof garden on the 6th floor, the gym
5 building integrated, kind of, into the roof, and then the active
6 ground floor and the open, you know, like, glass retail corners,
7 which we actually have on all four corners to activate the street
8 fronts. And then on the right of it, you can see the loading
9 area, the entrance towards the parking. Like we said, N Place
10 is dedicated for that, but we did want to integrate it a little
11 bit into the architecture, so we are taking brickwork piers down
12 to the ground. Sometimes they are filled in with louvers or they
13 are filled in with a door towards the parking, but the portions
14 where that's not needed, we fill it in with brickwork, but it's
15 recessed so you do (indiscernible), you know, the rhythm of the
16 piers coming down to the ground and give it, at least, you know,
17 some architectural detailing, including soldier courses and so
18 on, to make sure that it is part of the overall building design.

19 Next, please.

20 And then is the last image from Yards Place looking
21 north. So this is -- that is the lower portion of the building.
22 It's on the -- let's say five floors on top of the brick base,
23 but again, an open ground floor corner, street corner -- retail
24 corner, sorry, and balconies on the top floors facing south and
25 with views towards the river, as well as the development south

1 of us on (indiscernible).

2 And next, please. I think we are done. Yeah. And
3 then to conclude, one more time, the aerial view.

4 MR. AVITABILE: Thank you so much, Erik. And I think
5 that's our presentation. You know, again, to sort of wrap up,
6 that we're here, primarily, for a design review approval of the
7 building height and density, to reach a height of 130 feet, an
8 FAR of 7.0. We're also here for flexibility from the guardrail
9 setback requirements, as we explained. And similarly, for that
10 penthouse above the fitness center which is set back from some
11 but not all of the walls because of the shape of that fitness
12 center. That's the zoning ask here.

13 We're really pleased to be here with support from the
14 Office of Planning and DDOT. OP had identified two items for us
15 to work on with for review, which was the courtyard entrance
16 design and its operation, which we provided information on. They
17 also asked us to provide information about the stucco material
18 that's been chosen for the courtyard and why we believe it is,
19 indeed, appropriate and a high-quality material here, which we've
20 addressed. And then, finally, our friends at DDOT had asked us
21 to submit an updated plan showing the location of the bike showers
22 and lockers, which we did. And so those -- that plan was
23 submitted as Exhibit 22 of the record. The details on the
24 courtyard are Exhibit 21 of the record.

25 And finally, we're really pleased to be here with the

1 support of ANC 6D. Their input was very valuable, and as a result
2 of it, we made commitments regarding the courtyard, regarding the
3 lighting of that penthouse above the fitness center, and
4 integrated additional balconies into the building design. And
5 all that's reflected in the plans.

6 So I think with that, we'll conclude, and we're here
7 and happy to answer your questions. Thank you.

8 CHAIRPERSON HOOD: Okay. Thank you, Mr. Avitabile. I
9 appreciate all the work you've done. You've come in with a ton
10 of support. So that's a great start off, at least for me, and
11 I'm sure others, as well.

12 So with that, let's go around and see if we have any
13 questions or comments. I see you've been doing a lot of
14 background, Commissioner May. So we'll start in our regular
15 format. Commissioner May, unless you want to go last.

16 COMMISSIONER MAY: I don't mind going first. And I
17 don't have a whole lot to say. Thank you for the exhaustive
18 design presentation, and I'm really exhausted, but that's
19 probably just 'cause it's been one of those days. And I was a
20 little late getting here, 'cause there was -- the NCPC meeting
21 was dragging on a bit.

22 I, you know, I don't have a whole lot to say about the
23 design. I mean, you've been through the Commission of Fine Arts,
24 and I believe for GSA you have to go through the Mina Wright
25 filter, right? So --

1 MR. AVITABILE: That's correct.

2 COMMISSIONER MAY: -- I'm not going to pile on after
3 Mina has had a few goes at it. I think the biggest, you know,
4 the concerns I would have had, I think, are to some extent the
5 things that Office of Planning had raised. You know, I'm not a
6 big fan of synthetic stucco, but it's clearly a very high-class
7 building, and so I don't think that you're going to be doing
8 something cheap on it. So hopefully, you know, the way it works
9 out, it will look fine.

10 The area that usually is a concern for me is setbacks.
11 And when I first started reading about this and didn't look at
12 the images, it was all about, you know, not being able to set
13 back at the, you know, the exercise room, or whatever you call
14 it. And you know, ordinarily, I'm just -- I'm not a fan of that,
15 right. You have to meet that -- rooftop setbacks no matter what,
16 but I have a different mindset when it comes to lower roofs within
17 a building. And in this circumstance, it's arguable that what
18 you are doing is you just have a portion of the building that
19 is, you know, has an additional floor, and -- as opposed to a
20 penthouse. My concern about penthouses and setbacks and
21 guardrails and setbacks, that is a much -- you know, I mean, it
22 really just has to do with the tops of buildings. And the things
23 that make 130-foot-tall building look more like 140-foot-tall
24 building or 150-foot-tall building. And that's not what we're
25 dealing with here.

1 So I'm okay with the relief that's requested. I see
2 the value of it, and I think that overall, you know, given that
3 I don't see lots of -- I don't see any opposition to it. I don't
4 really -- no big issues with the design the way it is.

5 So I'm all talked out. Next.

6 CHAIRPERSON HOOD: Okay. Thank you. Commissioner
7 Shapiro.

8 COMMISSIONER SHAPIRO: Thank you, Mr. Chair. I just
9 want to say that, first, as a comment, which was I thought it
10 was beautiful. I thought that the building was elegant, creative.
11 I mean, usually, when I look at something like this, I think,
12 "Oh, my God, there's a lot going on." But it didn't feel
13 distractingly busy. It just felt like it was coherent with all
14 that going on. So I commend you for that. I mean, really. I
15 just thought it was a very elegant, creative building. The
16 transoms and all sorts of things. I appreciate the green building
17 features and the creative use of solar.

18 So a few quick questions. I didn't understand -- can
19 we go back to that -- the penthouse slide where you were talking
20 -- I think it was Slide 32.

21 (Pause.)

22 COMMISSIONER SHAPIRO: No. It's on -- I wrote down 32,
23 because something you said 32. It's looking at the facade of
24 the penthouse and the workout room. It was toward the end. I
25 don't know why I said 32, but something said 32 on it, because

1 (indiscernible).

2 MR. STADLER: I think it might be Slide 25, maybe.

3 COMMISSIONER SHAPIRO: I think it said 32 in the lower
4 right-hand corner. Clearly not.

5 All right. Yeah, that's okay. Let's do that. What
6 is that on that side of the penthouse? I just couldn't figure
7 it out. Is that signage?

8 MR. STADLER: It's -- I think it's -- you're asking
9 about the windows? It's --

10 COMMISSIONER SHAPIRO: Is that what it is, windows?

11 MR. STADLER: Yeah. I think that it -- the shiny thing
12 next to the tree?

13 COMMISSIONER SHAPIRO: Well, there's the little square
14 white thing.

15 MR. STADLER: That's a -- yeah. That's a window.

16 COMMISSIONER SHAPIRO: Right. So what's the rest of
17 it?

18 MR. STADLER: And then there's a horizontal band of
19 windows, as well.

20 COMMISSIONER SHAPIRO: Okay. All right. I see it now.
21 Okay. All right. I was just confused by that. And then related
22 to that, you said something that I was missing about the
23 "sparkle," the light that was going to shine through some of, I
24 guess it was the mechanical screening that's part of -- above the
25 workout room. Is that what you were talking about, and you had

1 a page that showed that. And I just didn't quite understand that
2 either, how much light that was putting out and -- because it
3 didn't read to me, like -- it may be my computer, it just didn't
4 read to me like it was really giving light.

5 MR. VERMEULEN: It's page 24.

6 COMMISSIONER SHAPIRO: Yes, perfect.

7 MR. STADLER: Right.

8 COMMISSIONER SHAPIRO: So the pretty things up above,
9 what did that tell me about what I'm looking at down below?

10 MR. VERMEULEN: Sean, you want to handle that?

11 MR. STADLER: Yeah. So -- yeah. So the --

12 COMMISSIONER SHAPIRO: But I like the pretty things up
13 above, by the way. They're very pretty.

14 MR. STADLER: So it's just at the top piece, just above
15 the tree, and it's just intended to be a soft glow. Everything
16 down below it, is normal building facade material with no
17 lighting.

18 COMMISSIONER SHAPIRO: So yeah. But it may be my
19 rendition as I'm looking at my computer, but I don't see that at
20 all down below.

21 MR. STADLER: I'm sorry. What don't you see now?

22 COMMISSIONER SHAPIRO: I don't see what looks backlit
23 with light coming through.

24 MR. STADLER: Oh, there's nothing below that is
25 backlit. It's only that top piece that is backlit, which is that

1 setback piece. I wish I could point.

2 COMMISSIONER SHAPIRO: I know. The setback is sort of
3 above the tree, the corners above the tree?

4 MR. STADLER: Yes, exactly. That's the only piece
5 that's lit.

6 COMMISSIONER SHAPIRO: And is it just that one wall
7 that faces where the setback is, or is it the whole --

8 MR. STADLER: It's -- I think if you go to the next
9 slide, 28.

10 COMMISSIONER SHAPIRO: I just -- yeah. I can't -- I
11 just can't tell, like --

12 MR. STADLER: I'm sorry.

13 COMMISSIONER SHAPIRO: -- if you're doing too much or
14 not enough. Right. You want it to be even more iconic and more
15 -- a little more than that.

16 MR. STADLER: So that -- the white box on the left-
17 hand fitness center, the wall that is there -- the perimeter wall
18 is what will be glowing.

19 COMMISSIONER SHAPIRO: Okay. So if there's -- I'm just
20 -- I don't -- this is not by any stretch a go/no-go issue for
21 me, but I have no sense of how much that's glowing, I guess is
22 my issue. But let me just leave that for now.

23 The only other thing that I had a question about in the
24 design, can you just talk to me about it for a second. This I
25 was on, again, my version of Slide 31. If you could try to see

1 | if that goes to 31, that's 3 slides from where we are now, down
2 | in the lower right-hand corner. Good.

3 | So when I look at that, I can't -- I just can't tell.
4 | This is stepped back, right? The top -- I'm sorry. The top --

5 | MR. STADLER: That's correct.

6 | COMMISSIONER SHAPIRO: The residential tower is stepped
7 | back.

8 | MR. STADLER: Yes.

9 | COMMISSIONER SHAPIRO: And so on Slide 33, if you go
10 | two slides more, Paul. There, that looks great. It made sense
11 | to me. It feels coherent. And I don't know if it's just a
12 | perspective thing, but when I look at that on Slide 31, it feels
13 | like the building has been cut off. If you can go back to 31.
14 | And maybe it's just the perspective on the slide. Right? I'm
15 | just looking at the same thing. I'm looking at the opposite
16 | wing, which is all I'm looking at, right?

17 | MR. STADLER: Yes.

18 | COMMISSIONER SHAPIRO: Okay. All right.

19 | MR. STADLER: Sorry for that. I think it might just
20 | be a perspective thing. The building steps back five feet, and
21 | then on the tier that's facing you with the balconies, obviously,
22 | the facade steps back from the balconies, as well. So it might
23 | feel a little bit more stepped back.

24 | COMMISSIONER SHAPIRO: It just looks fine on the other
25 | wing, and not here, but I don't have to worry about that either.

1 The last thing, and this is the only thing that I really
2 had an issue with, which is that what were the hours of the
3 courtyard again -- the public hours for the courtyard?

4 MR. AVITABILE: The hours are 9:00 a.m. to 6:00 p.m.
5 at a minimum, and as we, sort of, discussed with the ANC, you
6 know, during the summer months when the retail spaces are open,
7 it could very well be open into the evening, but the -- you know,
8 the ANC wanted, sort of, a minimum commitment, and so we worked
9 with them to come up with that.

10 COMMISSIONER SHAPIRO: See I mean, 'cause I was
11 expecting the longer the better, as long as you're not intruding
12 on the noise -- too much noise for the folks who are living on
13 the lower floors. So I'm not worried about that. So -- and the
14 real issue I have is -- which was, I think, flagged a bit, is
15 that that metal mesh fence feels like -- at least with what I'm
16 presented with, feels like it really misses the boat, that, you
17 know, if there's some way to have that be a creative feature,
18 even if it's closed at night. But it just looks so utilitarian
19 as you presented it. And maybe it's just because you haven't
20 quite figured out what to do with it, but I think it matters what
21 you do with that, because I thought that courtyard entrance was
22 absolutely beautiful. And I wouldn't want to see, you know,
23 like, a -- just a grate covering it up in the evening. I'm not
24 sure what to do, but I didn't like what I saw.

25 I think, yeah. That's all that I have, Mr. Chair, and

1 I apologize for going on so long.

2 CHAIRPERSON HOOD: Okay. Thank you. Mr. Turnbull.

3 COMMISSIONER TURNBULL: Thank you, Mr. Chair. First
4 of all, thank you for your presentation, greatly appreciate the
5 94 affordable units in this project. I think it's a welcome --
6 something that is needed, and I'm glad that you have gone the
7 step -- the step beyond what normally we get when we see this,
8 so thank you again.

9 I think that it is a very distinctive building. I
10 think there are aspects of it which are very unique and very
11 good. I guess one of the things which I didn't see in this --
12 when we talk about the affordable use, is I didn't see a floor
13 plan where the units might be. I only saw language that said,
14 "Oh, we're going to space them out and put them where we can."
15 I think, Mr. Avitabile, you know we usually get a floor plan
16 showing where the units go. And that -- and the main reason we
17 like to see that, because we don't like stacking, and we don't
18 like clustering, and I think we'd like to see how many of them
19 are going to get balconies just like the regular units. So I
20 would have liked to have seen that, so I'm -- and I'm not sure
21 -- I went through the drawing, but I couldn't find it anywhere.

22 MR. AVITABILE: Right. So we typically don't submit
23 them for the projects in The Yards, because the affordable housing
24 regime is subject to a separate regime, and where the units are
25 located is determined, in part, by that regime, and we don't want

1 to create a situation where we've shown them in some locations.
2 With that said, we anticipated the question. We have a set of
3 plans that I can send over to Paul to bring up that we could show
4 you and talk through it, if you'd like, 'cause we anticipated you
5 might ask that question anyway.

6 COMMISSIONER TURNBULL: Yeah. I think Mr. --
7 Commissioner Miller might want to talk about it also just to see
8 what's going on. So we can take time. I'll keep going on, and
9 we can bring it up later.

10 The lighted panel at the penthouse, the lower one for
11 the exercise area, I share some concerns with Commissioner
12 Shapiro. I guess I would like -- although you -- I guess you
13 say somewhere in your -- I'm trying to see what the -- you talk
14 about the lighting in your -- "will not exceed the average amount
15 of light emanating from the fitness center. "It won't get any
16 brighter than the (indiscernible)." I don't know what that means.
17 I'd like to see something more definite. Tie it to, like, a
18 foot-candle or a lumen. I mean, if the inside of the exhibition
19 room is going to be -- I think most exercise rooms are, like,
20 normally, like, 20 to 30 foot-candles, I don't know, in an
21 exercise room. I'd like to see that tied down. I think you
22 ought to make that a more reasonable estimate. You say it's
23 "dimnable," which means it could go higher, it means it could go
24 lower. It means somebody could dim it up and say, "Hey, tonight's
25 special, we're going to go up to 80 foot-candles. We're going

1 | to make thing this glow."

2 | So I'd like to see something tied in that would maybe
3 | respect the neighborhood and, I think has been said by the ANC,
4 | they didn't want it to be too obnoxious. So I think you could
5 | tighten that up a bit.

6 | But other than that, I guess, the only other thing --
7 | I like the idea of the little village being created -- the little
8 | interior -- the little tunnels going through. I think that's
9 | very exciting. I think that's -- we don't see that in a lot of
10 | our buildings. So I think going inside -- the only thing is that
11 | when I see that concept and I see the tunnel going in, the only
12 | thing we're -- I like to -- it's -- and I looked the tunnel, and
13 | I'm, like, I see this tunnel, this arched tunnel, but then I see
14 | these two little windows up above and it just -- to me, it just
15 | was, like, it just struck me as, maybe not out of character, but
16 | it just seemed like -- I was expecting to have something more.
17 | If I'm going to be invited into this space on the inside, I wish
18 | there was something sort of like this -- an old -- not like an
19 | old medieval village where you come in and it's like arched and
20 | bricked and that, but I just wish there was something that was -
21 | - something that would make me anticipate a little bit more what
22 | was going on. I know the light may draw you in, but I -- to me,
23 | I just thought that the face of it -- materiality could have been
24 | a little bit different just to make it -- I mean, I know you've
25 | got these slats. And I thought maybe the slats could have been

1 angled at the top or arched or herringbone or something that
2 would draw me in to make me feel like, "This is going to be neat,
3 and I want to see this." So I'm just throwing that out. You -
4 - it's your entrance, and I just -- to me, I would like to have
5 something more exciting to make me feel like, "Yeah, I want to
6 go in here. I want to see what's going on."

7 The -- I want to look at my notes here. Is this the
8 first Urby building we've had in this city? Is this -- this is
9 the only one. This -- that's what I thought. You have one on
10 the East Coast?

11 MR. AVITABILE: Josh, do you want to speak to -- I
12 believe there are -- there's one or two up in New Jersey, and I
13 can't remember the other locations, but Josh, would know.

14 MR. WUESTNECK: New York, Connecticut, active pipeline
15 in several other states.

16 COMMISSIONER TURNBULL: Okay. All right. Thank you.
17 Like I say, I know when you were talking about the brick, and I
18 looked at the CFA notes that said they wanted you to lighten it,
19 and you said in your note, it said you have lightened it. I'm
20 like, I wonder what this brick looked like when CFA looked at
21 it. This must have been a really dark brick. This must have
22 been almost black. I'm like -- 'cause it's still kind of -- it's
23 still charcoal gray. I'm like, what the heck -- what color did
24 it look like before.

25 But anyways, I think it's an interesting building. I

1 think -- I'm glad to see -- the only thing is some of the
2 flexibility, Mr. Avitabile, a lot of it reads, like -- sometimes
3 I read these things about the flexibility, and it's like, well,
4 you look at the building now, but it may not look like that when
5 we're done. And I'm like, I don't like that, but I know what
6 you're getting at on some of this flexibility. We've gone through
7 some of these on other projects, so I think it's okay.

8 The signage, there wasn't any, really, dimensions on
9 the signage, but you have clearly highlighted on the elevations
10 in graphic form how big and how small and large they would be.
11 So I'm okay with that, even though it may change.

12 But anyways, I think it will be an exciting project.
13 I see a lot of balconies. I think, you know, Commissioner Miller
14 loves balconies, so I didn't talk about that. But again, I was
15 -- if we got balconies, I'd like to see that a lot of the
16 affordable units also get balconies. I think that's part of the
17 equal -- the unanimity that we'd like to see in a building where
18 we get this feeling that we're all the same. So -- or all
19 treated the same, anyways.

20 But I think, Mr. Chair, I'll end that for now and turn
21 it over to Commissioner Miller, but I would like to see the floor
22 plans if Mr. Avitabile can bring them up at some point with
23 Commissioner Miller.

24 MR. AVITABILE: And we sent them over to Mr. Young. So
25 whenever the Commission would like, we can talk to them.

1 COMMISSIONER TURNBULL: Okay. Thank you.

2 CHAIRPERSON HOOD: So while Mr. Turnbull is doing his
3 questioning, Mr. Young, do you have them so we can bring them up
4 now, or do we need to wait until --

5 MR. YOUNG: Yeah. I have --

6 CHAIRPERSON HOOD: -- whoever is finished?

7 MR. YOUNG: I have them.

8 CHAIRPERSON HOOD: Okay. Let's bring it up now.

9 (Pause.)

10 MR. AVITABILE: Great. So what you'll see here, and I
11 don't know if -- Sean, if you want to speak through these along
12 with me here. The units in blue are the affordable units, and
13 then the other units in orange are the units that are not
14 designated as affordable. So Sean, maybe you want to, sort of,
15 talk through going up over the couple of levels which units are
16 affordable and highlight where, you know, units might have access
17 to a balcony or a terrace, as well.

18 MR. STADLER: Yeah, sure. So you're exactly correct.
19 The light blue units are designated as the affordable, and you
20 know, I think we've gone through this before. So what we tried
21 to do was evenly distribute these units throughout the building,
22 and, you know, on size and unit types and things like that. So
23 we've tried to establish a very evenly distributed location for
24 all of these units.

25 MR. AVITABILE: All right. So if we could go to the

1 next page, Mr. Young. Great.

2 So this is as you're coming up to floors three through
3 five. So this is, again, the base of the building, and you see
4 they're, sort of, evenly distributed between the interior
5 courtyard and the outside face of the building. You can see here
6 one of the three units facing the courtyard that has that nice,
7 sort of, balcony is an affordable unit.

8 And then, maybe, go to the next page, please.

9 So this is up on Level 6, and you can see, again, you've
10 got, you know, an affordable unit on -- facing west that has
11 access to one of those terraces, a couple on the inside that have
12 access to the terraces, and will be really nice, sort of, facing
13 the courtyard. And then on the east side, as well.

14 And go to the next --

15 So here this is Floor 7 through 10, and you see, again,
16 you know, you've got on that west side of the building, one of
17 the three units on that nice end with the balconies, you know,
18 is one that has a balcony access, and again, one on the east, as
19 well.

20 And maybe there's one more level, I guess, the 11th
21 floor. And let's see what we have up there.

22 And then here on the 11th floor, again, you have a
23 couple even in the uppermost floor of the building that are
24 affordable. So it's distributed, you know, sort of similar to
25 the way we would do it for, you know, any building. There are

1 more units here, because we're at 20 percent set aside as
2 affordable. But you do get them spread throughout the building
3 and on all sides and, you know, some with balcony access.

4 COMMISSIONER TURNBULL: Well, thank you for sharing
5 that. I appreciate it.

6 CHAIRPERSON HOOD: Okay. Thank you. All right. Vice
7 Chair Miller.

8 VICE CHAIR MILLER: Thank you to the Applicant for your
9 presentation and all of your engagement with all of the
10 Washington, D.C. alphabet agencies on this project, starting with
11 the ANC 6D and Office of Planning and DDOT and CFA, SHPO and GSA
12 and the rest of it.

13 I appreciate -- I concur with all the comments of my
14 colleagues, and I appreciate, particularly, Commissioner
15 Turnbull's raising a lot of the issues that I would raise about
16 affordable housing and balconies because I'm having some
17 technical issues here tonight. And I think you've raised them
18 very well.

19 I think it's very -- I think The Yards disposition
20 project overall with 20 percent set aside at 50 percent median
21 family income -- no greater than 50 percent and no less than 20
22 percent set aside is really a model, and we -- that we're trying
23 to sort of head toward with the regular inclusionary zoning and
24 enhanced inclusionary zoning, and IZ extra-plus zoning that we're
25 getting to.

1 But -- so I just wanted to just have you reiterate for
2 the record because I saw different numbers, I think in the (audio
3 interference) memoranda and the Office of Planning and the
4 original application what the number of units. I realize there's
5 some flexibility being asked for, as is always asked for by
6 applicants and final numbers, but just from where we're starting
7 out from today, at least, at this hearing, we're 466 total units
8 and 94 set aside at affordable rates of no more than 50 percent
9 median family income; is that correct?

10 MR. AVITABILE: I believe that's correct. Yes.

11 MR. STADLER: Yes.

12 MR. AVITABILE: Yes. Yes. And again, you know, we're
13 able to do that affordable housing set aside, in part, because
14 of the unique nature of this site being a former Federal site
15 that's disposed, and, you know, that is part of the development
16 agreement, and it's, sort of, conditioned on, you know, us getting
17 the tax credit financing that allows that affordable housing, but
18 it's a key part of the development, and all the buildings in the
19 residential rental buildings in The Yards have the same level of
20 affordable housing.

21 VICE CHAIR MILLER: Right. Right. Right. Thank you
22 for that. (Audio interference) with the ANC, you agreed to all
23 of the commitments you've made in your memo to them on April 9th.
24 I guess that's attached to their own ANC report; is that correct?
25 You're maintaining those commitments that were made in their --

1 | in that memo?

2 | MR. AVITABILE: That's right. And we integrated the
3 | hours of the courtyard and the commitments regarding the lighting
4 | of the fitness center into the conditions, as well.

5 | VICE CHAIR MILLER: And I would have preferred to see
6 | even more balconies, as Mr. Turnbull noted. I also want to see
7 | more balconies. I realize -- I mean, I see that the Urby has a
8 | concept about communal space which is always very important, but
9 | as we've all learned, particularly during this last pandemic
10 | year, but I think (audio interference) appreciates private
11 | outdoor space, as well, is very important. And it also just
12 | makes, from the design standpoint, a building in this industrial
13 | -- formerly industrial area look more residential even though
14 | it's trying to preserve all that industrial past, and does it
15 | very well, I think, with this particular design.

16 | But let me -- one other -- one question about
17 | transportation. You have agreed -- you may have said this in
18 | your presentation, or it might be in the materials. You've agreed
19 | to all of the TDM measures that DDOT recommended in their memo,
20 | including some additional strategies, I think, as well, at the
21 | end of their memo, which I now can't seem to find or (audio
22 | interference) computer?

23 | MR. AVITABILE: My recollection was that DDOT
24 | recognized, you know, we had committed to a number of things in
25 | our study, and they agreed to them. Erwin, if you're on and you

1 want to, sort of, chime in on further details, but they, sort
2 of, agreed to our commitments there, everything that we had
3 proffered. And so we were actually on the same page from the
4 start, which was a good thing. We're getting better at giving
5 them what they'd like.

6 MR. ANDRES: Yes. That's correct. They -- on page 3
7 of the DDOT report, their conditions consist of implementing the
8 TDM that we proposed.

9 VICE CHAIR MILLER: Right.

10 MR. ANDRES: Your corrected.

11 VICE CHAIR MILLER: I do see that now. And so, I mean,
12 you have a lot of parking, which they acknowledge, on this site.
13 I mean, the site is currently surface parking, 188 or something,
14 which someone's memo, DDOT's and your own, I think, said it is
15 used -- it's temporary surface parking used by, I guess, office
16 workers in the area and Nationals' stadium patrons during game
17 days or events. But I think I read somewhere, the DDOT memo or
18 your own materials, and I've said this before, and I brought this
19 up with you, Mr. Andres, before, and I'm never sure if I've really
20 gotten an answer to the question, but none of the spaces -- none
21 of the 188 that are currently being used for, temporarily, surface
22 parking for office in the area or Nationals' patrons -- the
23 stadium's patrons, none of those -- none of the new spaces, 200
24 and, what is it, 254 or what was it?

25 MR. ANDRES: 244, I think.

1 VICE CHAIR MILLER: 244 underground new spaces, all of
2 that is going to be -- which is beyond what we require in zoning,
3 which is zero, and is beyond what DDOT says they typically see
4 in this type of mixed-use development in this type of area,
5 proximity to the Metro and everything else is about 90, but none
6 of the 240-something new spaces are going to be used by any of
7 the existing users of the surface parking? And why is that?

8 I remember that the Ballpark stadium transportation
9 plan talked about all these temporary surface parking lots in the
10 area that were awaiting these wonderful mixed-use developments
11 that were going to happen, and that the underground parking would
12 set aside (audio interference) that the temporary surface parking
13 is currently providing. And has it all worked out so beautifully
14 that there's not (audio interference) running around -- riding
15 around in (audio interference) looking for parking that isn't
16 available any more in these mixed-use underground spaces? I
17 think I -- when I've gone to the games, it seems like a very long
18 time ago, now, I go mostly by Metro, but I did go a couple times
19 by car. And I think I parked underneath on office building, but
20 I think it's currently being redeveloped.

21 But can you comment on what's happening here. Or maybe
22 we need a separate thing of what's happening in this whole area
23 with the transportation and parking, because I thought the plan,
24 originally, was that these mixed-use developments were going to
25 partially satisfy the demand by the existing or new office and

1 | the existing and new stadium.

2 | MR. ANDRES: Uh-huh. Commissioner Miller, I understand
3 | what your question is, and -- but you know, relative to DDOT
4 | policy, a lot of these new developments that are taking place in
5 | The Yards and, sort of, that whole Capitol Riverfront area, DDOT
6 | has identified in their coordination with us that a lot of the
7 | parking that could be available for, sort of, outside users that
8 | include Nationals' stadium visitors, you know, they've asked us
9 | not to provide that parking for Nationals games. And it's pretty
10 | explicit in their report. So in that respect, you know, we're
11 | trying to comply with what DDOT is asking for.

12 | Now, relative to the existing users, a lot of the
13 | existing users in the garage are -- and excuse me, on the surface
14 | parking lots are -- many of them are actually contractors. Many
15 | of them are construction contractors that are working on, as you
16 | know, many of the significant number of construction projects
17 | going on in and around Southeast. So you know, there's an
18 | expectation that at some point, when all the construction -- or
19 | most of the construction is done, a lot of those contractors, you
20 | know, will no longer, you know, need or use those spaces.

21 | But I do understand your comment, and you know,
22 | unfortunately, as DDOT has identified, it's their opportunity to
23 | incentivize those going to the ballgames not to drive. And so
24 | it's a consistent theme that we've experienced with all of the
25 | redevelopment projects down at The Yards and in the area that

1 we're dealing with.

2 MR. AVITABILE: And I think I'd add that, at least my
3 perception has been that DDOT is as focused on those -- the day-
4 to-day workers as they are on baseball parkers. What they're
5 really focused on is, sort of, making sure we're not continuing
6 to incentivize day-to-day commuters to drive and park and,
7 instead, use other modes of transit. But yeah, I mean, it's been
8 in every project we've done -- Parcel G, Parcel I, Parcel F, and
9 now Parcel H, DDOT insisted in every one of those TDM's that we
10 make a commitment that we wouldn't, you know, lease spaces to
11 anyone other than the users of the building, and we've done that,
12 because that's their directive and the approach that they're
13 taking here.

14 VICE CHAIR MILLER: Okay. Maybe DDOT -- their (audio
15 interference) care to comment on that, as well. I don't want to
16 turn this into the (audio interference) parking issue. But I
17 just think the spillover affecting the neighborhood when the
18 games come back to 48,000 or 40,000, whatever, I just want to
19 make sure that there isn't that -- there isn't neighborhood
20 parking problems happening as a result.

21 But thank you very much. It's a very -- it's an
22 exciting project. It's good to see projects still moving forward
23 in this day and age. So thank you. Thank you, Mr. Chairman.

24 CHAIRPERSON HOOD: Okay. Sure. Thank you.

25 I just have a few questions. We want to move as quickly

1 as possible, because we don't who may vanish because of the storm.
2 Let me just ask -- the CFA letter, do you have to go back in
3 front of CFA, or are you fine? I know they mention they're
4 looking forward to seeing you in other parcels, but are you fine
5 as far as Parcel H with CFA?

6 MR. AVITABILE: We are. We are.

7 CHAIRPERSON HOOD: Okay. Okay. Good. I do share the
8 concern, Mr. Avitabile, about the flexibility issue. And I know
9 we can work out some language to a certain point, some of it's
10 standard, and I know some -- it's a lot of -- it looks like it's
11 a lot of flexibility that's being asked for. I think the way
12 it's being presented right now; I think one of my colleagues said
13 how beautiful it was. I would have to agree. I really like this
14 building. Once I saw the entrance into the courtyard, I forgot
15 to look at everything else, because I really like the way that
16 went.

17 But I do have to agree with Commissioner Shapiro.
18 I was fine with it until I saw the gate. When I saw the gate, I
19 said -- but then as I watched through the presentation, I said,
20 you know, nothing's going to be all the way perfect. If that's
21 what they have to do to close it off, I guess it's going to be
22 at night, after 6:00. So I can live with that. But I would ask
23 you to revisit it, but that's not a showstopper for me. I just
24 -- it just looks -- it just really takes that whole spot, to me,
25 down, but when it's up, it looks great.

1 I do have a programmatic issue or concern. What happens
2 when it's open and there's a day game and you want public access?
3 Is that going to be managed or -- I mean, how is that going to
4 work?

5 MR. AVITABILE: Josh, do you want to speak to that?

6 MR. WUESTNECK: Sure. I mean, we're going to have to
7 actively manage that courtyard, provide security, manage
8 occupancy like you would, kind of, any retail space or any outdoor
9 space. You know, we haven't experienced a game in that courtyard,
10 so I won't say that we know exactly how we'll go about that, but
11 it's something that we're committed to do to make sure that it's
12 safe and the occupancy levels are maintained appropriately for
13 Code and other reasons.

14 CHAIRPERSON HOOD: I would strongly encourage you to
15 do that, because I will tell you this is a fabulous looking
16 building, and if I saw that, everybody's going to grab a table,
17 and you're going to have -- I don't know if it's fire codes or
18 whatever else, but you're going to have a lot of people trying
19 to get in there. So I would also encourage you to continue to
20 look at that. It's not -- again, that's not a showstopper.

21 The other thing -- let's see, where was it? It looks
22 like you agreed with all of the ANC, DDOT -- they referred to
23 -- looking at your letter, Mr. Avitabile, it looks like all that's
24 being agreeable.

25 Let me also commend the Applicant on having so much

1 support. This area has been going through a major development,
2 and a lot of times, it doesn't come in like this. This is very
3 refreshing, very different sometime to see. I don't know of any
4 opposition, we may have some later, but I haven't seen any
5 opposition that's been proposed to the record.

6 Now, I already know what you've done for affordable
7 housing. And I've asked this -- I'm starting to ask this now.
8 This is just an ask to look at. I have done my own research
9 trying to figure things out and how this works. I know that
10 you've done a lot with the affordability of this project, but one
11 of the things that I have found that have been the showstopper,
12 for people who need it the most, of actually being able to get
13 in some of these units was credit scores. Credit scores is
14 nowhere in the Zoning Code. You can just ignore me if you want
15 to, but I would ask that we start looking -- and this is one of
16 the things I'm going to start trying to push. I'm going to work
17 with all the experts and see what we can do so we can really get
18 affordable housing.

19 I believe this city has a lot of affordable housing.
20 We say we're short on it, but I believe we have it, but people
21 that need it don't qualify for it. And I think that's something
22 -- even if you look at one unit -- and I've been thinking and
23 talking to some folks about, maybe, if the District would back
24 up -- and I don't even know if they have plans -- I need to work
25 with Councilmember Bonds and some others to try to figure this

1 out, but I can just tell you that I believe that it's -- where
2 we're missing a lot of it is because people don't qualify. So
3 if we could have something to back people up with low credit
4 scores, like they do with some of these other programs, then
5 maybe that will be helpful.

6 So I'm just asking you to look at it. I'm going to
7 start asking everybody. Somebody's going to come up with a
8 solution and fix it all. I don't know who it's going to be, but
9 I'm just asking you to look at it. Even if you did one unit,
10 Mr. Avitabile. I don't know. And this is just an ask.

11 But on the top, through all of that, I will tell you
12 that I think that this project is great. I really like it. So
13 (indiscernible). I'm just concerned with the flexibility. I
14 don't want us to diminish any of the materials that are used,
15 but I understand that there's a rationale or reason because of
16 all the affordability that you've put into this high-class
17 building, as, I think, Commissioner May mentioned, that sometimes
18 those things have to be done. So I understand.

19 I would just ask, again, counsel -- Mr. Avitabile, you
20 all work with that flexibility issue. I'm sure Mr. Turnbull will
21 -- when we get ready to deliberate, we will deal with that at
22 the appropriate time.

23 All right. So I don't have any more questions. Again,
24 I think job well done, especially with getting all the necessary
25 support, which made our jobs this evening a lot easier. So thank

1 | you.

2 | Any follow up to -- from anybody?

3 | (No audible response.)

4 | CHAIRPERSON HOOD: Okay. Let's go to Ms. Elliott, and
5 | I believe we have Mr. Zimmerman. Ms. Elliott from OP, and Mr.
6 | Zimmerman from DDOT.

7 | MS. ELLIOTT: Good evening, Mr. Chairman, members of
8 | the Board. I'm Brandice Elliott, representing the Office of
9 | Planning. The Office of Planning is recommending approval for
10 | the requested design review. We do support the setback relief
11 | that's been requested for the guardrail and for the mechanical
12 | penthouse. We also support the condition that the Applicant and
13 | the ANC have agreed upon regarding the courtyard being open to
14 | the public.

15 | We did ask for some additional information in our
16 | report from the Applicant regarding the use of synthetic stucco,
17 | as well as some additional information about the courtyard, just
18 | to fully understand how public and how open they intend to make
19 | it. And I think the Applicant has addressed both of those issues
20 | sufficiently, and so we continue to recommend approval.

21 | And I'm happy to answer any questions you have.

22 | CHAIRPERSON HOOD: Okay. Thank you. Before we go to
23 | Mr. Zimmerman, is there anyone here from ANC 6D? Does 6D have
24 | any cross-examination?

25 | (No audible response.)

1 CHAIRPERSON HOOD: I just wanted to make sure I called
2 for it. Okay. I don't think we have anyone here. Do we have
3 anyone? Okay. All right. Mr. Zimmerman.

4 MR. ZIMMERMAN: Good evening, Chairman Hood and members
5 of the Commission. For the record, I'm Aaron Zimmerman of the
6 District Department of Transportation. DDOT is supportive of the
7 Applicant's proposal for Parcel H.

8 In our May 21st, 2021, report, we noted that the
9 Applicant has committed to a robust TDM plan, and that we are in
10 concurrence with it, but we also requested in our report that the
11 Applicant provide a graphic showing where the zoning-required
12 showers and lockers will be located. The Applicant has provided
13 this in Exhibit 22, and DDOT is satisfied with what is shown.

14 With the agreed-to TDM plan, as outlined in our report,
15 DDOT has no objection to the approval of this design review
16 application. Thank you.

17 CHAIRPERSON HOOD: Okay. Thank you both, Ms. Elliott
18 and Mr. Zimmerman, for your presentation.

19 Ms. Elliott, let me just say this while I have you. I
20 want you to know that I won't mess up your name anymore, because
21 I'm -- I have another person at OP's name I'm messing up now. So
22 it's not you, so I've moved on. So I just wanted you to know
23 that, a side note.

24 Okay. Commissioner May, you have any questions for
25 either OP or DDOT?

1 COMMISSIONER MAY: I do not.

2 CHAIRPERSON HOOD: Commissioner Shapiro, any questions
3 of either OP or DDOT?

4 COMMISSIONER SHAPIRO: No questions, Mr. Chair. Thank
5 you for your reports.

6 CHAIRPERSON HOOD: Mr. Turnbull, any questions?

7 COMMISSIONER TURNBULL: None here, Mr. Chair.

8 CHAIRPERSON HOOD: Right. And Vice Chair Miller?

9 VICE CHAIR MILLER: Thank you, Mr. Chairman. No --
10 thank you, Ms. Elliott and Mr. Zimmerman, for your reports.

11 Mr. Zimmerman, do you have a quick comment on my
12 questions to the Applicant about DDOT's requirements that all
13 mixed-used developments that are replacing all these temporary
14 surface parking which is partially providing parking (audio
15 interference) for Nationals events cannot be used for Nationals
16 events. Are you all analyzing -- I mean, we realize you had a
17 weird year and a half, but before that, and going forward, are
18 you analyzing whether there is sufficient replacement parking for
19 vehicles that do arrive at the stadium, even though we want to
20 incentivize public transportation and bicycle transit and other
21 modes, because that's originally part of the approved
22 transportation management plan for the Ballpark. Many -- that's
23 many years ago. So do you have any comments?

24 MR. ZIMMERMAN: Yeah. So with all these different
25 parcels in The Yards that have been developing, you know, our

1 strategy has been to not do a one-to-one like, replacement of the
2 lost parking, you know, for Nats game or (indiscernible) goers,
3 you know.

4 What -- I think what's unique -- what's slightly unique
5 with the Parcel H project is that it's a residential project.
6 So, if you were to -- you know, with the parking that's coming
7 with it, you know, there's really not going to be any available
8 parking in the evenings in the building for, you know, with
9 residential use and the people who live there parking there. But
10 when it comes to the other office buildings and retail and those
11 types of mixed-use buildings in The Yards, we're not necessarily
12 precluding using that parking for, you know, baseball stadium
13 goers. A lot of the parking, you know, is really intended for,
14 like, the retail that's coming in on all these different parcels.
15 And, you know, there's no -- there's not necessarily any
16 restriction that Ballpark goers can't use that. It would just
17 be, you know, it wouldn't be surface, it would be underground,
18 and it would be priced by the hour or however other retail users
19 are being treated. So, in that respect, you know, there is some
20 replacement parking coming back, but not, you know, nothing --
21 I'm not 100 percent sure if it's, you know, the same amount that's
22 going away.

23 So, but generally, that's been our strategy has been
24 as these buildings come in, don't directly replace the parking,
25 and that's -- we're trying to encourage, you know, like you said,

1 transit usage to get here. It's a really transit-rich area, but
2 there will be some that comes back in the form of, like, retail
3 parking where people park, shop, go eat, and then go on to (audio
4 interference) at the Ballpark (audio interference).

5 VICE CHAIR MILLER: Okay. Well, I appreciate that
6 answer and the clarification to my own question which implied
7 that you were precluding them offering any parking to baseball
8 (audio interference) users. It got used, actually, in other --
9 maybe not new developments, but existing office buildings, maybe
10 the one that DDOT was in. Anyway, I appreciate that answer. As
11 long as it's being evaluated to make sure that there's not a
12 spillover effect in the residential neighborhoods of on-street
13 parking, because as your own report in there -- the report states
14 there's much more parking that is being provided here than is
15 required under the zoning regulations than would normally be
16 suggested by DDOT in a similar special project in a specific
17 proximity to Metro more than what's needed, actually, by the
18 residential and retail users of the site. I'm trying to (audio
19 interference) want to provide incentives to use the public (audio
20 interference).

21 But anyway, thank you for your answer, and sorry for
22 prolonging that, Mr. (audio interference). Thank you.

23 CHAIRPERSON HOOD: Okay. Thank you. Let's go to other
24 government reports. Other than CFA, I didn't see anything. If
25 somebody could flag me if they saw something I didn't see.

1 Just a second while I pull up the ANC report. We do
2 have -- first of all, does the ANC have any cross-examination of
3 either the Office of Planning or DDOT? And I don't think we have
4 anyone on the line from ANC 6D. So, okay. So, I called for it.

5 Now, I'll go to the ANC report. It's our Exhibit No.
6 13. The ANC -- I'll just read the last part. "ANC 6D requests
7 that the Applicant adheres to the comments and requests of the
8 Commission as addressed via the Memorandum sent from Goulston &
9 Storrs on April 9th."

10 Mr. Avitabile has already mentioned that they're going
11 to do that, and this -- they voted in support 7-0-0 to support
12 this design review application, 21-06, and the -- and it's signed
13 by Chairman Edwards (sic), ANC Chairman, ANC 6D, Navy Yard,
14 Buzzard Point, and Southwest, DC.

15 Okay. I'll move a little faster here.

16 Ms. Schellin, do we have anyone signed up to testify
17 in support or opposition or undeclared?

18 MS. SCHELLIN: I just want to check with the Applicant
19 if Mr. Banks from GSA, if that was part of their team?

20 MR. AVITABILE: So Mr. Banks is here and, really, was
21 signed up and available to answer if there were any questions
22 about the GSA piece of this, but otherwise, you know, much as
23 with Parcel F, we can --

24 MS. SCHELLIN: Okay. And one other person I just have,
25 Brookfield Properties, Toby. Is that person part of the team?

1 UNIDENTIFIED SPEAKER: (Audio interference.)

2 MS. SCHELLIN: Okay. So in that case, there are no
3 witnesses registered to testify this evening.

4 CHAIRPERSON HOOD: Okay. Excuse me. So with that, Mr.
5 Avitabile, do you have any closing? I don't think you have any
6 rebuttal. You may, but do you have any closing?

7 MR. AVITABILE: Yeah. Well, we were -- I was looking
8 and, sort of, chatting with the team on the side here to see if
9 we could come up with, perhaps, you know, a precedent image or
10 something on what we were thinking on the gate to possibly address
11 that and some of the other comments this evening. I'm not sure
12 I've seen that.

13 I did want to take a moment just to speak about the
14 conditions of approval, the flexibility. This flexibility that
15 we've listed here is the sort of standard flexibility, and it's
16 consistent with the same flexibility that we've proposed, and the
17 Commission has approved in the other cases, you know, just three
18 months ago that we got approved for Parcel F. So it's -- there's
19 a lot of words here, but it's actually pretty -- I think it's
20 pretty tight. And it really does constrain us in what we can do
21 to only things that are sort of minor changes, changes that are
22 driven because there's a code issue. We're certainly happy to
23 revisit any of it if there's sort of a specific area where you're
24 particularly concerned, but it's all about trying to balance --
25 providing you all with the assurances that we know you want that

1 | the building we've shown you is the building you're going to go
2 | out and see in three years with the sort of reality, as this
3 | design evolves, little things move here or there, and we have to,
4 | sort of, be able to adjust them to accommodate, you know, a new
5 | louver that's needed for the parking exhaust, that sort of thing.

6 | CHAIRPERSON HOOD: Well, Mr. Avitabile, I appreciate
7 | your response to, at least, my concern. I don't know where Mr.
8 | Shapiro is. But I'm fine with that, as long as it's germane to
9 | the same kind of language that we've been doing, and I'm sure
10 | our counsel will flag us if not. I'm fine with your response,
11 | but Mr. -- Commissioner Shapiro?

12 | COMMISSIONER SHAPIRO: No concerns, Mr. Chair.

13 | CHAIRPERSON HOOD: Okay. All right. Anything else,
14 | Mr. Avitabile.

15 | MR. AVITABILE: Well, Commissioner Turnbull also raised
16 | that.

17 | CHAIRPERSON HOOD: Mr. Turnbull. I'm sorry.
18 | Commissioner Turnbull. I'm sorry.

19 | COMMISSIONER TURNBULL: Yeah. Mr. Chair, I'm okay with
20 | that. I think if Mr. Avitabile could work with Mr. Ritting, Mr.
21 | Tondro. I think, Mr. Ritting especially, works on the language.
22 | I think they've worked together before. So I think whatever --
23 | Mr. Ritting's well aware of what my concerns are and what the
24 | Commission's are. So I think they can work together and make it
25 | amenable to everybody.

1 CHAIRPERSON HOOD: Well, Mr. Turnbull, I'm sorry for
2 the oversight. I forgot. You are the Zoning Commission's
3 flexibility Commissioner. And I overlooked you, so I -- a lot
4 of us have different titles and --

5 COMMISSIONER TURNBULL: I thought I was the signage
6 guy.

7 CHAIRPERSON HOOD: Well, that, too. You have -- I was
8 going to ask you, are you fine with the signage, but I heard your
9 comment on that. So --

10 COMMISSIONER TURNBULL: No, I think it's workable.

11 CHAIRPERSON HOOD: Okay. All right.

12 MS. SCHELLIN: There was also -- as you know, there's
13 one vote here. I only made a note about -- I imagine the gate
14 issue was the metal that Commissioner Shapiro was referring to;
15 is that correct? Is that what you were referring to is the metal
16 gate?

17 The lighting on the fitness center, Commissioner
18 Turnbull, is that you're saying you're okay with, that OAG could
19 work on language on that? Is that -- because you wanted them to
20 tighten that up?

21 COMMISSIONER TURNBULL: I don't know how you tighten
22 that up. My -- I would say maybe a foot-candle reference or a
23 lumen. I'm not sure how you really do it, but maybe Mr. Avitabile
24 and Mr. Ritting could work on that.

25 MR. AVITABILE: Well, and part of that is the lighting

1 language that we have in, sort of, the description, that was a
2 part of the discussion with the ANC. With the ANC, if we gave
3 them something that was lumens, they'd say, "We don't know what
4 that means." And so we say to them, it -- well, look, it's not
5 going to be any brighter than, you know, the fitness center
6 itself, or, you know, the apartment units, the lights emanating
7 from them. That was something that they were able to understand.
8 And our point to them was we have people that are going to be
9 living directly around this, looking at it.

10 COMMISSIONER TURNBULL: Right.

11 MR. AVITABILE: We're not going to want it to be any
12 brighter, and that's what ultimately got them comfortable.

13 MS. SCHELLIN: And you weren't looking for them to
14 provide anything else at the entrance when you said, "Maybe
15 something more exciting." You weren't actually looking for a
16 submission?

17 COMMISSIONER TURNBULL: I'm just throwing that out
18 there. If they get a chance, if they're going to tweak things
19 later on as they go forward.

20 MS. SCHELLIN: Okay. Thank you.

21 COMMISSIONER TURNBULL: Just throwing that out as a
22 little mindfart that -- something to think about.

23 MS. SCHELLIN: And nothing is necessary with regard to
24 when it's a game day, as far as the courtyard? That's really
25 just for them --

1 CHAIRPERSON HOOD: No, that was just --

2 MS. SCHELLIN: -- to figure out.

3 CHAIRPERSON HOOD: That was just a flag and for them
4 to have a consideration, which they've already -- I think they're
5 going to do. I think that -- whether I mentioned it or not,
6 they're going to do that anyway.

7 MS. SCHELLIN: Okay.

8 (Crosstalk.)

9 MR. AVITABILE: And actually, that was the same comment
10 that Commissioner Litsky on the ANC had, that exact same comment,
11 what's going to happen during game days.

12 MS. SCHELLIN: Okay. I had --

13 CHAIRPERSON HOOD: I hope he's watching, because great
14 minds think alike then.

15 MS. SCHELLIN: Okay.

16 CHAIRPERSON HOOD: All right. Mr. Ritting showed up,
17 so any time OAG shows up, there may be a comment. Mr. Ritting.

18 MR. RITTING: No. No comment.

19 CHAIRPERSON HOOD: Okay. All right. All right.
20 Anything else, Commissioner Turnbull? Are we good?

21 Mr. Avitabile, have you finished your closing, or your
22 rebuttal?

23 MR. AVITABILE: I'm just waiting to see if -- I was
24 hoping that our team might be able to pull up some sort of
25 precedent image of what the gate actually is going to look like

1 | to maybe potentially give you all some comfort this evening, but
2 | I don't know that we have the ability to do that. So I think
3 | we'll have to -- unless someone tells me from our team, we have
4 | something we could bring up and show.

5 | CHAIRPERSON HOOD: I think it -- from -- again, for me,
6 | I know I was second, but again, for me, after everything else
7 | that's going on, all other moving parts, I'm fine. I don't know
8 | where Commissioner Shapiro is, because I definitely don't want
9 | to be -- let me see what Commissioner Shapiro.

10 | COMMISSIONER SHAPIRO: I'm fine, Mr. Chair. Again, I
11 | just think it's a beautiful building, and I just want this gate
12 | to not detract from it, but I imagine nor do you.

13 | CHAIRPERSON HOOD: Right. So Mr. Avitabile, you'll be
14 | back in front of us many times after this. We know that you'll
15 | take care of it if it's doable. As we said, let's get it done,
16 | if not, then at least -- I think we understand. I don't want to
17 | speak for Commissioner Shapiro. So I think we at least
18 | understand.

19 | MR. AVITABILE: Excellent. Thank you. The only other
20 | thing I'd ask in closing, if we have otherwise addressed your
21 | comments and concerns, would be that, if appropriate, if the
22 | Commission could consider a summary order here, since there isn't
23 | any opposition?

24 | CHAIRPERSON HOOD: I think that is as long as we put
25 | all the necessary things in that summary order, I think that is

1 right in line with -- making sure we don't want to get too backed
2 up. And I think with everything that's going on in this case, I
3 think it wants a summary order. I want to throw that out and
4 see if anybody -- any of my colleagues object.

5 (No audible response.)

6 CHAIRPERSON HOOD: Okay. All right. So anything else,
7 Mr. Avitabile?

8 MR. AVITABILE: No, thank you very much everyone.

9 CHAIRPERSON HOOD: Okay. I want to thank you and your
10 team for your presentation tonight, and especially your
11 architects with the very -- as Commissioner May said, a very
12 exhaustive presentation. And so we really appreciate it. And I
13 mean really exhaustive. Honest. But it was good.

14 All right. Let's see, Commissioners, it's on our table
15 now. I don't see any reason to hold this up until another day.
16 I think this is flavored just right. And if we all agree, I
17 would entertain a motion from somebody to accept it before the
18 storm starts.

19 VICE CHAIR MILLER: Mr. Chairman, I would move that
20 (audio interference) the Zoning Commission approve Case Number
21 21-06, for the Southeast Center of The Yards, Parcel H, and ask
22 for a second -- design.

23 COMMISSIONER MAY: Second.

24 CHAIRPERSON HOOD: It has been moved and properly
25 seconded. Any further discussion? Not seeing any. Ms. Schellin,

1 would you do a roll call vote, please.

2 MS. SCHELLIN: Commissioner Miller?

3 VICE CHAIR MILLER: (No audible response.)

4 MS. SCHELLIN: Commissioner --

5 UNIDENTIFIED SPEAKER: (Indiscernible.)

6 MS. SCHELLIN: Commissioner Miller?

7 VICE CHAIR MILLER: (No audible response.)

8 CHAIRPERSON HOOD: Well, the storm got him.

9 MS. SCHELLIN: All right. The storm got him.

10 Commissioner Shapiro?

11 COMMISSIONER SHAPIRO: I vote yes.

12 MS. SCHELLIN: Commissioner Hood?

13 CHAIRPERSON HOOD: Yes.

14 MS. SCHELLIN: Commissioner Turnbull.

15 COMMISSIONER TURNBULL: Yes.

16 MS. SCHELLIN: Commissioner May. Sorry, I should have
17 called --

18 COMMISSIONER MAY: Yes.

19 MS. SCHELLIN: -- Commissioner May earlier.

20 COMMISSIONER MAY: Yes.

21 MS. SCHELLIN: So the vote is 5-0-0. Commissioner
22 Miller moving, Commissioner May seconding. And that's to approve
23 final action in Case No. 21-06.

24 If we could have that draft summary order within two
25 weeks or sooner?

1 MR. AVITABILE: Certainly.

2 MS. SCHELLIN: Sooner?

3 MR. AVITABILE: Sooner is possible too. I'm supposed
4 to theoretically be on vacation after next week. So I will aim
5 to get it even sooner, if possible.

6 MS. SCHELLIN: Thank you. Then that should mean we
7 will get that order out sooner. Thank you.

8 MR. AVITABILE: (Audio interference.)

9 COMMISSIONER SHAPIRO: Ms. Schellin, I think Vice Chair
10 Miller is back on.

11 MS. SCHELLIN: Commissioner Miller, we were just
12 confirming that you moved that motion.

13 VICE CHAIR MILLER: (No audible response.)

14 MS. SCHELLIN: Yeah. He's not. But I think the record
15 will reflect that he did.

16 CHAIRPERSON HOOD: That he made the motion, correct.

17 MS. SCHELLIN: Yes.

18 CHAIRPERSON HOOD: Okay. Anything else, Ms. Schellin?

19 MS. SCHELLIN: Nothing else.

20 CHAIRPERSON HOOD: All right. I want to thank everybody
21 for their participation tonight.

22 Let me just say the Zoning Commission will be meeting
23 again this coming Thursday, which I believe is June 7th. We have
24 a hearing, which is Zoning Commission Case No. 20 --
25 (indiscernible) doesn't have the last part. Anyway, tune in at

1 4 o'clock. And Ms. Schellin, are you going to say something? Is
2 it a meeting Thursday?

3 MS. SCHELLIN: We have two hearings on Monday --

4 CHAIRPERSON HOOD: Okay.

5 MS. SCHELLIN: -- 20-26A and 20-24.

6 CHAIRPERSON HOOD: Thank you very much. And the Zoning
7 Commission will be on at 4 o'clock on these same platforms. But
8 with that I want to thank everyone again for their participation
9 tonight, and this hearing is adjourned, and be safe. Thank you.

10 (Whereupon, the above-entitled matter went off the
11 record at 5:55 p.m.)

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: 06-03-2021

Place: Teleconference

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

A handwritten signature in cursive script that reads "Gary L. Euell". The signature is written in black ink and is positioned above a horizontal line.

Gary L. Euell

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