

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR PUBLIC MEETING

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MONDAY

FEBRUARY 13, 2023

+ + + + +

The Regular Public Meeting of the District of Columbia Zoning Commission convened via teleconference, pursuant to notice at 4:00 p.m. EDT, Anthony Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson
ROBERT MILLER, Vice Chairperson
PETER MAY, Commissioner
JOSEPH IMAMURA, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary
PAUL YOUNG, Zoning Data Specialist

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

JACOB RITTING, ESQUIRE

The transcript constitutes the minutes from the Regular Public Hearing held on February 13, 2023

T-A-B-L-E O-F C-O-N-T-E-N-T-S

Case No. 15-24C

JBG/6th Street Associates, LLC, & Gallaudet University ... 4

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 February 13th, 2023. We are convening and broadcasting this public hearing by video conferencing. My name is Anthony Hood, and I am joined by Vice Chair Miller, Commissioner May, and Commissioner Imamura. We're also joined by the Office of Zoning staff, Ms. Sharon Schellin, and Mr. Paul Young, who will be handling all of our virtual operations. I will ask all others to introduce themselves at the appropriate time. Also I wanted to acknowledge that we have our Office of Zoning legal division attorney, Mr. Jacob Ritting. Others will introduce themselves at the appropriate time.

The virtual public hearing notice is available on the Office of Zoning's website. This proceeding's being recorded by a court reporter and the platforms used are 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, 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 before providing your

1 testimony. When you are finished speaking, please mute your
2 audio. If you experience difficulty accessing Webex or with your
3 telephone call-in or have not signed up, then please call our OZ
4 hotline number at 202-727-0789. If you wish to file written
5 testimony or additional supporting documents during the hearing,
6 then please be prepared to describe and discuss it at the time
7 of your testimony. The subject of this evening's hearing is
8 Zoning Commission Case No. 15-24C. This is the JBG/6th Street
9 Associates, LLC and Gallaudet University, second stage PUD at
10 Parcels 129 and 112. 1331 5th Street, N.E. is the address. And
11 again, today's date is February the 2- -- February 13th, 2023.
12 And this is the subject matter in the ANC area of ANC 5D.

13 The hearing will be conducted at -- with provisions of
14 11 Z D.C.M.R Chapter 4 as follows: preliminary matters;
15 applicant's case, the Applicant has requested up to one hour
16 which is 60 minutes, but we will let them proceed accordingly;
17 then we'll have a report of other government agencies; report of
18 the Department of Transportation; and then we'll have Office of
19 Planning; report of the ANC, again in this case it's ANC 5D;
20 testimony of organizations, five minutes and individuals three
21 minutes; and we will hear in the following order from those who
22 are in support, opposition, and undeclared; then we will have
23 rebuttal and closing by the applicant.

24 Again, the OZ hotline number is 202-727-0789 for any
25 concerns during these proceedings.

1 At this time, the Commission will consider any
2 preliminary matters. Does the staff have any preliminary
3 matters?

4 MS. SCHELLIN: Yes, sir. So there are a couple expert
5 witnesses. If Mr. Young could bring the Applicant's attorney up
6 because there is one question, I have David Seiter down, and he's
7 been previously accepted, however -- from Future Green Studio.
8 However, in the email I received from the Applicant today, they
9 listed a different person from Future Green Studio, believe it
10 was Mr. or Ms. Meckley, I can't find the first name now. So I
11 don't know. Mr. Farris, can you clarify that? Have they
12 previously been accepted, or are they the ones who are going to
13 be testifying for Future Green Studio?

14 MR. FERRIS: Yeah. Apologies for the confusion. Mr.
15 Seiter wasn't able to join us today. It is going to be Ms.
16 Zenobia Meckley from Future Green Studios, and she has testified
17 before the Commission previously and should be in the book. But
18 we also submitted her resume with our hearing presentation for
19 the Commission's consideration as well.

20 MS. SCHELLIN: Has she previously been accepted as an
21 expert though?

22 MR. FERRIS: I believe she was for Case No. 15-24B, I
23 believe she testified at that time.

24 MS. SCHELLIN: Okay. So then, Michi Ushio, I'm sure
25 I'm messing up that name, Zenobia Meckley, and David Solomon have

1 previously been accepted by the Commission as experts. If the
2 Commission would accept those three as experts. And then there
3 are two others.

4 CHAIRPERSON HOOD: Thank you, Ms. Schellin. So what
5 Ms. Schellin has said because I don't want to mess up Ms. Ushio's
6 name. So what Ms. Schellin said, we have three that have already
7 been previously accepted. Any objections? Okay. We will
8 continue that status.

9 MS. SCHELLIN: And then I could not find that Oliver
10 Link with Selldorf Architects and Adam Entin with Bowman
11 Engineering, the Commission would consider those two as experts?

12 CHAIRPERSON HOOD: Okay. So we have Bowman and Selldorf
13 Architects, Oliver Link. So let's go to Oliver Link and that's
14 Exhibit 12C, page 1. Any objections? All right. Not hearing
15 anything, we will accept Mr. Link as an expert in architecture.
16 Now Mr. -- I'm sorry, Adam [In-teen]. Any objections? He's
17 being proffered in civil engineering, correct, Ms. Schellin?

18 MS. SCHELLIN: Yes.

19 CHAIRPERSON HOOD: Okay. All right. And that's Exhibit
20 12, page 6, any objections? All righty. Let's keep it moving.
21 We will accept both of them as experts in front of the Zoning
22 Commission.

23 Anything else, Ms. Schellin?

24 MS. SCHELLIN: Just simply Steve Cochran with OP will
25 be presenting for OP, Aaron Zimmerman for DDOT, the DOEE and DHCD

1 submitted through OP and ANC 5D submitted their report on Friday.
2 That's in the record. And other than that, staff has nothing
3 further as far as preliminary.

4 CHAIRPERSON HOOD: Okay. Thank you.

5 Mr. Ferris, are you going to be presenting?

6 MR. FERRIS: I will be presenting. And if we can
7 actually -- not to gild the lily -- but if we can have one more
8 expert witness qualified as well, Ms. Annabelle Selldorf is
9 joining us from Selldorf Architects, and we submitted her resume
10 at Exhibit 24C as well.

11 CHAIRPERSON HOOD: Okay. 24C, Annabelle Selldorf. All
12 right. Any objections?

13 COMMISSIONER MAY: I didn't see it there, 24C?

14 CHAIRPERSON HOOD: Yeah, it's 24C, first page.

15 COMMISSIONER MAY: First page?

16 CHAIRPERSON HOOD: Yeah, first page when you open up
17 24C.

18 COMMISSIONER MAY: Oh, I'm sorry, I've got the wrong
19 -- sorry about that. Yeah, I thought I'd saw it earlier. Okay.
20 Yeah, no problem.

21 CHAIRPERSON HOOD: Okay.

22 MS. SCHELLIN: Is that in architecture also?

23 CHAIRPERSON HOOD: Yes. As requested, yes.

24 Mr. Ferris, is this your first time presenting?

25 MR. FERRIS: I don't believe so, but it has been a

1 while.

2 CHAIRPERSON HOOD: Okay. Okay. I thought you was
3 taking the lead. I don't remember since you left us, so, okay.
4 But anyway, since you've been here before, you can proceed. Bring
5 everybody up and you may proceed.

6 MR. FERRIS: Right. Thank you.

7 And if Mr. Young, if you can also bring up our
8 presentation when you have a moment? And we have several team
9 members that if we can pull them up, I believe Robbie Saclarides
10 should be on, we should have Oliver Link as well. And I think
11 there's another Selldorf team that we're hopefully pulling in as
12 well. I see Daniel Solomon has joined us. And I believe Ms.
13 Selldorf -- and there we go. All right. Well --

14 CHAIRPERSON HOOD: Mr. Ferris, let me just ask before
15 we get started, there are a lot of things that were kind of
16 outstanding, if you could really hit those things that the Office
17 of Planning, DDOT, and there was a lot of things that were
18 mentioned as through your presentation I'm sure you're going to
19 be responding to those things. I think that will be very helpful
20 to us. Okay?

21 MR. FERRIF: Absolutely.

22 CHAIRPERSON HOOD: All right. Thank you.

23 MR. FERRIS: We're presentation focused, absolutely.

24 Well, good afternoon again, Lawrence Ferris with
25 Goulston & Storrs, land use counsel for this project, here today

1 along with my colleague, Christine Roddy. We're happy to be here
2 today to review this application for a second stage PUD for the
3 property located at the northeast end of the Union Market-Florida
4 Avenue Market neighborhood. The property is at 1331 5th Street,
5 N.E. And Mr. Young, if we can page to the next slide?

6 This project, which is referred to as Parcel 4, that's
7 the site outlined in red at the top of the map that you see as
8 part of an overall PUD that covers four parcels along 6th Street,
9 N.E. that are being developed in partnership between JBG Smith
10 and Gallaudet University, which is the landowner. And you can
11 see the other PUD parcels also outlined in red further south on
12 the map. The Commission approved the first stage PUD back in
13 2017, which included rezoning all four parcels from the
14 underlying industrial zoning to C-3 to allow mixed use
15 development consistent with the planning goals set forth in the
16 2009 Florida Avenue Market small area plan. And more recently,
17 the Commission also approved a modification to the PUD for Parcels
18 1, 2, and 3, located further south on 6th Street, as well as a
19 second stage approval for Parcels 2 and 3. That was case No.
20 15-24B, which you all heard, I guess, in 2021 and was approved
21 beginning of last year, and Parcels 2 and 3 are currently moving
22 forward with development. So today we're pleased to be presenting
23 you all with the second stage design for Parcel 4 that will
24 realize the project approved and the first stage application from
25 2017 and specifically a mixed use building that will add 647 new

1 residential units and over 43,000 square feet of ground floor
2 retail to the northern end of the market neighborhood. Consistent
3 with the first stage approval, the building has a height of
4 approximately 120 feet and just under 7.9 FAR. The first stage
5 PUD, I'll note, included flexibility to allocate up to 2.4 FAR
6 or about 190,000 square feet to office use in lieu of residential.
7 The Applicant is foregoing that option in favor of dividing all
8 of the upper stories of the project towards additional housing.
9 Now, the project also includes a pedestrian plaza at the west
10 side of the building facing 5th Street, that will reserve 5,000
11 square feet of publicly accessible open space for the community.
12 Before we dive into our presentation, I would note that we have
13 supportive reports from the Office of Planning. Their report is
14 at Exhibit 20. And from DDOT as well, that's Exhibit 21. We
15 worked closely with both OP and DDOT on the project throughout
16 the application, beginning with meetings back in June of last
17 year before we filed. More recently, we met with OP at the
18 beginning of January to discuss the project design in more detail
19 and hear OP's feedback. And those were extremely productive and
20 beneficial discussions for our team and we've made some key
21 refinements to the design in working with OP that we shared in
22 our most recent supplemental submission, and we'll also speak to
23 in more detail today. To that end, we would request the
24 Commission's permission to submit a complete set of updated plans
25 following today's hearing to reflect the design updated

1 highlights as shown in our supplemental submission and what we
2 have presented for y'all today. In addition to meeting with OP
3 to review the design, OP also convened an interagency meeting in
4 January as well to review the project, and that included
5 representatives from DDOT, DOEE, DHCD, DPR, and D.C. Water. So
6 there's been a very thorough agency review for this project. And
7 we've also conducted extensive outreach with ANC 5D for the
8 project, dating back to when the first stage PUD was approved in
9 20- -- or I'm sorry, filed in 2015, approved in 2017, and
10 including the application for the other parcels that was approved
11 last year. For this application for Parcel 4, our outreach
12 included presenting to the ANC in June of last year before the
13 application was filed, as well as presentations last September
14 to both the full ANC and the ANC of Zoning and Development
15 Economic -- Zoning and Development Committee. More recently we
16 presented to the ANC at their January 10th regular public meeting
17 and they voted to support the application. And their letter of
18 support is at Exhibit 23 of the record. So in addition to myself
19 and Ms. Roddy with me today, again are presenters Robbie
20 Saclarides from JBG Smith; our design team from Selldorf
21 Architects, which includes Annabelle Selldorf, Oliver Link, and
22 Michi Ushio; Zenobia Meckley from Future Green Studios, the
23 project landscape architect; and Daniel Solomon from Gorove
24 Slade, the transportation consultant for the project. And we
25 also, as noted, have Adam Entin from Bowman, the project civil

1 engineer on hand to answer any questions that may come up on that
2 front.

3 So with that, I will hand it over to Ms. Saclarides to
4 give a little more background on JBG Smith's work on this project
5 and the vision for Parcel 4.

6 MS. SACLARIDES: Thank you, Lawrence, and good
7 afternoon, Commissioners. I'm Robbie Saclarides, development
8 manage with JBG Smith and representing the Gallaudet JBG Smith
9 partnership today. So JBG has been developing exclusively in the
10 D.C. region for over 60 years now, and Gallaudet University has
11 been in this neighborhood for almost 160 years. So together,
12 we're thrilled to transform these underutilized parcels into
13 vibrant mixed-use buildings that contribute to the fabric of the
14 community. Parcel 4 specifically -- actually if you could advance
15 a slide or so, so we can see -- one more please?

16 So Parcel 4 in red (indiscernible) plan right
17 specifically today is Gallaudet's incorporation yard and is a
18 gravel lot that's used for interim private parking and staging
19 for nearby construction activity. Our proposed project will
20 introduce 647 units of housing and just around 43,000 square feet
21 of retail to this parcel, as well as 5,000 square feet of open
22 public plaza and improvements to the surrounding streetscape. So
23 it's a really exciting transformation for this location. And as
24 Lawrence mentioned, we actively engaged with the Office of
25 Planning, DDOT, and ANC 5D throughout the design process,

1 resulting in positive reports from each agency as we've worked
2 together towards a common vision for the site. We've carefully
3 designed the building such that it respects the historic context
4 of both the Union Market neighborhood as well as Gallaudet
5 University. And with that, I will turn it over to Oliver Link
6 from our design team to walk you through how we plan to bring
7 the project to life.

8 MR. LINK: Great, thank you so much, Robbie.

9 Hi, my name is Oliver Link, I'm a design partner here
10 at Selldorf Architects, and a great pleasure to present to you
11 this exciting project today. I'm also joined from our office by
12 -- with Annabelle Selldorf, as well as my colleague Michi Ushio.
13 They will chime in along the way, but I will be making the
14 presentation.

15 So as Robbie and Lawrence have pointed out, our
16 location here at Union Market between 5th Street and 6th Street
17 at the top end of the hill, along Penn Street to the north. So
18 when we started out the project, given the zoning envelope, the
19 lot size, and the D.C. height restrictions, from the onset
20 Selldorf favored a scheme that breaks down the massing as much
21 as possible, creating human scale buildings that contribute to
22 the neighborhood while producing proportions we recognize in
23 American cities like Washington, D.C. and New York. Next slide
24 please?

25 To explain a little bit how we got to the massing of

1 our project, on the left, we -- with that significant north-south
2 grade change, we placed the two largest massings along the
3 contours in an east-west direction, thereby optimizing for energy
4 performance. In the next image, diagram, you can see that this
5 allowed us to navigate the significant grade change and introduce
6 the landscaped public plaza on 5th Street which responds to and
7 encourages the expansion of the pedestrian and retail experience
8 off of 5th Street. Further to the east is a second-floor amenity
9 roof terrace which overlooks the park and the Gallaudet campus.
10 In the third diagram, through unique material articulation and
11 the introduction of the bridge building, indicated here in the
12 gray tone, our goal is to further break down the massing and
13 establish buildings of smaller scale, good proportion along 5th
14 Street and 6th Street in particular. Next slide please?

15 Here, demonstrating an east-west section from 5th
16 Street all the way to 6th Street how this public plaza pulls in
17 the pedestrian and the sort of green nature through our lobby,
18 up through a sunken court to the second-floor amenity, and then
19 overlooking the Brentwood Hamilton Park on 6th Street. This view
20 and green zone on 6th Street is further strengthened by future
21 improvements along 6th Street of additional plantings as well as
22 a new bike lane. Next slide please?

23 The breakdown of the massing occurs through the careful
24 articulation of architectural moves and details, as well as a
25 clear distinction between the material choices as demonstrated

1 in this bird's-eye view. Next slide please?

2 So we're going to take you through the architectural
3 plans. Next slide please?

4 So with our grade change that I mentioned of some 20
5 feet or so from the north to the south, we actually have two
6 ground floor levels. The lower ground floor shown in this slide
7 is aligned with the lower part -- southern end of the site and
8 provides us with retail along 5th Street as well as retail along
9 6th Street here shown in the pink color. You can see here in
10 green off 5th Street is our entry plaza, it's an extension of
11 the sidewalk and 5thh Street, as well as a retail jump elevator
12 just to the south that brings people up from the below grade
13 parking, and then a ramp accessing that parking two floors below
14 grade with some 350 or so parking spaces. On 6th Avenue (sic),
15 we have a secondary entrance for tenants as well as bike entry
16 just off the bike lane that takes tenants to bike storage. And
17 there is also an off-street loading dock which can be accessed
18 here from 6th Street. Next slide please?

19 On the upper ground floor, you can see that we've
20 aligned this floor plate with the sidewalk of Penn Street. And
21 so there are also, in addition, more retail from east -- from
22 west to east. You can see here in the plan that we've pulled in
23 the center part of the retail to further expand that sidewalk
24 pedestrian experience, but also to articulate the corner
25 buildings further, which sort of goes back to our massing

1 strategy. Next slide please?

2 On the second floor, we begin to see apartment units
3 that surround the second-floor roof terrace amenity here in the
4 center of the plan and overlook the sunken garden. And then to
5 the south, also a pet park accessible by tenants. Next slide
6 please?

7 A typical floor plate here from floors 3 to 12 shows
8 all the units as they will be laid out. You will see in the
9 center in this sort of bridge building as well as to the north
10 and south we have added balconies, extensive balconies, for quite
11 a large number of units. Next slide please?

12 At the penthouse level, the building steps back and
13 provides this wraparound terrace and opportunity for additional
14 landscaping. To the north and over this bridge building, we have
15 additional apartment units. And to the south is a building
16 amenity of social and event spaces, which also include screened-
17 off exterior spaces, as well as a pool and pool deck facing west.
18 Next slide please?

19 The roof is primarily dedicated to mechanical
20 equipment. Next slide please?

21 This slide represents the current IZ unit location
22 layout. Next slide please?

23 And here, just locating our 5,000 square foot
24 (indiscernible) space retail location just on 6th Street. Next
25 slide please?

1 So diving into the context and materiality of the
2 building. Next slide please?

3 As you know, this -- our site is located amongst a
4 variety of architectural expressions, to the east the Gallaudet
5 campus, mostly domestic scale brick buildings from the 19th
6 century, to the west along 5th Street is the historic spine of
7 wholesale markets from the early 20th century unique with its
8 repetitive two-story brick facades and concrete canopies along
9 the sidewalk. And there is obviously increased development in
10 this area and this neighborhood. And there's some images here
11 of future projects that will be under construction -- are under
12 construction or will be under construction soon. Next slide
13 please?

14 With many of our projects, we endeavor to create
15 buildings that have a strong urban identity where the buildings
16 strive to engage with the neighborhood through the use of
17 material, by enhancing the pedestrian experience, and interacting
18 with nature where possible. Building examples here on this page
19 on the left is a pre-cast building here in New York, pre-cast
20 concrete panel building with punched window openings. Also in
21 the center, a concrete -- board form concrete building with teak-
22 framed punched window openings, and on the right a masonry unit
23 building with punched window openings. Next slide please?

24 The image in the center is another project of ours here
25 in New York, where we use brick in a sort of creative way. We

1 use two-tone brick, otherwise a very well-proportioned volume
2 with simple punched openings, very large domestic scale windows
3 that are articulated with a metal frame and a pre-cast sill, much
4 of what we are proposing here at the Union Market. Some of these
5 other images show other buildings open up at the street level,
6 engaging with the retail as well as the passer-by and encouraging
7 and contributing to an urban environment, and also where
8 possible, introducing nature at the street level as well as above
9 canopies and other areas. Next slide please?

10 Well, the bridge element that I mentioned earlier, we
11 are looking at a more metal and glass facade. This is a building
12 here we did in New York where there is sort of a layering of
13 metal and glass railings and a glass window wall and articulated
14 skinny columns. Next slide please?

15 Previously, the commissioners had requested a bird's-
16 eye view, which we've included here. As sort of taken from the
17 massing diagrams earlier on, you can see here the four corners
18 of the site are anchored by well-proportioned brick buildings
19 with punched window openings. In contrast, the infill bridge
20 elements of the building are articulated by a lighter metal
21 layered facade of balcony railings, expressed columns, and floor
22 to ceiling window walls. Next slide please?

23 So since December of last year, we have worked with the
24 input of the Office of Planning. We've reworked or done further
25 design refinements. And I think in particular, I wanted to point

1 those out here on this elevation. One is at the base of the
2 building, the general brick facade, and then at the top of the
3 building, as well as the materiality of the glass and metal
4 facades in between the brick buildings. Next slide please?

5 So the design of the buildings takes its cues from the
6 historic Market Terminal across 5th Street. In particular, the
7 brick buildings, they are set up, the existing markets are set
8 up in a three-window bay of similar proportions. Theirs are 20
9 feet wide, ours are 24 feet wide, three-window bays. We have
10 three of these which make a nine-window-wide building. We
11 explored also and really were inspired by the use of the concrete
12 canopies along the wholesale market. And not only do we introduce
13 those at similar heights and projections on along 5th Street, but
14 also wrap those into the entry plaza court that I alluded to
15 earlier on. And then furthermore, from the Gallaudet campus, we
16 also looked at brickwork there, in particular two-tone brickwork,
17 contrasting brickwork, to add more ornament to the building,
18 particularly at the Gallaudet building here seen at Chapel Hall.
19 And so on our facade we've looked at that and how can we introduce
20 more contrasting elements to the brick buildings. So the middle
21 of the building, which is the -- I should go back here -- sorry.
22 Next slide please? Thank you.

23 So at the middle of the building is framed with a
24 contrasting dark pre-cast frame while still (indiscernible), and
25 you can see that here on the edge of this elevation, while still

1 (indiscernible) with the brick, the corner has a round bead that
2 travels the height of the building. Then at the street level,
3 at the retail level, this bead wraps horizontally and establishes
4 a datum for the base of the building. Furthermore, each
5 storefront is wrapped in this pre-cast bead to frame the metal
6 and glass and louvered storefronts, and above that a signage
7 panel in a similar tone that completes the picture. Next slide
8 please?

9 So the brick facades have a -- the brick facades have
10 a -- have multiple levels of framing. There is the facade frame,
11 which is the dark bead that I -- pre-cast bead that I mentioned.
12 There is a facade grid which is made up by the pre-cast panels,
13 the construction methods that we are exploring to use, and then
14 the stacked bond pattern. So unlike a more traditional running
15 bond, we're proposing of using a stacked bond pattern which adds
16 another layer of this grid to the facade. The facade, therefore,
17 is not a traditional load-bearing wall, but uses a panelized
18 construction technology. We emphasize the joints of these panels
19 as a grid and make use of the stacked brick pattern as opposed
20 to the more traditional running bond pattern. Here, our brick
21 color in the limestone range in the middle of the page. And just
22 again, to point out the sort of simplicity of the large domestic
23 windows that will receive a metal frame and have a pre-cast sill
24 to pick up on that dark pre-cast articulation that we have at
25 the at the storefronts as well as the frame of the building.

1 Next slide please?

2 And then at the top of the building, at the brick
3 buildings I should say, sits a strong and pronounced pre-cast
4 cornice, projecting out beyond the brick facade. Next slide
5 please?

6 And just to look at the materiality of the infill
7 buildings, these -- the bridge building, as we like to call them,
8 using a silver light metal color to articulate the railing
9 framing, the columns, their edge beams, and also the framing of
10 the window walls. Next slide please?

11 In this -- in these drawings, in the section of the
12 balconies that are part of that bridge building, you can see that
13 we've alternated the depth of the balconies, allowing the thin
14 columns to sort of slip by and become two-story columns on every
15 other floor. Next slide please?

16 And then at the penthouse level finally, the building
17 steps back, as I mentioned earlier, and consists of a window wall
18 and metal building which has wraparound terraces, railings, and
19 landscaping. We do plan on introducing trellises and louvers,
20 particularly around the amenity programming at the south. Next
21 slide please?

22 And finally, here, we want to take you through a series
23 of photorealistic renderings. Next slide please?

24 So zooming into here, the entrance court, the entrance
25 -- public entrance plaza, as we call it, you can see here through

1 this court, you lead into the lobby, which is beyond a glassy
2 lobby. It's lit beyond. And the -- not only is the plaza an
3 extension of the public realm, but it also helps us mediate
4 between the two grade changes, or the grade change that occurs
5 from north to south. You can see here on the left, the retail
6 at the high elevation and then the entry plaza landscaped down
7 to the building on the right, the lower level. Next slide please?

8 Zooming out a little bit, looking towards the
9 northeast, you can see the building, one of the corner buildings,
10 the northeast brick building here, and how it sits in relationship
11 to the bridge. And then the next slide please?

12 Turning the camera to the south, the other corner brick
13 building. As an extension here we do have a brick -- a glass
14 and metal infill building to the right before the neighbor and
15 on top -- which it sits on top of the ramp entrance to the parking
16 that I pointed out earlier on the plan. Next slide please?

17 Now moving around the north here on Penn Street, you
18 can see the two brick articulated buildings here and in the
19 foreground and also in the background on 6th Street, and the in-
20 between balconies with the glass window wall. We've also pulled
21 back the top floor, in other words the roof of this infill
22 building, to further enhance the expression of the corner
23 buildings and allow these more pronounced cornices to really wrap
24 around on all four sides. Next slide please? Sorry, next slide?
25 Thank you. Thank you.

1 And here standing looking south. Could you go back one
2 please? Yes, Thank you.

3 Just looking south down 5th Street here, we can see the
4 two brick buildings and then the gap in between that opens up
5 for the entry court. Next slide please?

6 And then looping around here we're standing on 6th
7 Street, essentially at the Brentwood Hamilton Park, looking back
8 towards the building with the tree-lined sidewalk as well as
9 greenery on the second floor for the rooftop amenity of the
10 building with the brick buildings on either side and the central
11 bridge all the way in the back, overlooking the greenery in the
12 foreground and the park in the distance, back at the camera. And
13 then the last image? Thank you.

14 In that area, back on the second-floor terrace is the
15 sunken garden that I may have mentioned. This sunken garden
16 provides daylight into the building's amenity and lobby spaces.
17 It's a meditative space and also provides access to the second
18 floor and essentially also gives the surrounding tenants and
19 apartments green views as they look out their windows. Thank
20 you. And I'm going to hand it off to Future Green.

21 MS. MECKLEY: Thank you, Oliver, and good afternoon,
22 commissioners. I'm Zenobia Meckley with Future Green Studio, the
23 landscape architect on the project. Next slide? Next slide?
24 Thank you.

25 As illustrated in the concept diagrams that Oliver

1 walked through earlier in the presentation, the landscape design
2 at Parcel 4 serves to unite the streetscapes and various open
3 spaces into a cohesive sequence of landscapes that carry you
4 through the building from west to east, connecting the interior
5 of the building strongly with its context. The forms and
6 materiality of each landscape space respond to the massing and
7 facade expression of the architecture, and the significant grid
8 change across the site. Next slide?

9 The streetscapes along 5th, 6th, and Penn Streets are
10 extensions of the design at Parcels 2 and 3 to the south and
11 adhere to the established Union Market streetscape design
12 guidelines. Next slide?

13 To the east the commercial spine of 5th Street will
14 prioritize retail activity and flexible gathering spaces to allow
15 fluid pedestrian movement between the sidewalk and small
16 businesses. Next slide?

17 Following the Union Market streetscape design
18 guidelines and in accordance with best space design principles,
19 5th Street is curbless and broken into visually distinctive zones
20 that define spaces for movement and for occupation. Next slide?

21 To the north Penn Street is a gateway to the
22 neighborhood. The corner of Penn Street and 6th highlighted in
23 the plan here will be defined by a gateway element in the form
24 of a public art piece. The program along Penn focuses on
25 pedestrian activity and bike parking. Next slide?

1 As at 5th Street, Penn Street is defined by clear
2 program zones and a generous pedestrian walkway. Next slide?

3 6th Street is a threshold between Union Market and the
4 university and is defined by a series of regularly spaced street
5 trees that carry the rhythm of tree planting from the south of
6 Parcels 2 and 3 to the north. Next slide? Oh, next slide.
7 Apologies.

8 So here again, you can see the way that the pedestrian
9 zone -- pedestrian realm is zoned according to the streetscape
10 guidelines. And you can see illustrated the connection of the
11 second-floor amenity terrace to the landscape beyond at Brentwood
12 Hamilton Park. Next slide?

13 Planting guides throughout the project will incorporate
14 many native species to encourage local pollinators, contributing
15 to the ecological resiliency of the District. Next slide?

16 The trees at each of the streetscapes. Next slide?

17 Our selections from the Union Market streetscape design
18 guidelines' recommended palette. Next slide?

19 As highlighted on the enlargement plan for Penn Street,
20 space has been held for public artwork at the corner of Penn and
21 6th to mark this gateway moment. The images here show -- are
22 indicative of what we might see. Design will be finalized in
23 collaboration with DDOT as part of public space review. Next
24 slide?

25 As illustrated in the preceding plans and sections, .

1 deaf space design principles are foundational to the landscape
2 design. Some of the principles we drew on include clear
3 sightlines for ease of navigation, generous gathering spaces to
4 accommodate signed conversations, and material choices to enhance
5 safety and mobility. Next slide?

6 The design of the entry plaza envisions the space as
7 an excavation that unearthed remnant building foundations from
8 the past. The resulting organic and irregular forms provide a
9 contrast to the clean lines and orthogonal logic of the
10 surrounding architecture. Next slide?

11 A 5,000 square foot public plaza will be positioned
12 along 5th Street at the residential lobby entrance to the
13 building. All retail and residential entrances will be fully ADA
14 accessible and the space will be flanked on the north and south
15 by retail terraces for neighboring food and beverage services.
16 Next slide?

17 The substantial grade change from north to south will
18 be mitigated through lush terraced planting, incorporating
19 hardscape materials that function simultaneously as retaining
20 hedges, seawalls, and steps. This strategy allows us to maintain
21 accessibility at all entrances, while also maximizing planted
22 areas to create a naturalized oasis in the public realm. Next
23 slide?

24 You can see some images here that illustrate the
25 characters of the materials throughout the landscape. The

1 language will carry from the flexible zone at the street through
2 the entry, unifying these public areas. Next slide?

3 Flexible seating and soft integrated lighting will make
4 the plaza feel inviting day to night. Next slide?

5 As at the streetscape, plantings will include native
6 species that enhance the ecological performance of the space.
7 Next slide?

8 On the opposite side of the residential lobby, the
9 sunken garden provides a quiet counterpart to the open entry
10 plaza. Next slide?

11 The language of sandstone (phonetic) will carry from
12 the entry plaza through to this space, creating visual interest
13 and a variety of seating opportunities. As Oliver mentioned, an
14 exterior stair connects residents to the second floor. You can
15 see that at the right of the image. The vertical connection is
16 emphasized by cascading plants that spill into the space from
17 above. Next slide?

18 You can see the character of some of those plantings.
19 These are shade tolerant within species, many of which are native.
20 Next slide?

21 The second floor of the building includes a 5,000
22 square foot pet park. Canopy trees that you can see dispersed
23 throughout will screen activity on this level from residents on
24 the upper floors. Next slide?

25 The second-floor amenity terrace provides views out to

1 the neighboring Brentwood Hamilton Park, and include a --
2 includes a variety of intimate gathering spaces for residents.
3 Next slide?

4 And finally, the penthouse terrace. It includes an
5 expansive pool deck with dramatic views of the city, barbecue
6 stations and furniture for outdoor dining, and several lounge
7 areas. The green perimeter here will mitigate stormwater runoff,
8 and along with the larger planting strategy, will highlight the
9 experience of seasonal change, provide habitat for local
10 pollinators, and contribute to the overall esthetic and
11 ecological health of the building and the neighborhood. Next
12 slide?

13 Thank you. And now I'll turn over the presentation to
14 Daniel Solomon.

15 MR. SOLOMON: Thank you, Zenobia. Good afternoon,
16 commissioners. For the record, I'm Daniel Solomon, a
17 transportation planner and principal with Gorove Slade. We have
18 been working with JBG Smith, Gallaudet University, the project
19 team, and DDOT related to the transportation aspects of the
20 Gallaudet 6th Street project. This afternoon I'm going to touch
21 on the highlights of our review in coordination with DDOT for
22 Parcel 4 second stage PUD.

23 Mr. Young, if you could go forward I think about six
24 slides. It's page 71 of the PDF titled DDOT coordination.
25 Perfect.

1 All right. For this project, we performed a
2 comprehensive transportation review which was scoped with DDOT.
3 Our study concluded that the development of the site will not
4 have a detrimental impact on the surrounding transportation
5 network with appropriate mitigations and minimizes impacts by
6 providing short- and long-term bicycle parking, accommodating
7 loading out of public space, significantly improving streetscape
8 conditions, and implementing a robust TDM plan. We've
9 coordinated extensively with DDOT during their review. We're
10 pleased to have their support in the form of a no objection staff
11 report. DDOT support did have some conditions which the Applicant
12 largely agrees to with some modified language that we coordinated
13 with DDOT on. I'll just go over them quickly. DDOT has asked
14 for the public realm to be consistent with the Union Market
15 streetscape guidelines and the adjacent site to the south, and
16 the Applicant agrees. DDOT supports the proposed TDM plan with
17 some requested additions, and the Applicant agrees to implement
18 it through the life of the project, unless otherwise noted. And
19 those additions are as follows: DDOT has asked that the Applicant
20 fund and construct a curb extension at the 5th and Penn Street
21 intersection on the southeast corner, as shown in the first stage
22 PUD plans. The Applicant agrees and will update the plans to
23 reflect this addition. DDOT has agreed that the Applicant --
24 DDOT has asked that the Applicant fund and construct curb
25 extensions or other curb line changes at the intersection of

1 Penn, 6th, and Brentwood Parkway to reduce the size and skew of
2 the intersection and improve pedestrian safety subject to DDOT
3 approval. The Applicant agrees to make the improvements to this
4 intersection as coordinated with DDOT, and I believe the next
5 slide includes an exhibit of those proposed improvements as
6 reviewed and agreed to by DDOT. Next slide please?

7 This slide shows those proposed improvements as
8 coordinated and agreed to by DDOT. Next slide please?

9 Furthermore, DDOT has asked that the TDM plan include
10 a condition that the long-term bike storage room be reviewed by
11 DDOT to confirm it meets zoning order requirements and DDOT design
12 best practices during public space permitting. Per coordination
13 with DDOT, this condition is no longer being requested. DDOT
14 asked for duplicate references to the three traffic cameras to
15 be removed from the draft conditions, and the Applicant agrees
16 to make this revision. DOT has asked that the eight dock capital
17 bike share expansion and three traffic cameras be installed prior
18 to Parcel 4's certificate of occupancy, subject to DDOT approval,
19 and that a cash in lieu contribution equal to the cost of the
20 three cameras will be made to the DDOT Transportation Mitigation
21 Fund if DDOT determines they are no longer needed. The Applicant
22 agrees to this. DDOT has requested plans be updated prior to
23 Zoning Commission approval to show 11 cargo tandem spaces in the
24 mezzanine level long-term bike parking room, and to include a
25 note that 22 electric outlets be provided there, as well as to

1 label the showers and lockers for retail use. The Applicant
2 agrees to this condition and included those notes in the plan,
3 but notes that the location of the bicycle room may shift from
4 its current location on the mezzanine level, but will be located
5 no lower than the first cellar level or the first complete parking
6 level below ground and no higher than the first above ground
7 level per zoning and DDOT bike parking guide standards. Finally,
8 DDOT has asked for continued coordination on matters of public
9 space, including a PDRM and a curbside management and signage
10 plan which the Applicant agrees to. That concludes my testimony,
11 and I'll be available for any questions. Thank you. And I'll
12 pass it back to Mr. Ferris.

13 MR. FERRIS: All right. Well, that concludes our
14 presentation for the day. I'm happy to answer any questions the
15 Commission has. And thank you for your time.

16 CHAIRPERSON HOOD: Thank you, Mr. Farris and team for
17 your presentation.

18 I'll go in my usual order. For now, let me ask
19 Commissioner May, any questions or comments?

20 COMMISSIONER MAY: Yeah, I've got a few.

21 So, Mr. Ferris, maybe you want to address the -- one
22 of the concerns that was raised in the -- or suggestions that
23 was in the OP report having to do with affordable housing and
24 the IZ component for this project. I mean, we know that it meets
25 the requirement in the original case, but Office of Planning and

1 DHCD are urging more. So what do you have to say about that?

2 MR. FERRIS: Certainly, Commissioner May. We
3 appreciate the comment from Office of Planning. Obviously, this
4 is a second stage PUD, and the project, as you noted, is
5 consistent with the first stage application. That's when the
6 analysis is conducted to examine the overall project impacts and
7 the flexibility that's being requested and to balance those with
8 the proposed benefits and amenities that the Applicant is putting
9 forth. So the Commission evaluated that for this project, the
10 impacts, the flexibility, and the package of benefits. Those
11 benefits include providing over 1,500 new residential units where
12 residential is not currently provided or allowed, including
13 affordable housing that does exceed the -- what is otherwise
14 required under IZ. The project also is going to provide over
15 65,000 square feet of publicly accessible open space in the Union
16 Market area. LEED certified design, major streetscape
17 improvements along 6th Street and the surrounding east parcel,
18 first source employment, and space reserved for maker uses and
19 deaf and hard of hearing entrepreneurs, along other benefits. So
20 that's a very complete and robust benefits package and it's very
21 balanced. And the Commission in the first stage order concluded
22 that the impacts and the requested flexibility and proffered
23 benefits were appropriately balanced at that time and that no
24 additional benefits would be anticipated for any of the second
25 stage applications.

1 COMMISSIONER MAY: Okay. So everything you just said
2 are things that we already knew. And the Office of Planning
3 asked -- I'm just trying to get clarity on what you have done
4 with (audio muted). Sounds like you really haven't done anything
5 other than look back at the original case and said this is
6 perfectly justified, we're not going to push for any -- we're not
7 going to even consider doing any more IZ on this project. Is
8 that -- am I summing it up well, you know, correctly?

9 MR. FERRIS: No, I mean, that's certainly something the
10 Applicant has looked at and has dealt with Office of Planning on
11 specifically.

12 Ms. Saclarides, if you'd like to term them?

13 MS. SACLARIDES: Can you hear me? With an echo. Hello?
14 There we go. Okay. All right. Sorry about that.

15 Yes, we did -- we understand their requests and we did
16 go back and take a look at the flexibility and what we were
17 requesting and what was being requested of the application in
18 return. I would also point out that we -- for -- chose not to
19 implement the flexibility granted in terms of implementing office
20 space so we're getting the maximum amount of residential and
21 affordable housing on the site. And given that no further
22 additional flexibility was requested, we feel that what was
23 proffered and agreed to in stage one is -- remains appropriate
24 for the project in the context of the larger robust amenities
25 package at the site at this time.

1 COMMISSIONER MAY: But the Office of Planning asked
2 again and you just -- you said no?

3 MS. SACLARIDES: That's correct, yes.

4 COMMISSIONER MAY: Other questions. I appreciate the
5 design (audio muted) that have been made to the building, I mean,
6 it's still a pretty (audio muted) form, and (audio muted) are
7 adequately making sure that you don't wind up with a dirty
8 building because it's, you know, run off and sometimes lighter
9 colored buildings can become discolored if they're not designed
10 to drain properly on the façade. That -- but I do have questions
11 about -- I mean, just a couple of simple questions. What's the
12 -- you talk about the beading at the corner, is it -- I mean, is
13 it literally a bead, is it rounded, is that you're proposing,
14 that shape?

15 MR. LINK: Yes, that's right. There's a flat piece on
16 either side about the width of a brick, and then there's a round
17 bead at the corner.

18 COMMISSIONER MAY: Okay. And does that bead actually
19 protrude -- is it proud of the face of the brick or is it?

20 MR. LINK: Ever so slightly, yes.

21 COMMISSIONER MAY: All right. Okay. All right. Yeah,
22 it's a little hard to tell, but -- and the --

23 MR. LINK: Right.

24 COMMISSIONER MAY: -- drawings I don't think really do
25 it justice in terms of understanding it. And then you have the

1 square or the grid that's -- that surrounds each of the windows,
2 window punch, but beyond that it's just a joint material, what
3 is that joint made of?

4 MR. LINK: Michi, did you want to chime in or?

5 MS. USHIO: Sure. We're having a little bit of
6 feedback, so if I missed any of their questions, just please tell
7 me. Your question was about the grid material?

8 COMMISSIONER MAY: Yeah, I mean, what's forming -- it's
9 just labeled joint, right? What is that?

10 MS. USHIO: So we're exploring that on the pre-cast
11 panel and right now each panel is approximately three windows
12 wide, so this joint only occurs at a structural beta line or if
13 it turns the corner. And that would be a silicone joint.
14 Everywhere else we'll build it in sort of a false reveal joint
15 to be developed with the manufacturer.

16 MS. SELLDORF: It's a kind of reglet. The idea is that
17 there is an articulation of the structural system so as not to,
18 say, we're building a very tall load bearing brick façade which
19 is why we're showing (indiscernible) bond and the articulation
20 of the reglet around the proportion of each of the panels.

21 COMMISSIONER MAY: Okay. Well, that's helpful to know.
22 I was just trying to understand, because it -- you're saying it's
23 a reglet everywhere except for?

24 MS. SELLDORF: I think a reglet is a good term for the
25 time being as we are working out what the constructional details

1 are with the manufacturer. It is not -- it's something real and
2 readable. In fact, it was a very interesting thing for us as we
3 were working on the renderings that we realized if you step back
4 too far you couldn't see it anymore. No, it's there because it
5 is a graphic way of bringing home a different kind of construction
6 technique and a better reading of initially the proportion and
7 material that belongs in this neighborhood. To your comment
8 about the light brick, I very much appreciate that you say that
9 because I walk around town and look at light colored brick when
10 it's the wrong brick, it doesn't look good after a while. So
11 what we have in mind specifically is actually something that has
12 a kind of substan- -- well, I was going to say substantive, but
13 that's of course all materials are substantive. I'm thinking
14 more something of a kind of a limestone colored, Oliver mentioned
15 that earlier. So that it has both a range of colors in it, but
16 also a sort of sandy and warm tone to it, as opposed to 1960s
17 brick buildings that look all the same, if that makes any
18 difference.

19 COMMISSIONER MAY: Yeah, I mean, I think the concern
20 is that if there's -- because of pollution and rain water washing
21 over the building --

22 MS. SELLDORF: Do we still have pollution?

23 COMMISSIONER MAY: Yeah, unfortunately.

24 MS. SELLDORF: No, I mean, I think that your point is
25 very well taken obviously and it's something that we've thought

1 about a great deal, but it has to be said that air pollution is
2 a lot less strong than it was. I mean, if you look at cities
3 like London, there was a time when all buildings were black.
4 That's no longer the case.

5 COMMISSIONER MAY: Right. And yes, I understand that.
6 And it's not as bad a problem perhaps as it was 50 years ago. It
7 was never as bad a problem in Washington as it was in London --

8 MS. SELLDORF: Or in New York for that matter.

9 COMMISSIONER MAY: But the lack of -- you know, the
10 lack of industry that occurred in many other cities, I mean, we
11 didn't, just didn't, have much manufacturing. I think we had,
12 you know, like breweries and that was about it.

13 MS. SELLDORF: Yeah.

14 COMMISSIONER MAY: The -- no, but there's -- I mean,
15 there's still an issue with it, how the water flows on the
16 building and it's not that the building could get dirty, it's
17 that it would get dirty in an uneven way. And so that's the --
18 it's -- it really does have to do with, you know, how the water
19 comes off the windowsills and things like that.

20 MS. SELLDORF: Yeah, I appreciate that, and I think
21 that is something that we really need to look at very carefully
22 in terms of whether we can achieve some kind of sealant that is
23 applied to the finished panel. That'll be something that we look
24 at a lot more carefully in the lock up phase, which can't wait.

25 COMMISSIONER MAY: Right.

1 MS. SELLDORF: To get to that part.

2 COMMISSIONER MAY: Right. So back to the reglet, for
3 lack of a better term, it's going to be a thing, it's not just
4 going to be a silicone?

5 MS. SELLDORF: It's a thing.

6 COMMISSIONER MAY: It's a thing. And so it might be
7 metal or --

8 MS. SELLDORF: That's right.

9 COMMISSIONER MAY: -- some type of -- yeah. So what
10 is the dimension of it, how much of it is going to be showing on
11 the face?

12 MS. SELLDORF: I'd say it'd have to be in the
13 neighborhood of half an inch in order to be readable.

14 COMMISSIONER MAY: Right.

15 MS. SELLDORF: You want it to be -- it's a drawing,
16 right? It's a (indiscernible), it's not a mass. And so I think
17 it has to be thin enough to be a drawing, but thick enough to be
18 visible from a distance. And that is why the visual contrast
19 between the dark reglets and the lighter colored brick is so
20 important. It's a little bit like the, you know, there's --
21 maybe -- no, forget it, I was going to compare it with something
22 then you would think it's comparing apples and oranges, so I
23 won't go there.

24 COMMISSIONER MAY: No, well, I mean, you're saying the
25 things that I'm wanting to know, right, because it's -- it is

1 something that if it's not done right, it's -- it either is not
2 visible at all or where it is visible it looks like a mistake.

3 MS. SELLDORF: Yeah, yeah, I understand your questions.
4 I think they are helpful questions and they're not unfamiliar to
5 me because we usually sail close to the wind where if you don't
6 have your sails tucked in just so, you lose speed, and you can't
7 get it there. I fully understand that. It's everything -- every
8 single decision contributes to a (indiscernible), and we've spent
9 a great deal of time really thinking about the proportions,
10 especially on the north side where we have such a long facade,
11 which is why from the previous presentation we changed the color
12 of the bridge elements to being much, much lighter color, so that
13 it really focused on the proportion of the (indiscernible) and
14 that the urban quality that the building has from afar takes away
15 from the big mass that is the nature of the site.

16 COMMISSIONER MAY: Right. I did notice the change in
17 the color of that, of the sections with the inset balconies from
18 the previous version, so. And I think that was the right move.
19 It would have been too stark without it. I think some of the
20 other moves like the, you know, the two-column spacing, it's --
21 again, I don't -- it doesn't really show up in the drawings that
22 we've seen. But I think that if you're walking down Penn Street,
23 it's going to be more apparent because you'll be able to see it
24 from an angle. Seeing it, you know, from 6th Street, you're
25 going to be looking at it head on and you're not necessarily

1 going to notice the sort of in and out of the different levels
2 of balconies. But it will be very apparent on 6th -- I mean, on
3 Penn.

4 MS. SELLDORF: Sorry, in the renderings the railings
5 read more prominently than I think they really will be.

6 COMMISSIONER MAY: Yeah.

7 MS. SELLDORF: Much of our thinking was really focused
8 on the layering of the solid lines to the lighter portion of the
9 building and to even within that, what Oliver referred to as the
10 bridge elements, focused very much on the distance between the
11 columns and the relationship to the tall reading of every other
12 floor.

13 COMMISSIONER MAY: Right. Right.

14 MS. SELLDORF: And I appreciate that renderings can
15 only deliver so much.

16 COMMISSIONER MAY: Right. Okay. So I have one question
17 that's really a plan question, which is just basically I don't
18 really understand where the residential bike parking is. And I'm
19 wondering if that -- if you can point me to that in the plans?
20 I mean, it's referred to as the mezzanine level and there's an
21 access point from 6th Street at street level, but where is it
22 actually physically located, does it show up in the plans, did I
23 just miss it somewhere?

24 MS. USHIO: Sure, it does. We've included the
25 (indiscernible) below grade plans in the appendix.

1 COMMISSIONER MAY: Okay. So it's below grade -- it's
2 in the mezzanine below the first level?

3 MS. USHIO: It's the first floor below the entry point,
4 so the mezzanine below. I can --

5 MR. FERRIS: If you could pull up the plan, it's page
6 9 of the appendix, which I believe is page -- pardon me, page 83
7 of the PDF.

8 COMMISSIONER MAY: Ah, okay. Got it. All right.
9 That's what I needed. And that's all mezzanine above the first
10 level parking?

11 MS. USHIO: Correct. There's a -- I believe it's in
12 the (indiscernible) change, there's (indiscernible) in that level
13 of mezzanine.

14 COMMISSIONER MAY: And it's accessed from the street
15 with a (indiscernible) along the side stair, side of the stair,
16 right?

17 MS. USHIO: Yes, correct.

18 COMMISSIONER MAY: All right. Okay. So I had a
19 question about the curb extension on 6th that was shown in the
20 graphic report, at 6th and Penn, and that -- I mean, can we bring
21 up that slide? I'm sorry I'm bouncing you around. Yeah, it was
22 Slide --

23 MR. FERRIS: Should be Slide 72.

24 COMMISSIONER MAY: Yeah, 72, there you go. So I have
25 two questions. One is that -- I mean, the implication here is

1 that the curb is going to be bumped out into 6th Street and all
2 the way down the street; is that right? Do I understand that
3 -- for the length of the block it's going to -- the road's going
4 to go on a diet?

5 MR. SOLOMON: So you're talking specifically about 6th
6 Street? Yes --

7 COMMISSIONER MAY: Yes.

8 MR. SOLOMON: -- 6th Street is being narrowed between
9 Penn all the way to Florida, but the plans to Morse, I would say,
10 are more set. And that was as part of the overall Gallaudet-6th
11 Street (indiscernible).

12 COMMISSIONER MAY: Okay. And on the very corner, that's
13 the gateway moment, whatever it is. And there'll be a -- some
14 sort of artwork there. I am a little concerned, given that
15 straight shot, people coming down Brent Park -- Brentwood Parkway
16 have, about the possibility of an (indiscernible) driver going
17 in at that corner. Have you thought about that, and what about
18 placement of planters or other things that might block a vehicle
19 from hitting the artwork or worse, hitting people?

20 MR. SOLOMON: So very much so. This was a request that
21 DDOT made in their staff report. So we were just quickly pulling
22 together a concept, so we had a general idea of what this
23 improvement would possibly leave. This will have a lot more
24 engineering work that needs to be done in terms of alignment of
25 travel lanes, understanding safety across the intersection, a lot

1 more design is going to go into this at later stages of the
2 project itself.

3 COMMISSIONER MAY: Okay. Yeah, I would just look at
4 that carefully. We've had problems with some of the parks
5 downtown, with vehicles coming -- like a vehicle coming straight
6 down Connecticut Avenue and then going into one of the squares
7 there. And in fact, somebody was killed when that happened when,
8 right, it was just a drunk driver who drove right into the park.
9 So I would be very concerned about that. And that's -- I mean,
10 it's a landscape design question. So I don't know that we
11 necessarily are going to resolve it in the -- our process, but
12 that's something that I think does need to be looked at because
13 I've been down this road thousands of times and I know how quickly
14 people can travel coming downhill on Brentwood, so.

15 Last question, I would just note that on some of the
16 drawings, and this is a very minor point, but it looks like cars
17 are parked along 6th Street heading northbound, so alongside your
18 project, so somebody just like didn't do a 180 on the cars and
19 it looks like, you know, it implies that 6th Street would become
20 a one-way street, which it's not, it's not going to become a one-
21 way street, but the drawings kind of show it that way with the
22 way the cars are parked. I don't know if it's a landscape drawing
23 or the architectural drawings, it just -- I saw it in several
24 places, even in the street sections it was showing a car in the
25 wrong direction, so. It's a minor, minor thing, just a drawing

1 thing. Okay. That's it. Thank you.

2 CHAIRPERSON HOOD: All right. Thank you.

3 Commissioner Imamura?

4 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. It's
5 always a luxury to go behind Commissioner May's comments, so
6 thank you, Commissioner May. You know, recognize that there's
7 this heightened conversation around the surface conditions and
8 something that Commissioner May often comments about, I would
9 say, during his day job, he manages, you know, some of the
10 nation's most important monuments and memorials that have long
11 experienced sort of these surface conditions that he expresses
12 some concern about. And I share those concerns as well. But I
13 would like to go back to the comment that Commissioner May had
14 made, so Ms. Saclarides, this might be a question for you.
15 Certainly there's been some refinements from stage one to stage
16 two. So there's a delta there. And so I kind of like -- I'm
17 curious what that delta is and why -- what is the bar, what is
18 preventing us from, say, I guess making sort of an amenable
19 agreement with OP and their requests for some additional
20 affordable housing, say even 1 or 2 percent or whatever that
21 might be, what is that delta and what's the barrier there that
22 we can't -- that threshold that we just can't meet?

23 MS. SACLARIDES: I believe just in general the balance
24 of the requested density and flexibility against a greater
25 proffer package and that comes down to economics in terms of

1 certainty in putting together a development over time with an
2 approval of stage -- of the stage one from a district.

3 COMMISSIONER IMAMURA: So I recognize there's a formula
4 to all this to make it work, to make it profitable, proffer and
5 benefit -- you know, balance the proffers. Is there anything in
6 the record that demonstrates sort of that arithmetic?

7 MS. SACLARIDES: No, but I do think the record
8 establishes what a modification is and what is granted and
9 considered certainty of a stage one approval. And Lawrence might
10 be better at explaining the legal barriers there. But to my
11 understanding, we're not requesting any modifications or
12 increased flexibility. And so with that certainty of our
13 business, we -- that's how we are moving forward with the stage
14 two.

15 COMMISSIONER IMAMURA: I appreciate your thoughtful
16 response. I remain unconvinced and I'm uncertain why we can't
17 reach, short of this agreement with OP, whether it's an additional
18 2 percent and what does that mean exactly, right? Because I
19 don't see any numbers in front of me that say ah, that makes
20 sense. Right? What we're talking about are additional 10, 15
21 units. Right? Get it. But right now, it's just all sort of
22 conjecture. And so it would be helpful to kind of articulate
23 that in maybe some, you know, formula or some arithmetic to say
24 this is what the difference is, this is the delta and this is
25 why it doesn't work, or this is where we can, you know, provide

1 -- meet maybe halfway, right? So that would be great.

2 In terms of -- those are all the questions that I have
3 for you, Ms. Saclarides, so you can rest easy. Nothing on the
4 hotseat there. In terms of the architecture, I think there's
5 certainly a vocabulary. Appreciate the explanation of the three
6 window wide bay, that seems very evident to me. All the examples
7 though that you all showed were from New York. D.C. certainly
8 has kind of -- I don't know if there's a -- I guess you could
9 say a regionalism to D.C., but I see the New York sort of
10 expression brought here. It's very clean. You know, I think
11 it's not offensive, and I mean that in a positive way. I would
12 say though that the image on Penn Street -- the perspective Penn
13 Street, N.E. and 5th Street seems -- I don't know, there's
14 something about that that just seems flat to me. I don't think
15 that there's anything that architecturally in terms of another
16 gesture to make there, but it's just, I don't know, something
17 about it seems a bit flat to me. I think where the success of
18 the project is is at the street level and pedestrian scale. For
19 this particular project, the entry plaza and how you navigated
20 the great change I think was successful. And the use of a terrace
21 garden roofs that you describe I thought was pretty successful.
22 I'm not quite certain or convinced either that the landscape
23 design matches the architectural vocabulary in a way, and maybe
24 that was intentional. But I am curious, there is 5,000 square
25 feet, at least at the entry plaza, saw a lot of stone pavers,

1 and I think, Ms. Meckley, you had mentioned at least on the green
2 perimeter at the penthouse contributes to the stormwater
3 management. I'm certain that surely the entry plaza, the terrace
4 garden, and the sunken garden, which I think has tremendous
5 potential, also contribute to stormwater management and wanted
6 to ask if you could talk a little bit about that, what your role
7 was in helping put that strategy together, or was that all just
8 kind of given to the civil engineer?

9 MS. MECKLEY: Oh, no, that's definitely a collaboration
10 between ourselves, the civil engineer, and the architects. You
11 know, I think that the larger driving concepts at the beginning
12 of the package came with Selldorf, and then we worked together
13 with them to bring some life to those spaces and to articulate
14 the design more specifically. And then we do extensive work with
15 the planting palettes. We have a horticulturalist on staff who
16 helps us to develop those regionally appropriate, resilient
17 planting palettes. We're also drawing on the guidelines at the
18 -- the Union Market Street guidelines have some specific trees
19 that they recommend, the District has very specific palettes that
20 we also reference and pulling that that list together. So very
21 collaborative and definitely we had a big hand in that piece of
22 it.

23 COMMISSIONER IMAMURA: Terrific. I'm glad to hear
24 that, Ms. Meckley. And if you could just speak to one thing.
25 You know, oftentimes we see sort of these lush dense plantings,

1 which is great for the renderings, really appreciate the firm
2 putting together the photorealistic renderings. We don't always
3 get those, but those are, you know, very helpful for the public.
4 But what we don't see is sort of the seasonal change for the
5 landscape and what that -- those pedestrian plazas are like,
6 particularly in the winter and what that looks like.

7 MS. MECKLEY: Yeah.

8 COMMISSIONER IMAMURA: I don't know if you could just
9 speak to that a little bit about what your thoughts are and how
10 these spaces will change seasonally as well as their use?

11 MS. MECKLEY: Yeah, I mean, that is definitely a
12 consideration, something that's always a priority when we create
13 a plant list. So we will look for a structure, berries and
14 evergreens, to bring that interest in the winter months to make
15 sure that the landscape's not flat or barren. And that is from
16 the streetscape up to the rooftops. You know, we'll include
17 junipers, some like low ground covers that are evergreen, sorry
18 I had one in mind and it slipped my tongue, but definitely then
19 grasses that provide structure. And in the larger structural
20 plantings, berries that give color throughout that winter season.
21 And then we look at our bloom schedules pretty carefully too, so
22 that the -- that everything is not blooming at one time. I don't
23 know if you're familiar with plants, a lot of them tend to bloom
24 in the spring, so you have to work pretty hard to make sure that
25 you have blooms through the summer, which is pretty hot and dry,

1 a tough time to get things to bloom and then into the fall.

2 COMMISSIONER IMAMURA: Terrific. Thank you. I am very
3 familiar with plantings and so I appreciate that explanation.

4 MS. MECKLEY: Yeah.

5 COMMISSIONER IMAMURA: So thank you, Ms. Meckley.

6 MS. MECKLEY: Of course.

7 COMMISSIONER IMAMURA: And I think the landscape
8 design, it's one of the strengths of this project.
9 Architecturally, I understand, Ms. Selldorf, that the techtonics
10 are still evolving and as you all sort of make your refinements.
11 But I think that overall I find sort of the shape grammars and
12 architectural vocabulary I think are sufficient and I think
13 suitable for the neighborhood. So I appreciate -- I know this
14 is a pretty complex project. Certainly know that the level of
15 detail required to be successful that you'll follow through and
16 finish this off in a good way.

17 So with that, Mr. Chairman, I yield back.

18 CHAIRPERSON HOOD: All right. Thank you.

19 Vice Chair Miller?

20 VICE CHAIR MILLER: Thank you, Mr. Chairman. And thank
21 you, Mr. Ferris and Ms. Saclarides and the architectural,
22 landscaping, and transportation teams for your bringing forward
23 this second stage project. And thank you for your outreach to
24 the community and get -- and garnering ANC 5D's support and the
25 design changes that you made in response to previous comments by

1 the Commission and the Office of Planning. And I appreciate the
2 comments and questions of my colleague, Commissioners May and
3 Imamura. I associate myself with their questions on the
4 affordable housing and I'm not sure I'm satisfied with the
5 response that has been provided that -- in response to the Office
6 of Planning and DHCD's, and I think the Commission's maybe
7 previous articulation of a desire that that -- that the affordable
8 housing proffer be increased despite the fact that there are no
9 major modifications since the first stage PUD, but that first
10 stage PUD -- and so you are meeting the requirements of the
11 inclusionary zoning affordable housing requirements as approved
12 in the first stage PUD, providing 10 percent I think at affordable
13 housing, which I think, and correct me if I'm wrong, Mr. Ferris
14 or anybody, I think you're doing 70 percent of those affordable
15 units at the 50 percent MFI level and 30 percent of the square
16 foot -- essential affordable square footage at the 80 percent MFI
17 level. The MFI levels have changed since our original approval,
18 but you were below -- you were below the -- some of the units
19 were below -- some of the affordable housing was below the MFI
20 level and still is I think below MFI level if -- but the Office
21 of Planning and DHCD each have asked that there be a greater set-
22 aside from the filing that was eight years -- it was eight years
23 ago, it was six years ago that we approved the first stage. I
24 guess they've asked for more -- a greater amount, either some
25 greater amount of a set-aside beyond the minimum 10 percent plus

1 the small amount that's 50 percent MFI that's triggered by the
2 penthouse habitable space, which is good that that has been
3 triggered, but they've asked for a greater -- either a greater
4 amount or more two-bedrooms or just something more. And I would
5 like to see something more as well. It's a large -- it's a very
6 large project. I think there's a statement somewhere in the
7 Applicant's response, I don't have it right in front of me, but
8 I think that the -- that the mar- -- your own market studies did
9 not show the demand for more two-bedrooms -- two-bedroom units
10 than what you're providing. I think you're providing nine
11 affordable two-bedroom units. You're providing 75, I think,
12 market rate two-bedroom units of the -- a total 647 units that
13 are in this large project. But I think there was a statement
14 that you'd saw that there wasn't a demand for more two-bedroom
15 affordable units. I'm not sure we have that in the record. Do
16 we have that in the record? I don't want to see a huge market
17 study, but do we have a summary of that or a reference, a specific
18 reference, to a specific market study that shows that there aren't
19 more demand than 9 two-bedroom affordable units out of a 647-
20 unit building in this location?

21 MR. FERRIS: Commissioner Miller, We do not have a
22 study in the record at this point. We'd be happy to supplement
23 the record with something on that issue. Obviously, we did touch
24 on it in our prehearing submission, but we do not have a study
25 per se in the record, but we could provide some information in a

1 post-hearing submission should the Commission like to see that.

2 VICE CHAIR MILLER: I think I'd like to see it, but
3 I'll see if my colleagues are prepared to go forward without
4 that. But I think I would like to -- I think it's your own
5 submission that referenced a market study. And so I just wanted
6 to see what that was actually saying so I understood it a little
7 better than just a conclusionary statement that the market would
8 not support more than 9 affordable two-bedroom units out of a
9 647-unit project being proposed. So I personally would like to
10 see it. If some of my colleagues would too, we'll see. I guess
11 I don't really have any other questions. I like the bridge. I
12 guess I like the design of the bridge building, but I really
13 don't -- I use an expression that my architectural colleagues
14 have used previously when they've looked at project. I'm
15 underwhelmed by the rest of the design. I understand the
16 simplicity of it, but it just doesn't look very residential to
17 me. It looks pretty, I don't know, it just -- it just looks --
18 all those punched out windows over and over and over again without
19 any articulation going on anywhere or setbacks or stepdowns or,
20 I don't know, it's just all kind of gets right in your face and
21 it just doesn't look personally like a place I'd want to move
22 into, which I always kind of view what I want to -- when I'm
23 looking at these projects, especially when I'm looking to
24 downsize from where I am. But I'm not looking for you to make
25 it more preferable to me. But I just -- that's just a comment I

1 have, a nonarchitectural comment on the design. And I understand
2 the context and the precedence and the -- I think I understand
3 the cleanness of that architectural design that's being proposed,
4 but it's a lot of punched out flat windows that are just looking
5 at us when I'm looking at these renderings. So I guess I'm not
6 -- if you want to make a comment in response to that or maybe
7 one of my architectural colleagues wants to educate me a little
8 bit about why I'm not appreciating that as much as I should be,
9 feel free to do that. But that was just my only comment and my
10 question, which you've offered to provide some additional
11 information, and if my colleagues are interested in that. If
12 they're not enjoining me in that request, fine. If not, fine,
13 we'll see, so. But thank you for coming forward and we'll see
14 what others have to say.

15 CHAIRPERSON HOOD: Okay. I would -- first of all,
16 thank you, Vice Chair.

17 And I would suggest that the Vice Chair ask for -- what
18 he asked for I would suggest you just do it because you want to
19 try to give all of us, whether the rest of us want it or not, I
20 believe one person makes a difference and they help to get a
21 better decision in any case. I think if they ask for something,
22 I think you should do it. I've always felt that way and I would
23 encourage you all to do that. I'd probably want to see it as
24 well, so I echo that.

25 Let me go to the public art, just a couple of clarifying

1 questions. The public art that's in Penn, I know DDOT has
2 whatever their process is, but is the ANC also involved in that
3 process?

4 MR. FERRIS: So the public space application that will
5 address the public or the gateway element, that will go to the
6 ANC as part of the public space review process.

7 CHAIRPERSON HOOD: Okay. All right. Thank you.

8 And again, my colleagues have already expounded on the
9 affordable housing. For me, it's a nonstarter. I know you all
10 have heard this before, I know you all have met your requirements.
11 But then as I've listened to it and I thought about this and
12 reading the comments, I know that we dealt with this -- did we
13 ever give an extension, Mr. Ferris? And help me with this, I'm
14 trying -- first of all, when did we start with this case, was it
15 2015 or '17?

16 MR. FERRIS: The Commission heard -- the case was filed
17 in 2015 and approved in 2017. There was no extension granted.
18 There was significant delay for this project due to an appeal
19 that was filed with the first stage approval that we obviously
20 had to wait for that appeal to play out. Obviously, the Court
21 of Appeals approved the first stage approval. Honestly, there
22 was a great deal of risk entailed in going through the first
23 stage process alone, as you can understand. But that is what's
24 generally behind the timeline for this project, including that
25 it's just a large project. So we obviously processed the

1 applications, the second stage applications, for the other
2 parcels last year. And that's not atypical for a project of this
3 size that involves multiple parcels.

4 CHAIRPERSON HOOD: So the Commission -- I know they
5 took more than (indiscernible) -- so the Commission while it was
6 in court didn't do anything for six, five, six, seven years?

7 MR. FERRIS: No, the approval was tolled during the
8 appeal period while a project is under appeal. Yeah, the
9 validating period is tolled.

10 CHAIRPERSON HOOD: Okay. All right. I don't recall,
11 got so many cases. I thought that -- I don't remember this
12 particular case anyway. I do remember the case, the magnitude
13 of it. But I can tell you that things have changed, our
14 requirements have changed. The first thing I thought was okay,
15 if we approved an extension on this, why did we do this and this
16 is -- I wanted to look at all the extensions. But anyway, I join
17 with the Office of Planning, I join with the everybody else about
18 this affordable housing proffer. The re- -- and as far as what
19 was -- what we approved I don't think was ever really that
20 affordable to some anyway. So we already gave that piece to try
21 to get aff- -- what some people may call affordable housing and
22 some people don't call affordable housing. So I am very concerned
23 that we're not even looking into the Office of Planning's request.
24 Did the ANC say anything about the affordable housing component
25 when you went back to them to get their letter of support that

1 came in I think today?

2 MR. FERRIS: There was one member when we presented in
3 January that raised that issue very briefly. Obviously, there
4 were some turnover with the ANC, but there was not a great deal
5 of discussion on that topic.

6 CHAIRPERSON HOOD: So there was one member that -- did
7 that -- is that member still with the ANC?

8 MR. FERRIS: They are.

9 CHAIRPERSON HOOD: Okay. I think I'm probably know
10 -- lot of ANC commissioners don't really understand and they're
11 learning and I appreciate the work that they do, but I think that
12 -- I'm hoping that that was at least impressed upon them, and at
13 least mentioned to them about this whole scenario of the
14 affordable housing. Was it, Mr. Ferris, or whoever went out to
15 the ANC, was that mentioned or was that not mentioned?

16 MR. FERRIS: I'm sorry. Was the affordable housing
17 proffer mentioned?

18 CHAIRPERSON HOOD: What the issue is here with the
19 Office of Planning, was that mentioned to the community or not
20 mentioned?

21 MR. FERRIS: The complete benefits package, including
22 our exact IZ proffer, was first and foremost part of our
23 presentations to the ANC every time we met with them. That was
24 how we started each conversation was reviewing what the benefits
25 were for the project, the primary one being the IZ proffer.

1 CHAIRPERSON HOOD: Let me help with my question, and I
2 know the ANC and community groups because I'm part of the
3 community, that's where I come from. They would not know to ask
4 this question. I know I wouldn't if I was just -- if I had not
5 been doing this for years. Was the Office of Planning's issue
6 mentioned to them or was it not?

7 MR. FERRIS: I don't think we discussed the Office of
8 Planning's reports or positions with the ANC.

9 CHAIRPERSON HOOD: Okay. Okay. All right. And I
10 noticed that one of my colleagues mentioned about a lot of --
11 seeing, I guess, a financial analysis. And I just want to see
12 true -- and I just want to see true facts, I want us to get to
13 where we need to be. I can plug in any kind of numbers in any
14 form and then come up with any equation, so I'm not saying --
15 you know, if that's what that commissioner asked for, that's
16 great. But I know we can always make things to where we want
17 them to fit. I'm just perplexed by this, and especially with
18 this proffer. I want to also encourage you to go back and relook
19 it, especially when it comes to Parcel 4. Mr. Ferris, if you
20 can point me to where did a racial equity analysis just on Parcel
21 4. If you could direct me to that or tell me where it is. If
22 not, I would like you to provide it, do another analysis on Parcel
23 4. You're on mute. You're on mute. Maybe you're saying some
24 things I don't want to hear.

25 MR. FERRIS: No, apologies. Our racial equity analysis

1 is at Exhibit 19C.

2 CHAIRPERSON HOOD: Okay. I have a note for some reason
3 -- maybe I saw that -- I have a note for us to reevaluate that.
4 I'm asking you to go back and look at that, but I will look at
5 -- what is -- where is that again?

6 MR. FERRIS: Exhibit 19C.

7 CHAIRPERSON HOOD: Okay. I think I saw that, 19C, I'll
8 look at it again. Can you tell me about the job fairs?

9 MR. FERRIS: The proffer to provide job fairs?

10 CHAIRPERSON HOOD: Yeah, tell me about how all that's
11 going to work. I want to hear that for the record. How are the
12 job fairs going to work? How is that -- walk me through how that
13 whole process is going to work. If you're not the appropriate
14 person, direct me to the person who can tell me.

15 MR. FERRIS: Can we get a clarification? I don't
16 believe there's any public benefit for job fairs.

17 CHAIRPERSON HOOD: Didn't y'all -- didn't you proffer
18 a job fair? Maybe I'm -- am I looking at the wrong -- my wrong
19 notes, first source agreement, did you have a first source
20 agreement?

21 MR. FERRIS: Oh. There is a first source agreement,
22 and that was already executed. We also committed to -- JBG Smith
23 committed to hiring interns and employees from Gallaudet
24 University from their student body.

25 CHAIRPERSON HOOD: Okay.

1 MR. FERRIS: And there's also a commitment to provide
2 community events. And that might -- there was a comment in the
3 Office of Planning report earlier in the record that mentioned
4 job fairs, but I think that was conflated with one of the other
5 conditions.

6 CHAIRPERSON HOOD: Okay. So you didn't have job fairs;
7 I just wanted an explanation. This was actually flagged to me
8 by my counsel on Parcel 4. So you all did not have a job fair.
9 You're talking about employment and training opportunities. So
10 here's what I -- do we have an update on what you did for Parcels
11 1 -- what you're doing or in the process of 1 and 3 as far as
12 the first source agreement?

13 MR. FERRIS: So the first source agreement has been
14 executed --

15 CHAIRPERSON HOOD: Okay.

16 MR. FERRIS: -- and that was uploaded to the case record
17 for the last application we filed for 1524B. I don't think --
18 believe we uploaded it separately for this application because
19 it had already been executed and filed with Commission under that
20 separate case. But we do have that and are happy to provide it.

21 CHAIRPERSON HOOD: So I want to ask for -- I need to
22 see the track record. What's going on with that? I need to see
23 a update on the -- on your execution. I mean, is more to me than
24 just signing. I need an update status of where we are, unless
25 you can tell me where it is because I didn't see it.

1 MS. SACLARIDES: So the first source agreement really
2 applies when you're under construction.

3 CHAIRPERSON HOOD: Right.

4 MS. SACLARIDES: We have not broken ground yet on the
5 first two parcels. We just received that on a billable approval
6 this past summer and we're in for permits now. So it's executed.
7 Our plan won't -- we won't have any updates until we actually
8 break ground, hire a GC, and can implement that program. But we
9 have already started hiring Gallaudet interns. We've already
10 employed two and we have four starting this summer, which has
11 been really rewarding and we got to have one in the design
12 meetings for this parcel actually, which was really great for us.
13 But in terms of first source, that process won't start until we
14 break ground on the first phase.

15 CHAIRPERSON HOOD: Okay. Well, thank you. I'm actually
16 sorry to hear that, and I'll tell you why. In 1998, one of the
17 things I mentioned when Chairman Crock (phonetic) was in office
18 was that we need to start putting -- when she was the chair, I
19 think she was the chair, you can correct me, Vice Chair Miller,
20 I think she was the chair around '98 when this first -- first
21 source started coming up and I started pushing and then my other
22 colleagues on the Commission was that well, we need to start
23 making sure that the pool and the pipeline -- we found out there
24 was only 3 percent at already -- while I understand y'all just
25 came out of the -- out of your court and tolling the time, I get

1 it, believe me. But I also know at that time our pool was only
2 3 percent of qualified people who could get some of -- ascertain
3 some of this first source. So what I would suggest, Ms. -- how
4 do you pronounce your name, [Suh-CLAR-uh-dees]??

5 MS. SACLARIDES: [SAC-luh-reedus].

6 CHAIRPERSON HOOD: [SAC-luh-reedus], I'm sorry, Ms.
7 Saclarides. I appreciate your comment, but let me make a
8 suggestion that we start looking at that pool now and making sure
9 that people are ready that we have a -- that they need to be
10 getting ready now, so when we're ready -- so we get to the point
11 where we're ready to get a GC, and guess what, here we are again
12 with no qualified residents who can fill the positions. Let's
13 start getting that out there now so they can get trained. And
14 I've always -- this is not the first case I've said that. So
15 let's get them out there and let's start early so we get to that
16 point again, we won't come back with a 3 percent value and 3
17 percent rate of how many people we're able to get from the
18 District of Columbia. So is that -- can we agree to that, at
19 least that?

20 MS. SACLARIDES: Yeah, I hear you. And I think that'll
21 be -- yes, there is a period after you award to a contractor
22 before you start construction that we can work to front load all
23 of that outreach, especially -- I mean, because construction will
24 -- I mean, it's a two- to three-year long process. But yeah, I
25 hear you loud and clear.

1 CHAIRPERSON HOOD: Okay. Thank you.

2 I don't have anything else, but I will reiterate I'm
3 having some troubles, I don't know whether everyone is, but I'm
4 having some troublers and I understand, as I already stated, you
5 meet the requirement, but that requirement started a while back,
6 and it's not fault of yours, you had to go to court, toll the
7 time, but, you know, I get it. I get it. But also -- but I also
8 get -- I also hear the residents in this city and I also hear
9 some of the neighbors in the neighborhood and probably one of the
10 ANC commissioners as well, I hear it, I get it. I get it all
11 the time. So I would just encourage us to let's go back, let's
12 think about it, it's not a hard fast rule, and I know that we
13 can give, and I know the numbers work, and I know we can do it,
14 so I'll leave it at that.

15 I don't have any o- -- hold on let me see.

16 Mr. Ritting, you turned your camera on. I know some
17 of the things that you have tried to mention, are you satisfy-
18 -- you mentioned in one of the -- you turned your camera on, so
19 let me find a way --

20 MR. RITTING: It was an accident, Commissioner Hood, I
21 apologize. The one thing that might be clarifying is that your
22 question's related to the job fair, we brought them -- we
23 highlighted them because they were in the OP report. There was
24 a question about the job fairs in the OP report. So if that
25 helps the Applicant.

1 CHAIRPERSON HOOD: So we know that that is not germane,
2 obviously, from what the way I took it. So anyway, yeah, I did
3 raise that question because it was noted to raise.

4 All right. I believe some other stuff we can work out
5 as we go along. And again -- and we started this in 2015. And
6 it's been in court, I don't know how many years, but anyway. Let
7 me have a little further second round, I don't have any additional
8 questions.

9 Commissioner Imamura?

10 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I'm
11 not sure that it's actually a question, but more of a summary
12 statement. So Mr. Link, it appears that Ms. Selldorf and Ms.
13 Ushio turned off their camera, but this might be for them as
14 well. The comment that Vice Chair Miller had made I think can
15 be simply to be summed up as a simple punch card façade. I think
16 there's some general themes here tonight, and you can hear -- see
17 that that's one of the heartburns, I think, is sort of this punch
18 card façade with sort of austere, flat, and I think it's just
19 looking for maybe some more articulation of the facade perhaps,
20 but. So for Vice Chair Miller and others, I think that's probably
21 where I lean as well. And it's -- you know, perhaps there's a
22 something a little bit more behind that punch card facade. And
23 I think you all had talked about these punch windows. And I
24 think that's probably what really kind of is part of the genesis
25 of that term for this particular project is the punch card facade.

1 I know, you know, that was pretty popular in the '70s and '80s
2 and somehow I think it's just fitting in in the context, so
3 there's something just not -- something missing about it. So
4 that's all. Thank you, Mr. Chairman.

5 CHAIRPERSON HOOD: Thank you.

6 Any further second round?

7 All right. Let's go, Ms. Schellin? Ms. Schellin?

8 Okay. Ms. Schellin, do we have anybody here from the ANC?

9 MS. SCHELLIN: To cross-examine?

10 CHAIRPERSON HOOD: Yes.

11 MS. SCHELLIN: Did not see anybody earlier, but let me
12 check.

13 CHAIRPERSON HOOD: I think it's chairman -- young man
14 is a hard worker, I'm very impressed with him. So I'm -- I forgot
15 his last name. Guzman. Yeah, Chairman Guzman.

16 MS. SCHELLIN: Right. No.

17 CHAIRPERSON HOOD: Okay. All right. Let's go -- do
18 we have any -- let's go to other government. Do we have any
19 other government agencies here to testify?

20 MS. SCHELLIN: No, sir.

21 CHAIRPERSON HOOD: Okay. Other than DDOT report. I
22 think I did -- did I see something from DOEE?

23 MS. SCHELLIN: DOEE and DHCD, we've had the OP report.
24 And then we have Mr. Cochran and Mr. Zimmerman here in person to
25 give their reports.

1 CHAIRPERSON HOOD: Okay. Well, let's go to Mr.
2 Zimmerman first. Let's go to DDOT. All right. Mr. Zimmerman,
3 the floor is yours. Good evening.

4 MR. ZIMMERMAN: All right. Good evening, Chairman Hood
5 and members of the Commission. For the record, I'm Aaron
6 Zimmerman, development review program manager with the District
7 Department of Transportation. Overall, DDOT is supportive of the
8 Applicant's proposal for Gallaudet Union Market Parcel 4. In our
9 February 3rd, 2023 report, we recommended approval with a few
10 additional conditions and clarifications. As you heard in Mr.
11 Solomon's presentation, we have come to an agreement with the
12 Applicant on revisions to the transportation conditions.
13 Additionally, in our report we requested the plans be updated to
14 show the retail showers and lockers, to note the number of cargo
15 tandem spaces and electrical outlets in the long-term bike
16 storage parking room. These updates have been made and they're
17 shown on Exhibits 24A1 and 24D1 respectively. So what the --
18 originally -- those conditions in Exhibit 19B and the agreed upon
19 revisions to be included in the zoning order DDOT has no objection
20 to the approval of the second stage PUD application. We look
21 forward to continuing to work with the Applicant as they go
22 through public space permitting. Thank you.

23 CHAIRPERSON HOOD: Thank you, Mr. Zimmerman. And
24 again, I'm not too familiar with -- been a while since I did
25 public space. The ANC is also involved with like the process of

1 the art and everything, correct?

2 MR. ZIMMERMAN: Yes, they would be a reviewer on the
3 public space application and they have an opportunity to present
4 and, you know, ask questions of the Applicant at the public space
5 hearings and contribute throughout the review.

6 CHAIRPERSON HOOD: Okay. All right. Thank you, Mr.
7 Zimmerman.

8 Let's see if we have any other questions.

9 Commissioner May?

10 Commissioner Imamura?

11 COMMISSIONER IMAMURA: I do not.

12 CHAIRPERSON HOOD: Vice Chair Miller?

13 VICE CHAIR MILLER: Thank you. No, Mr. Chairman, no
14 thank you. Thank you for your report.

15 CHAIRPERSON HOOD: Okay.

16 And Ms. Schellin, I don't believe we have -- oh, let
17 me see, Mr. Ferris, do you have any questions of DDOT?

18 MR. FERRIS: No questions.

19 CHAIRPERSON HOOD: Okay. Thank you.

20 And Ms. Schellin, I don't believe we have Chairman
21 Guzman present from the ANC 5D. Just wanted to call.

22 All right. With that, let's go to the Office of
23 Planning, Mr. Cochran.

24 Thank you, Mr. Zimmerman.

25 MR. COCHRAN: Good afternoon, Mr. Chair, and members

1 of the Commission. I'm Steve Cochran, I'm representing OP for
2 this case 15-24C. OP's recommending that you approve the
3 application for a second stage PUD for Parcel 4, the overall PUD
4 15-24. Our recommendation is contingent on the approval of the
5 conditions that were incorporated -- actually, excuse me, what
6 the Applicant incorporated in Exhibit 19B with the following
7 modifications that were included in the OP report. For condition
8 3H, permit the number of residential units to vary by plus or
9 minus 10 percent. And this is what OP added, as long as the IZ
10 square footage is not less than the set-aside requirements in
11 what is currently condition B1B be in the draft order. And then
12 for condition 3M, there shouldn't be any ornamental lighting
13 above the second floor. The Applicant's agreed to both of these
14 conditions, and the specific language for these modifications is
15 included on pages one and two of our report.

16 DDOT will discuss their own conditions. I guess they
17 already did. Sorry, I wrote the testimony thinking that we'd
18 follow the usual order. It looks like DDOT's conditions have
19 been, for the most part, satisfied, and they'll continue to work
20 with the Applicant on the TDM.

21 At set-down, the Commission and OP had several comments
22 and questions, particularly about design and, as you've
23 mentioned, affordable housing. The Applicant's responses are
24 summarized on pages 68 of our report. And by the way, that's
25 also where we note what the Applicant said in response to OP's

1 mistake in reference to job fairs. The Applicant's responses are
2 summarized on pages 68 of our report. And since then, OP's held
3 interagency meetings, as the Applicant noted, in January. We've
4 received comments from DHCD and DOEE. These are both appended
5 and summarized in our final report. And of course, DDOT jut
6 submitted its report and testimony.

7 With the clarifications the Applicant provided, it's
8 clear that the stage two development would be consistent with
9 what the Commission approved at stage one. That's the basic
10 requirement of a stage two PUD, is it consistent with stage one.
11 And then of course there's the review of design and a few other
12 things.

13 At that stage one, it was found that the overall PUD
14 met the purpose and standards of Subtitle X, and that was for
15 Parcels 1, 2, 3, and 4. Of course, this second stage is only
16 for Parcel 4. The second stage changes to what was approved at
17 the first stage include the addition of habitable space in the
18 penthouse, which the zoning regulations permitted only after 2017
19 and which carries an affordable housing component. The decision
20 to eliminate the permitted office space and to decrease retail
21 space in favor of providing more residential units. This type
22 of change was also permitted by the stage one order. The addition
23 of a ground level courtyard off of 5th Street, which, as the
24 Applicant has noted, would provide over 5,000 square feet of
25 publicly accessible open space that wasn't required by the first

1 stage order. The 60,000 some square feet of open space and
2 landscaping that they were to provide for the overall beauty was
3 separate from this additional 5,000 square feet. They've made a
4 commitment to LEED gold version four, and then of course, they've
5 -- to further develop the building plans within the stage one
6 parameters.

7 The Commission did express concern about the design,
8 both at set-down and today. There have been changes that
9 responded to the comments that OP and the Commission made at set-
10 down. These changes made the design more consistent. It
11 strengthened the base and the relationship between the masonry
12 towers at the property line and then the consistenc- -- the
13 contrast rather with the lighter glass and metal balcony sections
14 that are recessed from the property line. So there's a sort of
15 a consistent ABA, A being the masonry at the property line, B
16 being the glass and metal and balconies recessed from the property
17 line, and then an A again at the corners at the right of the
18 property line. The towers have been given a visually stronger
19 basis. There's more definition to the punch window surrounds.
20 There's that clearer beaded definition of the tower corners and
21 there's a more robust cornice. The balcony sections, as has been
22 noted, have a lighter tone. And on the Penn Street frontage,
23 the covering that's atop the top floor balconies, that got
24 removed. So the section now appears to step back from the corner
25 towers consistent with that AB rhythm that I just mentioned.

1 The application asks for no flexibility from zoning
2 requirements, but it does ask for the relatively minor building
3 flexibility that's typically associated with moving from PUD
4 approval to construction. The mixed-use proposal remains not
5 inconsistent with the comprehensive plan. The central employment
6 area element, the Florida Avenue Market small area plan, the Ward
7 5 industrial land transformation study, and with what the first
8 stage PUD order required at the second stage. The PUD would
9 provide public benefits, including extensive and sustainable
10 streetscaping, consistent with the standards for the Florida
11 Avenue Market; the additional open space that wasn't required by
12 the stage one approval; the employment opportunities and the
13 first source agreement; the retail space that's set aside for
14 deaf and hard of hearing communities; possibly the 10,000 square
15 feet of maker space, I say possibly because this might be provided
16 in other buildings of the overall PUD first; the first source
17 agreement, which I mentioned; smart trip cards, not just for the
18 units but for all initial tenants; contribution towards realizing
19 a second entrance for the nearby metro; LEED gold version four;
20 and 2 percent more affordable housing than the zoning regulations
21 require by right and at a deeper affordability level.

22 Now I'm highlighting these public benefits to give
23 context to the Commission's and OP's concern about the affordable
24 housing proposal. When the first stage PUD was approved six
25 years ago, no residential use was permitted by right on the

1 Applicant's industrially zoned site. When the stage one PUD was
2 approved in 2017, IZ required only that 8 percent of the project
3 be affordable and that would be to be reserved at 80 percent of
4 the MFI. The Applicant proffered to reserve at that point 10
5 percent of the units for affordable housing, with 7 percent being
6 at 50 percent MFI and 3 percent at 80 percent MFI. The
7 Applicant's affordable housing proffer was ahead of the curve
8 back when it was approved in 2017. Clearly it's not what would
9 be expected for a PUD that was newly proposed in 2023. However,
10 we're a little bit constrained by finding of fact number 104 in
11 the Commission's 2017 first stage order of 15-24. And that
12 explicitly found that these benefits and amenities, all the ones
13 that were listed there in the first stage of approval, these
14 benefits and amenities, including the affordable housing proffer,
15 shall serve as the benefits and amenities for the second stage
16 applications for each phase. No additional benefits and
17 amenities shall be expected when the second stage applications
18 are processed. OP and DHCD would definitely prefer that the
19 Applicant provide more affordable housing units and possibly
20 deeper levels, and we may have pushed for this even harder than
21 we did, and we did push for it hard, were it not for that condition
22 of the first stage order, and to some extent were the application
23 not consistent generally with the first stage order. So given
24 the significant number and quality of the project's public
25 benefits, the nature of the affordable housing proffer when the

1 first stage was approved and that finding of fact number 104, OP
2 recommends the Commission approve PUD 15-24C with the conditions
3 that I previously noted. That's our report and I'm happy to
4 answer any questions.

5 CHAIRPERSON HOOD: Thank you, Mr. Cochran. So after
6 all that and reading your reports and the pushback on the -- and
7 then looking at our order, findings of fact, are you basically
8 withdrawing the ask or -- the ask is still out there, but where
9 are we with the ask, where is the ask, where is the ask about
10 the affordable, where is that?

11 MR. COCHRAQN: We have asked and we have asked and then
12 we've asked again in a different way. The response has been no.
13 And they have stated that they can't afford it and they've pointed
14 out that condition finding of fact number 104. Of course, we
15 would prefer that they provide more, but we don't feel that we
16 can -- that there's justification to recommend denial of this
17 given that it's a PUD that's consistent with the first stage, it
18 provides a number of benefits, affordable housing, while it is
19 now considered to be the paramount benefit of a planned unit
20 development, it was not necessarily considered that then and the
21 Applicant provided a number of other benefits at the time of
22 first stage approval. So again, while we would absolutely still
23 at this stage ask the Applicant, even plead with the Applicant,
24 to provide more affordable housing, we are still recommending
25 approval of the project because it meets the PUD standards and

1 it's consistent, or at least not inconsistent, with the
2 comprehensive plan.

3 CHAIRPERSON HOOD: Thank you, Mr. Cochran, I appreciate
4 the answer. And I have to agree since -- I was going to push
5 for it, but that should be predictable, it's always been that way
6 in this case, and I know the toll, I was looking for a way, I
7 thought we did an extension. I was like maybe we need to change
8 our rules because I know I didn't like the way we came down. But
9 I'll wait to see what my colleagues have to say on that. But I
10 will tell you that the job fair, even though it was not
11 necessarily the case, I like that idea. When you throw stuff
12 like that, then I can balance some of the other things. But I
13 really like that job -- with it being crucial, I wanted to make
14 sure that happened because that needs to happen in this. And
15 plus the ANC, Chairman Guzman and the ANC supports this project,
16 so we'll see how this goes.

17 Commissioner May, you got any questions or comments?
18 You're on mute, Commissioner May.

19 COMMISSIONER MAY: No, I don't. I appreciate the
20 report. And (audio muted) --

21 CHAIRPERSON HOOD: You're going -- every so often
22 you'll go back on mute.

23 COMMISSIONER MAY: Better now?

24 CHAIRPERSON HOOD: Yeah, I can hear you now, yeah.

25 COMMISSIONER MAY: Yeah, I don't have any questions, I

1 just appreciate the report and the pickle that we're in (audio
2 muted) to inclusionary zoning (audio muted) I also am not a fan
3 of relitigating a stage one at stage two unless there is
4 significant reason (audio muted) approval and we don't have that,
5 so.

6 CHAIRPERSON HOOD: Okay. So I will say this,
7 Commissioner May, every so often I miss a word and maybe it's
8 just me, I don't know if others, but every so often I'm missing
9 a word. I don't know if you want to log off and come back on,
10 but we're almost done I think.

11 Commissioner Imamura?

12 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. My
13 apologies, I loaned Commissioner May my earbuds, so they often
14 go in and out. But I have no other comments. Thank you, Mr.
15 Cochran, for your report.

16 CHAIRPERSON HOOD: Well, Commissioner May, if he loaned
17 you his earbuds, better express them back to him overnight.

18 Vice Chair Miller?

19 VICE CHAIR MILLER: Thank you, Mr. Chairman. And thank
20 you, Mr. Cochran, for your report which I think was very thorough.
21 Thank you.

22 CHAIRPERSON HOOD: Okay.

23 Mr. Ferris, you have any cross, any questions of Office
24 of Planning?

25 MR. FERRIS: No questions. Thank you.

1 CHAIRPERSON HOOD: Okay. If everybody can mute right
2 now except me, you know, some people probably want me to mute
3 too. Okay.

4 VICE CHAIR MILLER: And I do have a question, Mr.
5 Chairman, of Mr. Ferris --

6 CHAIRPERSON HOOD: Go right ahead.

7 VICE CHAIR MILLER: -- at the appropriate time.

8 CHAIRPERSON HOOD: Go right ahead, Vice Chair Miller.

9 VICE CHAIR MILLER: Okay. Mr. -- or anybody on the
10 Applicant's team, just a couple questions. The ANC by the support
11 letter says that nine members were present and they voted five
12 to two to one to support the application, five to two to one,
13 that adds up to eight if I'm doing my arithmetic right, and they
14 say nine members were present. There must be a typo there, I
15 guess. Do you happen to know whether there were only eight
16 members present, was there really some other vote than five to
17 two to one that adds up to night, or was it really just eight
18 members present, do you happen to know? It's not critical for
19 being able to make a decision here today or whenever, but I just
20 -- if you happen to know that, if anybody was there at the ANC
21 meeting and knows what the actual number of people voting and
22 what the vote was to confirm that.

23 MR. FERRIS: I don't know exactly how to explain the
24 arithmetic error. I believe all of the commissioners were
25 participating in that meeting if I recall correctly, there were

1 two votes against one abstention. If there was one member not
2 present, was there? Oh, thank you. What -- oh, I think she
3 rotated off. I'm sorry, we're actually trying to -- because the
4 agency had some turnover, right, Because of the redistricting and
5 elections, we're also trying to figure out if there was a change.
6 But my recollection is that all the commissioners were
7 participating. So I'm not sure exactly what the math error is.

8 VICE CHAIR MILLER: Okay. Well, thank you. The other
9 question is since it got mentioned here and I just don't recall,
10 and again it's not critical to what our decision would be going
11 forward or the timing of our decision, but I was reminded to
12 myself to ask this question when Commissioner May said he wasn't
13 interested in relitigating stage -- the stage one, nor am I,
14 especially since it was litigated apparently. Can you just
15 briefly -- briefly summarize what -- how this case has -- was
16 impacted by that litigation and what the result of that litigation
17 was? I assume that stage one was appealed, our decision, and
18 eventually after a certain period of time, if you can just mention
19 what that period of time was since the 2017 approval where nothing
20 happened because we were waiting for D.C. Court of Appeals to
21 have oral arguments and a decision to be made. I assume it was
22 the usual at least a year and a half, maybe two, maybe more, I
23 don't know. But if you could just say. And did they up -- I
24 assume that they upheld our decision. I should know this. We
25 have a separate record elsewhere what's happened to cases that

1 have been -- our cases that have been appealed. But could you
2 just summarize for me and for the record, the public, what
3 happened with that appeal and how long it delayed this case, this
4 project from -- this parcel from going forward?

5 MR. FERRIS: Correct. So the appeal, I don't know the
6 exact number of months off the top of my head, I would have to
7 check, but I believe the appeal lasted for over two years before
8 the Court of appeals. And the Court of Appeals did affirm the
9 Commission's approval of the first stage. So that delay in the
10 litigation obviously creates a cloud over the development in
11 general, and that typically the response to having a project
12 appealed is that that project is put on ice essentially until the
13 appeal is resolved, because it's not -- for the most part, it's
14 a business decision, but for the most part it's not worth pursuing
15 a project while it's under appeal like that. As you all know,
16 there were a lot of projects under appeal at that time that the
17 Commission had reviewed. So that put all of the project on hold,
18 the entire overall PUD. This was always -- Parcel 4 was going
19 to be one of the later parcels to proceed. And so Parcels 2 and
20 3 proceeded first, and this one followed shortly thereafter. We
21 received the final order for the last approval came last summer.
22 And as you all know, we refiled this application last summer as
23 well. So it's been proceeding forward in short order since the
24 appeal was reversed -- or I guess affirmed. But yeah.

25 VICE CHAIR MILLER: So it was last summer that the

1 appeal was denied or -- and then you filed the second stage for
2 this?

3 MR. FERRIS: Apologies. No, that's -- I've confused
4 things. The appeal lasted over two years, I believe. After the
5 appeal, after the approval was affirmed by the Court of Appeals,
6 we filed the applications for Parcels 2 and 3. The order for
7 that approval came out last summer and we filed this application
8 along the same timeline.

9 VICE CHAIR MILLER: Okay. Thank you for that
10 explanation. That was helpful to me. I don't know if it was
11 helpful to anybody else, but thank you.

12 Thank you, Mr. Chairman.

13 CHAIRPERSON HOOD: And Mr. Ferris, any we can get that
14 ANC letter corrected for the record? I'm sure --

15 MR. FERRIS: I can --

16 CHAIRPERSON HOOD: I'm sorry?

17 MR. FERRIS: Apologies. I can absolutely reach out to
18 the ANC to have the letter corrected.

19 CHAIRPERSON HOOD: Okay. Great. Thank you.

20 Ms. Schellin, do we have anybody who would like to
21 testify in support, opposition, or undeclared?

22 MS. SCHELLIN: There is no one signed up at all in any
23 of the categories.

24 CHAIRPERSON HOOD: Okay.

25 So with that, Mr. Ferris, you can do rebuttal and

1 closing if you have any rebuttal, you can do your closing.

2 MR. FERRIS: No rebuttal since there were no testimony
3 in opposition.

4 But in closing, I would just reiterate that the
5 application is consistent with the first stage approval, which
6 is what the Commission looks at when a second stage application
7 is filed, is for consistency with the first stage approval.
8 That's the purpose of having two stages to the PUD process. As
9 to -- and for applicants, there is obviously a certain amount of
10 risk that comes with a proceeding in separate stages to have a
11 first stage and a second stage. And part of the trade-off is to
12 provide some predictability as to what will be expected when a
13 second stage application is filed. So I think I would probably
14 leave my remarks at that. And I believe we meet all the
15 requirements for approval of a second stage PUD and believe that
16 the application is ready for approval. We're happy to provide
17 any supplemental information, specifically what the Commission
18 has requested tonight and any other matters the Commission may
19 have. But we do believe that the application is sufficient for
20 approval.

21 CHAIRPERSON HOOD: Thank you, Mr. Ferris, and to the
22 team. We appreciate your presentation to us this evening and
23 answering our questions. But Mr. Ferris, let me just say for
24 the record, I don't remember when you did -- came here -- when
25 you presented in front of us previously, but I want to commend

1 you on how you carried yourself this evening and the job you
2 presented, the way you presented and formulated this case in this
3 matter.

4 So Ms. Schellin, do we have any things that we need or
5 dates and I'll turn it over to you.

6 MS. SCHELLIN: I did not make a list other than I know
7 that Commissioner Miller had asked for something, and I don't
8 recall the other things. But I'm sure that Mr. Ferris kept a
9 list. Of course, this is the second stage, and Mr. Ritting can
10 correct me if I'm wrong, but I believe this is only going to
11 require one vote. Is that correct, Mr. Ritting? Is he still
12 on?

13 MR. RITTING: That's correct, it's a second stage PUD,
14 just one vote.

15 MS. SCHELLIN: Yeah. So it's only going to require one
16 vote, so. I don't recall everything that was asked for, but I
17 think there were a couple of things if I'm not incorrect.

18 CHAIRPERSON HOOD: Okay. Did somebody ask for anything
19 because I don't -- that's why I figured we can't do anything
20 tonight because I'm sure people have asked for stuff.

21 COMMISSIONER MAY: I have not asked for anything. I
22 think the only really substantive request was Vice Chair Miller's
23 request.

24 MS. SCHELLIN: Right.

25 VICE CHAIR MILLER: Yeah, I'd requested that if there

1 was a -- there was some reference in the Applicant's materials,
2 I thought, that the demand for two-bedroom affordable units --
3 that this was meeting the demand, the nine out of the -- the nine
4 two-bedroom affordable units, even though there are multiple
5 numbers of market rate two-bedroom units beyond that. But there
6 was some reference to a market study that said that demand for
7 affordable two-bedrooms, it wasn't there, and if there could just
8 -- if we're not voting tonight and if we're getting the ANC
9 corrected letter, if we can get one, if we're leaving time to
10 get a corrected letter, if there can be something into the record
11 from the Applicant just referencing whatever market study showed
12 that there was not the demand for more two-bedroom units than are
13 already being provided by this project in this location.

14 CHAIRPERSON HOOD: And Commissioner Imamura, I believe,
15 asked for something as well. Okay.

16 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I had
17 asked for what the -- if there were refinements between stage one
18 and stage two and what that delta -- what those were changes were
19 and what would make it difficult to overcome those changes to
20 provide some additional affordable housing. I don't think that
21 -- I don't think that that's something that we need to -- unless
22 anybody else -- any of the other commissioners would like to see
23 that as well, but I think Vice Chair Miller's is probably the
24 more critical.

25 CHAIRPERSON HOOD: Okay. So those are the only two

1 things we -- I think we need, Ms. Schellin. It's going to be a
2 very -- I think a very limited discussion. I think the record
3 speaks for itself. But Ms. Schellin, could you come up with some
4 dates and?

5 MS. SCHELLIN: Sure. Mr. Ferris, how long do you think
6 you need to provide those items?

7 MR. FERRIS: Two weeks, three weeks, something in that
8 line.

9 MS. SCHELLIN: Okay. So we'll shoot for the first
10 meeting in March, if you'd like. And working back from that, if
11 you could provide your information by March -- I'm sorry, by
12 February 27, 3 p.m.? And if the ANC has a response, they would
13 have until March 6th to provide their response and then we could
14 put this on for final action on the March 9th agenda, if that
15 works. If not, we can move it to the second meeting in March.

16 MR. FERRIS: We can absolutely do that.

17 MS. SCHELLIN: Okay. That's what we'll do then. Thank
18 you.

19 CHAIRPERSON HOOD: Okay. Ms. Schellin, anything else?

20 MS. SCHELLIN: No, sir. That's it.

21 CHAIRPERSON HOOD: Okay. First, let me say the Zoning
22 Commission will be meeting again February the 16th, 2023. I
23 believe our case is Zoning Commission Case No. 22-21, it's 2229
24 M Street, LLC, and we'll be on these same platforms. I want to
25 thank everyone for their participation tonight. And with that,

1 this hearing is adjourned. Good night, everyone.

2 (Whereupon the above-entitled meeting was adjourned.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

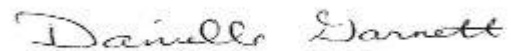
In the matter of: Public Hearing

Before: DCZC

Date: 02-13-2023

Place: Teleconference

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