

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ZONING COMMISSION

VIRTUAL PUBLIC HEARING

VIA WEBEX

MONDAY, APRIL 8, 2024

The Public Hearing of the District of Columbia Zoning Commission convened via videoconference 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
JOSEPH S. IMAMURA, Commissioner
TAMMY STIDHAM, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary
PAUL YOUNG, Data Specialist

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

HILLARY LOVICK, Esquire

This transcript serves as the minutes from the Public Meeting held on April 8, 2024.

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C O N T E N T S

Case No. 23-28

Hill East (HE) Design Review, Parcel B-1
and Parcel B-2 in the Hill East Campus,
Bounded by Burke St., 20th St., 21st St.,
and Independence Ave., SE (Sq. 1112E,
Lots 809 & 815) - Ward 7

9

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 April the 8th, 2024. We're convening and broadcasting this public hearing by video conferencing.

My name is Anthony Hood and I am joined by Vice Chair Miller, and Commissioner Stidham, 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.

And I would ask all others to introduce themselves at the appropriate time. We also have Ms. Hillary Lovick, our Office of Zoning Legal Division counsel. I would ask others to introduce themselves at the appropriate time.

The virtual public hearing notice is available on the Office of Zoning's website and this proceeding is being recorded by a court reporter and 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 signup, all participants will complete

1 the oath or affirmation required by Subtitle Z48.7.

2 Accordingly, all those listening on Webex or by
3 phone will be muted during the hearing and only those who
4 have signed up to participate or testify will be unmuted at
5 the appropriate time.

6 When called, please state your name before
7 providing your testimony. When you are finished speaking,
8 please mute your audio. If you experience difficulty
9 accessing Webex or with your telephone call-in, or have not
10 signed up, then please call our OZ Hotline number at 202-
11 727-0789. Again, 202-727-0789.

12 If you wish to file written testimony or
13 additional supporting documents during the hearing, then
14 please be prepared to describe and discuss it at the time of
15 your testimony.

16 The subject of this evening's hearing is Zoning
17 Commission case number 23-28. This is the Hill East Parcel
18 B, LLC design review and Parcel B1 and Parcel B2 in the Hill
19 East Zone District at Square 112E, Lots 800 and 915,
20 Independence Avenue Southeast.

21 Again, today's date is April the 8th, 2024.

22 The hearing will be conducted in accordance with
23 provisions of 11-Z DCMR Chapter 4 as follows. The
24 preliminary matters, the applicant's case has up to 60
25 minutes, a report of government agencies, government

1 agencies report of Department of Transportation and Office
2 of Planning, report of the ANC. I believe we have 7F and
3 7D, if not I can stand corrected.

4 Testimonies of organizations, five minutes and
5 individuals, three minutes and we will hear, in the
6 following order, from those who support, opposition, and
7 undeclared.

8 Then we'll have rebuttal and closing by the
9 applicant.

10 Again, the OZ Hotline number is 202-727-0789 for
11 any concerns during this proceeding.

12 At this time --

13 MS. SCHELLIN: I'll have to call you right back.
14 I'm about to go --

15 CHAIRPERSON HOOD: Okay. Ms. Schellin is going to
16 call whoever that is right back.

17 At this time, the Commission will consider any
18 preliminary matters.

19 Does the staff have any preliminary matters?

20 MS. SCHELLIN: Just a couple quick ones.

21 The first one, I just want to make a note that the
22 applicant filed some revised plans. So they filed a waiver
23 to be able to update their application less than 20 days
24 prior to the hearing.

25 So if the Commission would vote on that waiver or

1 just by consensus okay it?

2 CHAIRPERSON HOOD: All right.

3 MS. SCHELLIN: And that's at Exhibit 28.

4 CHAIRPERSON HOOD: I saw that. I have no
5 objections as long as that's what they talked about when
6 they had those letters of support from the ANC, but I have
7 no objections.

8 Any objections, anyone?

9 VICE CHAIR MILLER: No, Mr. Chairman. Can you
10 hear me, by the way?

11 CHAIRPERSON HOOD: Yeah, I can hear you. Yeah.

12 VICE CHAIR MILLER: Because I'm having trouble
13 with my video, but as long as the audio is working, I'll
14 stay tuned.

15 CHAIRPERSON HOOD: Okay. Thank you.

16 MS. SCHELLIN: Okay.

17 CHAIRPERSON HOOD: Okay, Ms. Schellin, we're good.

18 MS. SCHELLIN: And then proffered expert
19 witnesses. There all at -- the resumes are all at Exhibit
20 3E, as in Edward. The first one -- well, let's see, let's
21 do the previously approved and that would be Jim Watson in
22 transportation planning.

23 He's with Wells and Associates. If the Commission
24 would accept him in this case?

25 CHAIRPERSON HOOD: Okay. Any objections?

1 Not hearing or seeing any, we will continue that
2 status.

3 MS. SCHELLIN: Okay. And then, let me check who
4 they decided on the other ones. Sometimes they send us a
5 list but then they decide on different ones to have.

6 Okay, so their other proffered experts are going
7 to be Rose-Ana Torres, and she's being proffered in
8 architecture.

9 CHAIRPERSON HOOD: Okay. I'm looking at Ms.
10 Torres' resume. I don't have any objections.

11 Let me hear from others? Any objections?

12 Okay, no objections.

13 MS. SCHELLIN: Okay. Susan Mentus, and she is in
14 architecture also.

15 CHAIRPERSON HOOD: So do we need both? Are they
16 both doing the same thing? One of them a landscape
17 architect?

18 MS. SCHELLIN: One is LEED --

19 CHAIRPERSON HOOD: Okay. LEED.

20 MS. SCHELLIN: Ms. Mentus is LEED.

21 CHAIRPERSON HOOD: Okay. Okay. All right. Yeah,
22 I see. Let me hear from others, any objections?

23 COMMISSIONER IMAMURA: I don't have any
24 objections, Mr. Chairman. I don't know if we need a
25 proffered expert on LEED, but I'm comfortable with both of

1 them. They're both (inaudible).

2 CHAIRPERSON HOOD: Okay.

3 MS. SCHELLIN: Okay. And they have Brian Bolan on
4 their list, however, he did not sign up to testify. So if
5 they do call him he'll need to take the oath. I did make
6 mention of that to the attorney, and the last time I
7 checked, he still had not signed up to testify.

8 I'll doublecheck to see if maybe he's done it
9 recently. No, he has not.

10 CHAIRPERSON HOOD: Okay.

11 MS. SCHELLIN: So I'm assuming he's not going to
12 testify.

13 CHAIRPERSON HOOD: Okay.

14 MS. SCHELLIN: But they did ask for expert status
15 for him. So I don't know what to -- maybe you need to ask
16 the applicant about that.

17 CHAIRPERSON HOOD: So we will proceed with the two
18 that we all have agreed to and if we -- in case Mr. Bolan
19 comes up, they can bring that up. If not, we can -- he can
20 -- we can always get his testimony.

21 MS. SCHELLIN: Okay. And then --

22 CHAIRPERSON HOOD: Anything else?

23 MS. SCHELLIN: Yes. We will have Mr. Jutte from
24 DDOT, that's Preston Jutte. I've got to help him get one.
25 So as soon as I finish with you, I will help him get on.

1 We have Joel Lawson from OP. You have ANC report
2 in the record. The ANCs are 7F and 7D, and I think I'm
3 ready to turn it over to you. Thank you.

4 CHAIRPERSON HOOD: Okay. All right. Let's bring
5 everybody up. Let's take about two minutes and get
6 everybody up and I need about a minute. Let's take two
7 minutes and get everybody up.

8 (Pause.)

9 CHAIRPERSON HOOD: Okay. Thank you. Two minutes
10 are up, thank you for your indulgence.

11 Are we ready, Ms. Batties and Ms. Schellin, are we
12 ready?

13 VICE CHAIR MILLER: Yeah, I don't know. I --

14 MS. BATTIES: Yes, we're ready on our end.

15 CHAIRPERSON HOOD: I'm hearing somebody talking.
16 I'll wait for Commissioner Stidham --

17 MS. SCHELLIN: Ms. Batties, I'll send Mr. Cohen
18 another link just for him to forward that, okay?

19 Case No. 23-28

20 MS. BATTIES: Okay. Thank you.

21 And then if Mr. Young can pull up our slide deck
22 and then we'll get started.

23 Good afternoon, for the record Leila Batties and
24 Christopher Cohen with Holland & Knight on behalf of the
25 applicant, Hill East Parcel B LLC, which is a partnership

1 between Blue Skye Development and Donatelli Development.

2 Also joined -- we're joined this afternoon by GTM
3 Architects, Wells & Associates of (inaudible) for this
4 project and then ParkerRodriguez, who is a landscape
5 architect.

6 And Mr. Avrit will be available to answer
7 questions.

8 Could you please go to Slide 3?

9 The subject property and the proposed development
10 are the second phase of the 67-acre Hill East Street
11 Development, as envisioned by the Hill East Master Plan.

12 The subject property consists of two parcels
13 identified as Parcels B1 and B2 on the Hills Master Plan,
14 and together, consist of approximately 2.6 acres. The
15 parcels are zoned HE-2.

16 As shown on the slide, Parcel B1 consists of
17 approximately 77,740 square feet of land area and that
18 parcel will be redeveloped with a residential apartment
19 building consisting of approximately 350 residential units.

20 The maximum height will be 80 feet and the project
21 density will be 4.8 FAR. Parcel B2 consists of
22 approximately 36,000 square feet of land area and will be
23 redeveloped as a mixed-lease building consisting of
24 approximately of 14,000 square feet of ground floor retail
25 and 144 units above.

1 The maximum building height will be 80 feet and
2 the project density will be approximately 4.8 FAR.

3 Consistent with the AWI Act and the District's
4 land disposition requirements, 30 percent of the total units
5 will be affordable. Further, of that 30, half will be for
6 households earning up to 60 percent MFI and the other half
7 will be households earning up to 30 percent MFI.

8 The applicant has provided a thorough Comp Plan
9 analysis, including the original equity pool at Exhibit 22A
10 of the case record.

11 We'd also like to note Mr. Chairman, in response
12 to your comment about the school setup plans that were
13 filed. We opted to provide the Zoning Commission with the
14 full set of plans, instead of having piecemeal plans that
15 were revised, so that everything would be in one package and
16 everything that's been presented has been shared with both
17 ANCs 7F and 7D.

18 This applicant, just by way of background, this
19 applicant was selected, and if you could go to slide 4,
20 please, Mr. Young?

21 This applicant was selected as a developer for
22 this phase of the Phase III development in 2021. The
23 applicant was also the developer of two residential
24 buildings in the first phase of Hill East, which is the
25 Zoning Commission approved the design review in 2016.

1 The first building, the Park Kennedy has 262 units
2 opened in December of 2021, and the second building, the
3 Ethel, opened in 2023 with 100 permanent supported housing
4 units at 14,000 square feet of (inaudible).

5 I mention this because the applicant responded to
6 the RFP for Phase I in (inaudible) and has been actively
7 engaged with the community since that time, as part of the
8 RFP process, through the design review process, and
9 construction of the projects.

10 They have been equally engaged with Phase II. We
11 provided this list of community meetings that the developer
12 has participated in since 2020, for this particular phase of
13 Hill East.

14 The most recent meetings, after the applicant who
15 was postponed from its original hearing date last month,
16 were two. We met on March 25th with ANCs 7D's Committee on
17 Housing, Economic Justice, Zoning, and Alcoholic
18 Beverage/Cannabis, and from that meeting, we walked them
19 through all of the waivers and the details of the project
20 and they voted to support the project, and ANC 7D has
21 submitted a resolution in support of the project at Exhibit
22 30 of the record.

23 On March 26th, ANC 7F held a special meeting where
24 we discussed this project and from that meeting we were able
25 to answer the questions and concerns they had, and they have

1 submitted a resolution of support of the project at Exhibits
2 31 through 31B of the record.

3 This is an application for a design review, as you
4 know. In accordance with Subtitle K Chapter 4, which is the
5 Hill East Design and Development Standards, and in
6 accordance with the review standards in Subtitle X, Chapter
7 6.

8 The application meets all of the design review
9 criteria with a few exceptions for what we're requesting a
10 waiver and the relief needed is basically minor and the
11 architects GTM will walk through those.

12 We also need a variance or are requesting a
13 variance for the requirement that the building be one, be
14 constructed without any setback and the intersection of
15 Independence Avenue and 20th Street and the intersection of
16 Independence Avenue and 21st Street.

17 The applicant is proposing aligning a park along
18 Independence Avenue, in lieu of constructing the building to
19 the property line.

20 And so this relief, this part of the application
21 meets the three-pronged variance test. First, there's an
22 exceptional situation in that the linear park was presented
23 in the applicant's response to the RFP, after input from the
24 District and neighborhood stakeholders.

25 Second, it would be practically difficult to meet

1 the requirements to build the property line and construct a
2 park as represented and approved in the RFP.

3 And third, granting the variance and allowing the
4 park will not present a substantial detriment to the public
5 good. To the contrary, the park would be a benefit.

6 We have worked with the Office of Planning and
7 DDOT throughout this process and we're pleased that they're
8 supportive of the application.

9 We accept the conditions that were proposed by
10 DDOT and Jim Watson will go over those in more detail. The
11 only thing I will note in OP's report. OP has requested
12 that the applicant provide full-size balconies on Building
13 B2 facing Burke Street.

14 Currently, the project has Juliet balconies, which
15 were integrated after our -- after the applicant's initial
16 discussions with the Office of Planning. And there are
17 three reasons that the applicant decided not to have the
18 balconies on the Brook Street façade, or actually, any
19 façade of the buildings and those three reasons are first,
20 without significantly increasing the cost, the applicant is
21 unable to incorporate enough full-size balconies to have an
22 equitable distribution across unit types and income levels.

23 Second, the layout of several units would need to
24 be rearranged. Specifically, the bedrooms and living spaces
25 would need to be reoriented to accommodate the walk-out

1 balconies.

2 And third, the full-size balconies are
3 problematic. Problematic from a (inaudible) standpoint.
4 There are a lot of rules associated with balcony use in
5 rental building and if the rules are not followed, it
6 creates a challenge, from the standpoint of not just dealing
7 with the residents, but also, the building's aesthetics.

8 And this developer, having experience with a lot
9 of this -- these buildings, has made the decision not to
10 provide or does not think that it would be the best thing
11 for the long-term maintenance and esthetics of the building,
12 to have full-size balconies.

13 So for these reasons, we respectfully request that
14 the Zoning Commission approve the building design as
15 proposed. And with that, that concludes my opening remarks
16 and I'm going to turn it over, next, to Rose-Ana Torres with
17 GTM.

18 MS. TORRES: Good afternoon, my name is Rose-Ana
19 Torres and I'm one of the architects on this project, and I
20 am with GTM Architects of Washington, D.C.

21 If you please could go to the first slide, it's
22 Slide 5. Please, thank you very much.

23 Here you can see a vicinity plan that shows where
24 the two parcels are located, the area in general. You can
25 see, on the top right, you see it behind the stadium and

1 then a little bit further down left, the Armory, and the
2 Independence Avenue and then across the street, that's where
3 all of the B1 parcel is located.

4 Next slide, please?

5 This is more of a context plan that shows a little
6 bit more into the B1 and B2 parcel. B1 and B2 are adjacent
7 to the St. Coletta of Greater Washington, which is located
8 to the left and B1 is across the armory and 2 faces Burke
9 Street.

10 Next slide, please?

11 This slide shows the outline of both buildings, B1
12 and B2, and the relationship to St. Coletta. The applicant
13 is also providing 100 parking spaces to St. Coletta and a
14 private entrance to access the garage, which is just next to
15 the St. Coletta building.

16 B1 is setback approximately 20 feet from the
17 northern property line for Parcel B1 to create space for
18 public linear park. The park will be made for Robert F.
19 Kennedy in honor of his life and legacy.

20 The park creates a buffer for Buildings 1 and
21 pedestrians from hidden traffic on Independence Avenue. But
22 more importantly, it creates a recreation area for the
23 community.

24 The park will also provide a wider green network
25 connecting the surrounding neighborhood to the Anacostia

1 Waterfront Park.

2 Next slide, please.

3 This slide shows the layout of the first
4 (inaudible) of Building B1 and B2. And before I continue, I
5 just want you to know that this plan now has been rotated
6 and North is now to your left, as well as Independence
7 Avenue.

8 Building B1 is bordered to the north by
9 Independence Avenue and B2, which is the right building.
10 It's bordered south by Burke Street. Both buildings are
11 bordered west by 20th Street and east by 21st Street.

12 A private drive separates building B1 and B2. The
13 private drive is accessed from 20th and 21st street.
14 Building B1 is a seven-story residential building and it has
15 approximately 350 units.

16 B2 is also a seven-story mixed-use building. It
17 includes approximately 144 units and about 14,000 square
18 feet of retail space on the ground floor. Both buildings
19 share a two-level garage below ground.

20 A main building entrance is for both buildings are
21 on 21st Street, which is on the top of the page. The
22 private drive access is loading, garage entrance, trash
23 pickup, and other back of the house activities for both
24 buildings.

25 And then to the right you can see, all in red, you

1 can see the approximately 14,000 square feet retail. We
2 have a landscaped courtyard that provides outdoor amenity
3 spaces for residents of both buildings.

4 And then we have the Robert F. Kennedy Park, which
5 will provide an attractive visual outdoor connection to
6 people using the co-working spaces and leasing spaces that,
7 shown here on the left-hand side, in purple, on the top
8 that's the leasing and the orange or salmon color, that's
9 the co-working spaces for the residents.

10 The next slide, please.

11 This shows the typical floor for building B1 and
12 B2 and B1 is a mixture of studios, one, two, and three-
13 bedroom units, while B2 has a mixture of studio, one and two
14 bedrooms.

15 Next slide, please.

16 Here you can see the penthouse on B1. This
17 penthouse lounge has amenities on the roof terrace and
18 otherwise, we have mechanical equipment on the rest of the
19 building as well as on B2.

20 Next slide. Would you please continue to the next
21 slide?

22 This is a context rendering showing the RFK
23 Stadium from the rear and in the back -- in the background,
24 and you also can see, to the left, you can see the Armory
25 and then our two buildings, B1 and B2.

1 The next slide, please?

2 This view shows both buildings at the corner
3 Independence Avenue and 21st Street. The linear park is
4 clearly defined along Independence Avenue and on top of
5 Building 1 is the penthouse lounge with adjacent landscape
6 terraces that I mentioned earlier.

7 Residents and the guests will enjoy views of the
8 US Capitol on to the west and the Anacostia River to the
9 east.

10 Please, the next slide?

11 This is still a slide or rendering that is
12 Independence Avenue and the corner of 21st. Two towers we
13 have here. Two tower elements flank the Independence Avenue
14 façade and accentuates each corner of the building.

15 The towers are intended to serve as a gateway into
16 the Hill East neighborhood. To address the architectural
17 principles of base, middle, and top we added a belt course
18 on top of the ground floor, which separates the base from
19 the middle.

20 A setback at the seventh floor and corresponding
21 change in building materials distinguish the top from the
22 bottom (inaudible). At the top level we added a cornice and
23 an architectural ground to provide strong definition of the
24 roofline.

25 To enhance the look of the towers, the windows are

1 vertically proportioned and grooved. The windows are also
2 framed to protect the metal. Frames created shadowboxes for
3 a visual play on light and shadow.

4 And the next slide, please?

5 On this slide you can see both buildings. To the
6 left is B1 and to the right is B2. Our overall approach for
7 -- to designing these two buildings is to create two
8 distinctive buildings.

9 A series of projecting bays enhance the façade on
10 B2. The bays in the center of the façade have (inaudible)
11 metal. At the ends we used brick to accentuate the building
12 corners.

13 The cast stone base and the brick veneer wraps the
14 first floor. Above the first floor is a continuous belt
15 course that separates the base from the middle portion of
16 the building.

17 Above the belt course the brick veneer transitions
18 to a mixture of brick veneer and metal panels. The top
19 floor is accentuated with stock cementitious paneling and a
20 cornice to cap the building.

21 Next slide, please?

22 This is B2 facing Burke Street. The first floor
23 along Burke Street is dedicated to retail use. The façade
24 of the ground floor retail space incorporates a series of
25 retail bays defined with storefront windows.

1 Retail space and outdoor seating on the ground
2 level is designed to activate the street and promote a
3 pedestrian friendly neighborhood for the community.

4 Next slide, please.

5 These next slides we're going to talk mainly about
6 the materials. Here it is B1 and we're showing the 21st
7 Street entrance, which is highlighted with a linear panel
8 that is clad in metal and highlighted in a -- in a
9 copper-colored canopy.

10 The main building materials on B1 are veneer, cast
11 stone, metal panels, and glass. Cementitious panels are
12 used only on the seventh floor, penthouse, private drive,
13 and the courtyard.

14 We are trying to create more architectural
15 interest by introducing (inaudible) stained colors.

16 The next slide, please.

17 This is Independence Avenue view. This slide is
18 similar to the previous one where on Independence Avenue we
19 have on the base nearly two-story spaces to create
20 transparency between the interior spaces the Robert F.
21 Kennedy Park.

22 Next slide, please.

23 This shows the private driveway. The base is
24 mainly brick veneer. We can see on this slide the entrance
25 to the back lobby, which is on the right hand, loading, and

1 to trash pickup.

2 The tower elements wrap the materials around the
3 corners.

4 The next slide, please.

5 Here we see a little -- a little bit better
6 defined the materials that we have shown on the façade and
7 you also can see clearly the corners and the architectural
8 crown.

9 Next slide, please?

10 This slide shows the relationship of both
11 buildings, B1 and B2 and the façade of the 20th Street into
12 21st Street.

13 Next slide. The next slide, please?

14 This shows B2 at the private drive and the main
15 building materials on building 2.

16 Can you please go one back? One slide back. Yes,
17 thank you very much.

18 The main building materials on Building 2 are
19 brick veneer, cast stone, metal panels, and glass.
20 Cementitious -- the cementitious panels are only used
21 partially on the top floor.

22 The base is cast stone and brick. The bays are
23 clad in metal, and the top, as you can see in the lighter
24 grey on this slide, is cementitious panel, as well as the
25 top corners is the cementitious panel material.

1 Next slide, please?

2 This slide shows the private drive. The bays are
3 brick veneer and the tower elements wrap the brick veneer
4 materials around the corner. The courtyard is mainly
5 cementitious panel.

6 The next slide.

7 This slide shows also a little bit more in detail
8 the variations of the materials and where they are located.

9 Next slide.

10 This shows the proposed landscape around the
11 building, which provides residents with a walkable and
12 pedestrian friendly destination. All streets and sidewalks
13 are lined with shade trees and understory plantings that
14 provide year-long seasonal interest.

15 A prominent entrances, special paving's, side
16 furnishing and bricks will enbridge (sic) the settings and
17 establish a sense of neighborhood identity.

18 Along independence Avenue, as we mentioned before,
19 a linear park is proposed in honor of Robert F. Kennedy.
20 The park will be activated by public art, seating areas,
21 parking, and thoughtfully designed landscape that combine
22 and foster a sense of identity that is engaging for nearby
23 residents and the community.

24 This concludes my presentation and I will give it
25 over to (inaudible).

1 MS. MENTUS: Good afternoon. My name is Susan
2 Mentus and I'm with GTM Architects of Washington, D.C.

3 If you can go to the next slide, I'm going to be
4 talking about the waivers and the variance that we are
5 requesting.

6 They're listed here. There's five waivers, one
7 variance and I'll go in further detail with each of these
8 items if you'd like to go to the next slide, please.

9 This is the first waiver for a portion of B2. We
10 are requesting a waiver from Subtitle A, Section 48E.1C,
11 which requires a minimum clear floor to ceiling height of 14
12 feet measured from grade for the area of the ground floor
13 dedicated to preferred uses.

14 Building 2 has retail along Burke Street, which is
15 a preferred used. The building cannot achieve the required
16 14-foot clearance for the full retail area due to the
17 topography, which slopes down from 20th Street, shown on the
18 left of the plan, which is in the middle of the page here,
19 towards 21st Street, which is shown on the right.

20 The grade changes approximately eight feet, which
21 is shown with the horizontal yellow lines at the bottom
22 drawing.

23 The grade impacts the 14-foot clear height
24 requirements since the height is measured from the exterior
25 grade to the underside of the retail ceiling. The retail

1 space is approximately 18 feet high at its tallest point and
2 reduces to around 11 feet at its lowest point.

3 On this slide, the portion of space that does not
4 comply with the 14-foot requirement is the light pink color
5 on the left of this space.

6 Next slide, please.

7 For the front of Building B1, we are requesting a
8 waiver and a variance for the linear part, which is on
9 Independence Avenue. For the front of Building B1, we are
10 requesting a waiver from Subtitle K, Section 419.2, which
11 requires that the front of the building or structure extend
12 to the property line for not less than 90 percent of the
13 property line.

14 In addition, for a portion of Building B1, we are
15 requesting a variance from Subtitle K, Section 420.2, which
16 requires that the fronts of buildings located at street
17 intersections be constructed to the property lines
18 (inaudible) each intersecting street for a minimum of 50
19 feet from the intersection.

20 The linear park along Independence Avenue was a
21 requirement of the RFP and is also an amenity for both the
22 building residents and the Hill East community as a whole.
23 The park will provide a pedestrian friendly experience along
24 a primary street advancing the objectives of the Hill East
25 Zone District.

1 It will provide a buffer between Independence
2 Avenue and the residential buildings. It will help activate
3 the base of the building, and help create pedestrian
4 connection to the waterfront.

5 For these reasons, we are requesting the waiver
6 and variance listed on the slide.

7 Next slide, please.

8 For Building B1, we are also requesting a waiver
9 from Subtitle K, Section 419.7, which requires a façade
10 articulation of less than two feet in depth. In this slide,
11 the colors in the diagram are shown to show the various
12 setbacks along the facades and they're not intended to show
13 the color of the building.

14 Because of the scale of Building B1, we have
15 created deeper setbacks of three feet, which you can see in
16 pink on the slide. This setback will create more depth and
17 interest along the façade, as well as create a clear
18 hierarchy of the different planes.

19 The three-foot setback also helps the tower
20 elements at the building corners appear more monumental and
21 adds to the overall architectural design of B1.

22 Next slide, please.

23 For Building B2, we are requesting the same waiver
24 I just noted for B1, which is relief from Subtitle K,
25 Section 419.7, which requires the façade articulation of

1 less than two feet in depth.

2 The reason for this waiver request is that we will
3 be using standard brick sizes, which creates a setback of
4 exactly two feet, instead of a setback of less than two
5 feet.

6 Next slide, please.

7 For the ground floor of Building B1, and out of an
8 abundance of caution, we are requesting a waiver from
9 Subtitle K, Section 417.1E, which requires that not less
10 than 65 percent of the ground floor frontage along
11 Independence Avenue be devoted to preferred uses and main
12 building entrances or lobbies to offices and residential
13 spaces.

14 The preferred uses referenced in the zoning
15 regulations include retail, entertainment, assembly,
16 performance, and other services.

17 Ground floor uses at B1 will include the leasing
18 office, communal workspace, residential amenity space, and
19 an entrance into the leasing office. Although the 65
20 percent requirement would be met with these uses, we are
21 requesting a waiver out of an abundance of caution.

22 Proposed uses on the ground floor with the
23 adjacent linear park will help activate the streetscape
24 while creating a neighborhood-like feel along Independence
25 Avenue.

1 Thank you very much. That is the final waiver
2 requested. I'm going to hand it over to Jim Watson.

3 MR. WATSON: Good afternoon. My name is Jim
4 Watson with Wells & Associates. I'm a transportation
5 planner, a senior associate with the firm.

6 I'm going to briefly go over the transportation
7 elements of the project. From a vehicular parking
8 perspective, we're required to have new parking spaces. Of
9 those, we're providing 138 spaces to serve the requirements,
10 as well as 100 spaces to serve St. Coletta, that Rose-Ana
11 talked a little bit about earlier.

12 That will give the entire development 238 total
13 parking spaces. Bicycle parking, we're providing 233 long-
14 term spaces and 30 short-term spaces to serve the 166 long-
15 term and 29 short-term space requirement.

16 We're also providing two loading berths, as well
17 as one service and deliveries space as required. We're
18 providing two (inaudible) spaces.

19 Next slide, please.

20 Very quickly. For the access to the site. Rose-
21 Ana touched on this a little bit, but primary pedestrian
22 access is being provided by 21st Street. From the private
23 drive, there's access to the parking, which both B1 and B2
24 share parking in one large four plate lot.

25 And loading for B1 is provided along the alley

1 there. You can kind of -- or along the service drive. You
2 can see that kind of midway. Service space is provided from
3 a interior loading space there for B1, and directly across
4 from there is B2 service and loading for B2.

5 If we go to the next slide, please.

6 Bicycle parking is actually going to be provided
7 primarily below grade for B1. There's an elevator and
8 stairwell that are both accessed from a bicycle lobby
9 directly from the service drive.

10 The stairwell will include bike rentals, so small
11 ramps on either side are for people to be able to walk their
12 bikes down directly into the bike room. There's also a
13 small bike room provided off of the 20th Street side, as you
14 can see on the bottom right side.

15 Next slide, please.

16 And I'm just going to go briefly over the
17 Transportation Management Plan highlights. We did have two
18 conditions with DDOT. One was to implement a TDM plan.
19 Second was to construct an Independence Avenue Road diet.

20 So briefly, there are many more Transportation
21 Management Plan elements, but I wanted to kind of point to
22 some of the highlights. Our bike parking does exceed the
23 zoning requirement. The long-term bike storage room is
24 going to hold cargo, tandem, and kid's bikes.

25 We're providing bicycle repair stations. There

1 are five UV parking spaces. Among the incentives, there are
2 Capital Bikeshare, Smart Trip Card incentives. We're
3 providing shopping carts for residents. Unbundling parking
4 -- cost of parking from rent, as well as providing a Capital
5 Bikeshare station that will be worked out with DDOT on
6 location.

7 The last thing I want to talk a little bit about
8 is the Independence Avenue Road Diet, which was the second
9 condition from DDOT.

10 If you go to the next slide?

11 Very briefly. The Independence Avenue Road Diet
12 will convert the existing streetscape along Independence
13 Avenue from the existing three and four-lane through
14 eastbound traffic to be a bit more residential friendly,
15 bringing that down to two lanes.

16 So the curb, the southern curb will be pushed out
17 a bit such that you're able to have a parking lane on the
18 southern curb there fronting B1 and the north lane will be
19 striped out on each side.

20 So that when you approach Independence Avenue or
21 approach 19th Street on Independence Avenue and then cross
22 19th Street along St. (inaudible) and then along the front
23 of B1, it would carry forth the similar two lanes that you
24 see to the west of the property.

25 And with that, I guess I'll turn it back over to

1 you, Leila?

2 MS. BATTIES: That concludes the applicant's
3 presentation, Mr. Chair.

4 CHAIRPERSON HOOD: Thank you very much to the
5 teams, to the applicant. I think that was very well done.
6 I really appreciate the way you all were very succinct and
7 we didn't even have any background noise. So thank you.

8 Let me just ask this question and then I'll --
9 before I go to Commissioner Imamura first, let me ask a
10 question or two. I'm just trying to get my orientation
11 right, trying to figure some things out.

12 Kind of have the programmatic of this building as
13 well.

14 Is this the same applicant who did the Ethel?

15 MS. BATTIES: Yes.

16 CHAIRPERSON HOOD: Okay. So is this kind of
17 mirroring the Ethel? And I'm getting my orientation messed
18 up now, but anyway. It looks like it's kind of mirroring
19 the Ethel when I look at it, but that's all right. I think
20 we can deal with that.

21 MS. BATTIES: Mr. Young, if we can pull up the
22 PowerPoint presentation and go to the map?

23 Yeah. Slide 5.

24 CHAIRPERSON HOOD: What did you say the name of
25 this building is going to be? The Kennedy? Robert Kennedy?

1 MS. BATTIES: They haven't named it yet. The park
2 will be named after Robert F. Kennedy.

3 CHAIRPERSON HOOD: Oh, okay. Okay. Okay.

4 MS. BATTIES: So Slide 6, I'm sorry. And I can
5 just show you where the Ethel and (audio cutout) buildings
6 are.

7 CHAIRPERSON HOOD: That would be good because I
8 want to see the relationship between this and St. Coletta,
9 and also the Ethel.

10 (Pause)

11 MS. BATTIES: Mr. Young, are you able to hear me?

12 MR. YOUNG: There we go. It takes a while.

13 MS. BATTIES: I just didn't --

14 (Pause)

15 CHAIRPERSON HOOD: What slide are we looking at,
16 Ms. Batties?

17 MS. BATTIES: Slide 6.

18 CHAIRPERSON HOOD: Slide 6? Okay.

19 MS. BATTIES: Thank you. So you'll see obviously
20 the subject property is shown highlighted B1 and B2. The
21 immediately to the west, there's a green site, parcel,
22 that's St. Coletta of Greater Washington.

23 Then, if you move further to the right -- to the
24 south, right under St. Coletta, there's the Ethel. That's
25 on Parcel F1. And then, immediately south the Ethel is the

1 Park Kennedy Building.

2 And so the Park Kennedy Building has 262 units.
3 The Ethel has 100 units.

4 CHAIRPERSON HOOD: Okay. Okay.

5 Do you all know right off when St. Coletta's was
6 done? I know it was in front of the Zoning Commission some
7 years back.

8 Does anybody --

9 MS. BATTIES: When it was approved?

10 CHAIRPERSON HOOD: Yeah. When we dealt with it?
11 I can't remember, but I know we dealt with it.

12 MS. BATTIES: Yeah, we will look that up.

13 CHAIRPERSON HOOD: That's okay. And the reason
14 I'm asking is I know one of the issues that came up then was
15 why was the Commission letting a school have type of
16 position near a metro.

17 And now, after all these years, you starting to
18 see all these homes starting to come up. Sometimes we just
19 have to be patient. I see the Ethel. I see the Park
20 Kennedy and whatever is going to be, if this is approved,
21 this B1 and B2, so I don't know if anybody who was back then
22 listening, but now things are starting to realize where
23 people can live and then also still obtain and be able to
24 access the metro easily.

25 So that was just my point. I may have other

1 questions as well, but I wanted to go there just while I
2 think about other questions I may have. But I'll see what
3 my colleagues have to say as well.

4 All right, Commissioner -- thank you all.

5 Commissioner Imamura --

6 COMMISSIONER IMAMURA: Thank you --

7 CHAIRPERSON HOOD: -- any questions or comments?

8 COMMISSIONER IMAMURA: I have a few questions, a
9 few comments. Thank you, Mr. Chairman.

10 Ms. Batties, thank you for this succinct
11 presentation completed by you and the team.

12 Let me pull my questions up here. I'll try to
13 bundle them in a logical way.

14 First, I just want to comment that I appreciate
15 the additional design refinements that the applicants made,
16 in terms of emphasizing a bit more with base, middle, to top
17 with the materiality in response to feedback from OP.

18 So that's also a complement to OP for their design
19 sensibility. So thank you, OP, for pushing that effort.

20 There are a number of laudable goals here with
21 this project. The 30 percent affordable housing, 15 percent
22 reserved for households earning 30 percent MFI and another
23 15 for 60 percent MFI. So I appreciate that.

24 It seemed like a pretty good mix, but I just want
25 to doublecheck. If somebody could comment, maybe Ms. Torres

1 can comment on what the mix of those units are again on B1
2 and B2?

3 MS. BATTIES: And while she's looking that up, I
4 will -- I wanted to note that St. Coletta was approved by
5 the Zoning Commission in 2004.

6 CHAIRPERSON HOOD: 2004? Good gracious. I've
7 been here a long time. Okay.

8 (Laughter.)

9 MS. TORRES: Okay. Sliding over. Sliding over,
10 this is the mix. We have the proposed of both buildings, we
11 have 34 studios, 354 one bedrooms, 95 two bedrooms, and 11
12 three bedrooms, which brings this project to a total of 494.

13 COMMISSIONER IMAMURA: Great. Thank you for the
14 specific numbers there, Ms. Torres. I appreciate that very
15 much.

16 I'm glad to see substantial amount of two
17 bedrooms. I'd like to see a little -- a few more three
18 bedrooms, but I think the mix seems reasonable.

19 I also noticed -- I'm going to just kind of walk
20 through my notes here. So Ms. Torres, I -- you can stay
21 there in that seat or this might be for Ms. Mentus.

22 About net zero energy certification, I noticed
23 that you all are pursuing LEED Silver and I think DOE had
24 pushed or encouraged you to pursue a little bit more, Ms.
25 Torres, towards LEED Gold. Can you just explain a little

1 bit more on where you're at with your LEED Silver? How far
2 short you are LEED Gold and where you stand with all that?

3 MS. TORRES: We are right in the middle. I would
4 say between that LEED Silver.

5 COMMISSIONER IMAMURA: Okay.

6 MS. TORRES: With the (crosstalk) in my head right
7 now, so I apologize for that.

8 COMMISSIONER IMAMURA: No, that's okay. Don't
9 mean to put you on the spot. Just wanted to see how close
10 we were to the edge of, you know, achieving LEED Gold,
11 right? It sounds like that might be a stretch goal there,
12 but --

13 MS. TORRES: Okay. I found it. My co-worker
14 Susan here, she's showed it to me. We are at 54.5 points
15 and Silver and Gold is at 60.

16 COMMISSIONER IMAMURA: Okay.

17 MS. TORRES: Thank you, Susan.

18 COMMISSIONER IMAMURA: So right on the edge there.
19 So maybe still achievable, just a few more points to grab.
20 So I would certainly want to encourage pursuing that a bit
21 more.

22 Can you talk a little bit more about the
23 photovoltaics that you plan to install? The roof plans and
24 the landscape plans didn't really include a lot of detail
25 and I just wanted to ask if you could walk us through that a

1 bit more?

2 MS. TORRES: So this project is going to be net
3 zero energy ready for the residential part. We were not
4 planning to have photovoltaic panels on the roof.

5 COMMISSIONER IMAMURA: Okay. Is that something
6 that you all have explored at all or --

7 MS. TORRES: Yes. For sure, yes.

8 COMMISSIONER IMAMURA: Okay. Sure. And I know
9 that when you come before the Zoning Commission, the public
10 doesn't really have an opportunity to hear all the design
11 iterations that you went through. They only see the final
12 plan and the final design solutions.

13 So if you can just explain how you considered PVs
14 and why it wasn't feasible or what the decision was not to
15 include them?

16 MS. TORRES: The photovoltaic panels?

17 COMMISSIONER IMAMURA: Yes. Did you say you
18 didn't --

19 MS. TORRES: Why they're not feasible?

20 COMMISSIONER IMAMURA: Yeah. Did you say you
21 don't have any PVs that you're installing?

22 MS. TORRES: No, not right now, but I think that
23 the ownership is looking into it and reviewing if this is a
24 possibility.

25 COMMISSIONER IMAMURA: Okay. Thank you very much

1 for that response. I do have a few more questions, design
2 related.

3 MS. BATTIES: Oh, I'm sorry. I just wanted to
4 note that the applicant did meet with DOE, they were part of
5 the meeting with the Office of Planning. And so they will
6 continue to work with DOE through the permitting process.

7 There were several recommendations in the DOE
8 report that the applicant will continue to discuss and
9 explore as part of the final construction package.

10 COMMISSIONER IMAMURA: Okay. Thank you, Ms.
11 Battise. Appreciate that response as well.

12 I always feel that design provides the best
13 solution to any problem or challenge. And so I really
14 believe there's probably a design solution there that
15 perhaps might be able to incorporate some PV panels
16 somewhere.

17 The 18 Juliet balconies, Ms. Torres, on the
18 southern façade and I noted that you're unable to
19 incorporate more walk-out balconies because of the unit
20 layouts.

21 I'm curious, sort of again, going back to the
22 design iterations that you all went through, if balconies
23 were considered at the beginning or was it towards the end
24 or was it you were already perhaps maybe in DD's and it just
25 wasn't feasible to reconfigure the space?

1 MS. TORRES: Yes. It definitely would be easier,
2 because we are in DD right now, if they would have been
3 incorporated during SC or concept.

4 COMMISSIONER IMAMURA: I think the Juliet
5 balconies are a nice I guess in-between, but would have
6 liked to have seen at least inboard balconies there, but I
7 understand that sometimes the arrangement of spaces really
8 limits the opportunity to do that.

9 In terms of the waivers and the waivers and the
10 area variance that you're requesting, I appreciate the
11 slides that you put together to explain what those -- what
12 those issues were and the design solutions that you needed
13 the waivers for, the variance. That was very helpful.

14 MS. BATTIES: Thank you.

15 COMMISSIONER IMAMURA: What I would say is that I
16 noted, and I know you all had noted this too, about the
17 linear park being part of the RFP concept, and so that sort
18 of set expectations at the outset, but I'm always in favor
19 of parks over maybe pushing a building to its property line.

20 So I think the park is definitely an amenity to
21 the public. So I am supportive of that.

22 Appreciate the context image with RFK, that was
23 very helpful. Again, the overall sort of design solution, I
24 think as you pointed out, trying to develop two distinct
25 buildings there, I think, was successful. They are very

1 stately.

2 Appreciate the building materials that you
3 applied, for the most part. I think the materiality
4 certainly accentuates the vocabulary, the architectural
5 vocabulary very well.

6 So architecturally, I think both buildings provide
7 a nice solution. I would add though, the private drive, I'd
8 like to know a little more about this. At the base there's
9 the dark masonry that you -- that you're suggesting. And
10 I'm curious, in terms of sort of a the private drive and the
11 dark base and the shadows from B2, I think it's building B2,
12 what that private drive might look like at, you know, with
13 the darker brick there, what that might look like at night,
14 as well as, you know, in the winter time it can be rather
15 dark and cold, but if you could describe a little bit about
16 your lighting strategy in the private drive, just to address
17 safety and security a little bit more, especially with the
18 dark-colored brick there, you know, you'll definitely need
19 an enhanced lighting plan.

20 MS. TORRES: Well, first of all I want to say that
21 I really appreciate your design sensitivity to this. This
22 is really great.

23 Our idea was here that for sure lighting is going
24 to play a very important component in lighting this up, and
25 we are also going to have a few bioretention areas that are

1 going to have greenery in it and we wanted to pick up some
2 of the brick that we're using on Burke Street and some of
3 the other facades.

4 We wanted to repeat it, but I think that you're
5 very sensitive statement. I think it is something that I
6 believe that we should back into it. And I'm just looking
7 at my co-worker Susan and she is also nodding.

8 I think we would like to look at it, maybe to
9 lighten it up a bit.

10 COMMISSIONER IMAMURA: Okay. I appreciate that.
11 Certainly, again, I'm comfortable with the color palette.
12 What I'm just curious about is that private drive could be
13 very dark or could become very dark with the shadows that
14 are being cast there --

15 MS. TORRES: Yeah.

16 COMMISSIONER IMAMURA: -- so --

17 MS. BATTIES: Just for clarity. Are you talking
18 about a lighting plan? I just want to make sure. I think
19 she's thinking color and I think you're talking lighting.

20 COMMISSIONER IMAMURA: Right. A light plan, an
21 electrical light plan with that safety -- I'm concerned
22 about the safety and security at that private drive and I
23 don't know what the distance is between the two buildings,
24 so that may play a factor in there too.

25 It's difficult to tell with the level of detail in

1 the drawings.

2 MS. TORRES: Yeah. Absolutely, I think -- yeah,
3 we can -- yeah, we can do this. I think that the lighting
4 is going to be for safety very important, and I have to say,
5 especially as a woman, I'm very sensitive to that,
6 especially driving into the garage --

7 COMMISSIONER IMAMURA: Yes.

8 MS. TORRES: -- and I think -- thank you, yes.

9 COMMISSIONER IMAMURA: It's a very long sort of
10 private drive there, which is, I guess, brings my next
11 question.

12 The Zoning Commission has seen a lot of these sort
13 of two building proposals, oftentimes in between with sort
14 of a landscape connection. Here we have a private drive
15 where all the back of house services are located.

16 That certainly makes a lot of sense to me, but
17 again, I'm curious what, at the very conceptual stage, you
18 all had worked through and why you ultimately decided at the
19 back of house services being inboard rather than sort of
20 outboard at one of the sides where it actually creates a,
21 you know, could have been a courtyard that's connecting the
22 two.

23 So I'm just kind of curious about that design
24 decision?

25 MS. TORRES: We didn't want to see any curb cuts

1 or any entrances into the garages and back of house through
2 the main streets. We believe and we think that, especially
3 21st Street and Burke Street, are going to be highly
4 activated by the retail space and by the future development.

5 Where some of these less attractive spaces would
6 not enhance the pedestrian experience. I think it was
7 important for us to put this there for all in the private
8 drive.

9 So for the pedestrian that is walking to Burke
10 Street, to the park, or to the retail, or somebody walking
11 towards the Anacostia waterfront, that they have a positive
12 and good experience walking.

13 COMMISSIONER IMAMURA: Thank you, Ms. Torres.

14 I think it makes sense to me that, on along the
15 periphery, that you're activating public space. I was just
16 curious to hear more about other sort of design solutions
17 that you might have considered that would have eliminated
18 sort of this private drive that's kind of bifurcates both
19 buildings there, rather than creating sort of a --

20 MS. TORRES: Well, we had to follow all the DDOT
21 policies, one, and what we did is consistent with DDOT. And
22 secondly, also the grading was a little bit of a challenge
23 for us.

24 The only street I would say where we could have
25 maybe have a garage entrance or any of the back of the

1 house, would have been on 20th Street, but there the grade
2 is really high and for us to drive into the garage or to the
3 trash pickup, we would have required quite a ramp.

4 It was -- that would have been very difficult.

5 COMMISSIONER IMAMURA: All right. Thank you, Ms.
6 Torres. That makes, actually -- that makes a lot of sense
7 about the grading, the significant grade difference there.

8 I appreciate you bringing that up, and that also
9 reminds me too to thank Ms. Batties and your team, Ms.
10 Torres, for submitting a complete updated set of plans,
11 rather than sort of piecemeal.

12 I appreciate that. That made a lot of sense to
13 me. Also, I thought it was rather comprehensive too. So I
14 appreciate the addition of the civil set and your landscape
15 set, if you had your landscape architect there I would be
16 very interested in speaking with them and hearing more about
17 that, but I'm not done with Ms. Torres yet, I still have a
18 couple of questions for Ms. Torres. Sorry.

19 MS. TORRES: Oh, not that's -- I'm doing a lot of
20 sliding here today.

21 COMMISSIONER IMAMURA: Sorry, Ms. Torres.
22 Just a couple more questions. The mechanical
23 screening.

24 MS. TORRES: Yes.

25 COMMISSIONER IMAMURA: So I know in the renderings

1 it looks rather light, right? So you kind of have to look
2 for it. But it seems, and I thought I saw some notation
3 there about 18 feet is what you're anticipating, but I think
4 you're also asked for some flexibility with that, the
5 height.

6 So can you talk a little bit about your mechanical
7 screening? It looked like you're anticipating sort of a
8 metal mesh screening or perhaps, I don't know, if you could
9 describe that a bit more?

10 MS. TORRES: It's (crosstalk) paneling and we did
11 the same things at the Ethel with the Park Kennedy because
12 we did also -- we were the architects for these two
13 projects.

14 And we spent, actually, quite a lot of time
15 looking at color palettes. If color palette that disappear
16 if it is a little bit clouded, you know? That was our main
17 intent.

18 So Susan and I spent quite a lot of time up on the
19 roof and holding up colors until we had the right color for
20 the screening.

21 For the screening, our, I don't want to say it is
22 a problem, but because of the mechanical system and because
23 of net zero and everything is still pretty new, we still
24 don't know the exact height of our mechanical system.

25 So we thought we'd go a little bit higher, 18

1 feet, and we hope that we are not going to use the 18 feet,
2 but our intent is that it disappears and that you won't see
3 it, and that if the mechanical engineer selects a mechanical
4 unit that it is much lower. That's what we are hoping for.

5 COMMISSIONER IMAMURA: Okay. Well, I hope for
6 that too.

7 MS. TORRES: Thanks.

8 COMMISSIONER IMAMURA: And I appreciate the
9 explanation for that. My colleagues might remember that
10 former commissioner always preferred a darker color, but I
11 actually -- I disagree with that and believe that, Ms.
12 Torres, you're on the right path that a lighter color --

13 MS. TORRES: Thank you.

14 COMMISSIONER IMAMURA: -- is more appropriate and,
15 actually, does fade away.

16 MS. TORRES: Yeah.

17 COMMISSIONER IMAMURA: And we know this because
18 even Disney provides a lighter color for their buildings to
19 fade away. So I appreciate that.

20 And the last -- my last question is I think you
21 described it as a metal cornice or crown at the four corner
22 -- I think it's at all four corners of the building. It's
23 almost, I guess, a shading element, a metal shading element
24 of some kind.

25 And I couldn't quite make that out. I just -- I

1 was curious, for my own interest, where that evolved or
2 developed from? It's almost like a cap, if you will. Sort
3 of baseball cap at the corner.

4 MS. TORRES: Yeah.

5 COMMISSIONER IMAMURA: So yes, it flares, and so I
6 noticed the flare in the renderings. I'm curious if the
7 flare is for aesthetics or is there something behind the
8 flare, in terms of the functionality?

9 MS. TORRES: The flare is a -- good point, the
10 flare is more for aesthetics. What we wanted to achieve
11 here, especially because of Independence Avenue and we spent
12 a lot of time there. Cars are really driving really fast
13 and we wanted to make this corner really more prominent on
14 21st Street and on 20th Street, because, for us, this is
15 what people are going to see. This is what should be the
16 entrance into Hill East. It's like a gateway.

17 So we wanted, not only through the towers, to make
18 this clear, but even to have more of an accentuated roofline
19 with the flaring up baseball cap, that's a interesting term,
20 so with the baseball cap.

21 Basically, we say, here we are, you know, just to
22 be more visually dominant.

23 COMMISSIONER IMAMURA: Okay. All right. Thank
24 you very much.

25 I'm not sure, I guess my first instincts was it

1 was a slight deviation from the vocabulary that you've
2 already established, and so it certainly stood out in that
3 way.

4 So you know, I'm not sure that I've been won over
5 yet with that design element, but overall, though, I think
6 you all did a nice job.

7 Now --

8 MS. TORRES: Thank you, appreciate --

9 COMMISSIONER IMAMURA: Yes, Ms. Torres. I would
10 have -- the one comment I would have is I wish you had more
11 detail in your landscape plans.

12 MS. TORRES: Oh.

13 MS. BATTIES: Mr. Avrit with ParkerRodriguez is on
14 the --

15 MR. YOUNG: He might be an attendee, so they might
16 have to bring --

17 MS. BATTIES: Yeah, he -- I'm told he might be an
18 attendee, so he would have to be elevated to (inaudible).

19 COMMISSIONER IMAMURA: Do we have his resume?

20 MS. BATTIES: We're not proffering him as an
21 expert.

22 COMMISSIONER IMAMURA: Okay. Very good.

23 MR. AVRIT: This is Dan Avrit.

24 COMMISSIONER IMAMURA: All right. Mr. Avrit,
25 thank you very much for joining. I just have a couple

1 questions for you.

2 Again, as I commented, and this is -- I'm sure
3 that you would have liked to see more detail in the
4 landscape set too for the presentation tonight. There
5 wasn't a lot of detail, just because of the scale of the
6 drawings, and I get that.

7 I would have liked to see some details, but in
8 general, just wanted to ask, just the one question and if
9 you would indulge me, please, just to talk a little bit
10 about your planting palette that you selected and then, more
11 specifically, I'm curious about your stormwater management,
12 how you worked with the civil engineer.

13 I'm hoping you all worked with a civil engineer
14 for your stormwater management plan.

15 MR. AVRIT: We are -- yeah, so we are currently
16 working with the civil engineer on to develop the stormwater
17 management plan. We're trying to get some of those bios
18 that are tricky, because they stop kind of down the hill to
19 keep those --

20 COMMISSIONER IMAMURA: Yeah.

21 MR. AVRIT: -- relatively shallow. That is
22 definitely our preference because sometimes they get a
23 little too deep. So we want to develop that.

24 We've been doing a lot of work kind of finding the
25 best material that works in bios, you know, to keep it

1 looking kind of lush and healthy throughout the year. And
2 regarding the plant palette. We definitely like to use
3 natives, you know, keep it very kind of adaptive. Sometimes
4 natives are not always the best performers or are readily
5 available for nurseries.

6 But definitely be an adaptive material. I think
7 you know, and generally want to promote a lot of seasonal
8 interest throughout the year. Not just kind of have a one
9 season plant material, that it really does change with
10 seasons, but also, you know, paying attention to all seasons
11 so that there's winter interest as well as summer interest
12 and yeah, this is pretty easy to get spring flower material
13 in there, but kind of throughout the season and come up to
14 fall interest that can really be beautiful and apt to a
15 space.

16 Just there's a lot to work through and we're
17 currently kind of working through a few of those issues kind
18 of as the streetscape evolves, but that's something that
19 will become more readily apparent when we submit for public
20 space.

21 COMMISSIONER IMAMURA: All right. Thank you, Mr.
22 Avrit. Somebody must have slipped you a note that I'm
23 generally focused on the seasonal aspect of it, particularly
24 winter. Everybody forgets about winter. So --

25 MR. AVRIT: They do. I totally agree.

1 COMMISSIONER IMAMURA: And I appreciate your sort
2 of explanation of the lush and densely planted streetscape,
3 but also not to forget maintenance.

4 So as you work through your sign development, I'm
5 sure you'll keep that in mind. And please keep pushing with
6 the civil engineer, with your stormwater management
7 strategy.

8 So it's important for landscape architects to kind
9 of be leading that effort.

10 MR. AVRIT: Yeah, sometimes that's our struggle.
11 We'll keep that in mind.

12 COMMISSIONER IMAMURA: All right. Very good.
13 Thank you, Mr. Avrit.

14 MR. AVRIT: Thank you.

15 COMMISSIONER IMAMURA: Mr. Chairman, I think I'm
16 satisfied with my questions and the comments that I -- and
17 the responses by the applicant, and I yield back.

18 I'm interested to hear Commissioner Stidham's and
19 Vice Chair Miller's questions as well.

20 CHAIRPERSON HOOD: Thank you.

21 Vice Chair, could you go next?

22 VICE CHAIR MILLER: Thank you, Mr. Chairman.

23 And thank you Leila Battise and the applicant's
24 architectural and the entire team for your presentation
25 today.

1 It's gratifying, as someone who was on the City
2 Council staff when the Hill East Resurrection 13 Master Plan
3 came over from former Mayor Anthony Williams 22, 23 years
4 ago. I think it was 22 years ago that we approved it.

5 It's gratifying to see the implementation going
6 forward, slowly but surely, and this is very -- certainly a
7 very exciting aspect of it with the amount of housing and
8 the amount of affordable housing and a deeper -- at deep
9 levels as required by the Anacostia Waterfront Plan.

10 Commissioner Imamura, I appreciate all of your
11 questions and comments. They were very thorough and covered
12 a lot of ground and I won't try to -- I won't repeat -- I'll
13 try not to repeat some of the comments I shared with you.

14 But I share pretty much all of the -- generally --
15 most of the comments that Commissioner Imamura made and the
16 dialogue with the applicant's team. And I generally am very
17 impressed with the design, the projecting bays, the
18 different colors and materials and articulation, I think
19 it's -- and the -- certainly the linear park, all is very
20 attractive.

21 I'm not sure about the -- I'm not sure about the
22 lighter color on the penthouse structure. I guess maybe
23 with a couple more years with Commissioner Imamura you might
24 get to the place that former Commissioner May got me too,
25 which I wasn't first inclined to be there, for the darker

1 penthouse structures fading into the grey, the grey and blue
2 sky, but I found that to be the case after seeing the
3 buildings go up that had lighter colors versus darker
4 colors.

5 It is counterintuitive to think that a dark color
6 against a grey or white or blue sky would fade away, but I
7 don't know, I guess it's a subjective thing and maybe we're
8 not always looking up or down from a plane or from another
9 rooftop with amenities like -- that will be in the area.

10 So I'm not sure where I am on that, but let me
11 just confirm that the setback in the height of the penthouse
12 structures are all within the, you know, the one-to-one
13 setback and within the height limitation, I think they are.
14 Some of the renderings just they look pretty prominent,
15 probably because you wanted us to be able to see what's
16 being proposed.

17 But I just want to make sure that they -- the one-
18 to-one step back and the height are within the limits?

19 MS. BATTIES: Yes.

20 VICE CHAIR MILLER: Yes. Ms. Batties has
21 confirmed that. Thank you.

22 I need to confirm one other thing, on the
23 transportation conditions of DDOT. The applicant is
24 agreeing to the DDOT, all the DDOT conditions, including the
25 Independence Avenue Road Diet condition for the portion of

1 this site that -- of the Avenue that's in front of -- it's
2 this site?

3 MS. BATTIES: Yes, the applicant agrees to all of
4 the conditions proposed by DDOT.

5 VICE CHAIR MILLER: Okay. Thank you for that
6 confirmation.

7 I also am not sure about what Commissioner Imamura
8 interestingly called a baseball cap, the rooftop element
9 there. It did stand out and it did call attention to the
10 building and the height of the building and to the
11 penthouse, the higher height of the penthouses behind it.

12 So I'm not sure I personally am fond of the
13 baseball cap. If it actually looked like a baseball cap
14 with maybe a W on it, that might make a lot of sense,
15 especially since the Senators played at RFK not too far away
16 for many, many years.

17 Anyway, that's all kind of subjective comments.
18 Let me, about the balconies. I'll ask Office of Planning.

19 I appreciate you having worked with Office of
20 Planning additionally the need to incorporate the Juliet
21 balconies that apparently may not have been there and maybe
22 are in an original or maybe not as many in an original
23 concept, so I appreciate that integration and responsiveness
24 to OP.

25 I'll ask OP -- and I appreciate also the dialogue

1 you had with Commissioner Imamura that the design is maybe
2 evolved to a point that it's maybe too late, in terms of
3 cost and reconfiguration.

4 But I'll ask OP whether they're satisfied with the
5 responses that you gave on that issue as to why you can't do
6 more walk-out, full balconies.

7 But let me ask you, is one of the constraints,
8 which I've seen in the past and I've asked OP to look at the
9 issue, and I'm not sure where OP is on looking at the issue.

10 Is one of the constraints the FAR of the
11 buildings? You're at 4.8 FAR for these residential
12 buildings. That's the maximum, that is the maximum FAR of
13 the -- of this zone district.

14 I know, in some other cases, there was concern
15 about exceeding the FAR if they had the walk-out, full
16 balconies and I've asked OP to look at the issue of not
17 including the square footage of balconies in the calculation
18 of FAR for the purposes of meeting the FAR requirement.

19 MS. BATTIES: That's not the case, there. And I
20 think they were contemplating just walk-out balconies that
21 would not count toward FAR.

22 VICE CHAIR MILLER: Okay. They would not count?
23 So that's not the issue, but there are other costs and
24 reconfiguration issues associated with that?

25 MS. BATTIES: Yes.

1 VICE CHAIR MILLER: Well, so I will ask OP to
2 respond and we'll see what they say on that issue.

3 I don't think I have any other questions, Mr.
4 Chairman. I'm generally impressed with the project. I'm
5 happy that it's moving forward, and I appreciate all of the
6 responses that have been given today and all the information
7 that's been provided into the record and I appreciate the
8 community engagement, going back to ANC 7D and 7F and
9 working on their issues and concerns.

10 I'm not looking at their latest comments in front
11 of me, but to the extent they've had any conditions, you've
12 agreed to all of their conditions or are addressing all of
13 their concerns that -- in the way that they've suggested
14 that you worked out?

15 MS. BATTIES: Yes. So primarily, what they wanted
16 is an understanding of like the labor requests and the
17 details on the variances and the waivers. When we met with
18 both ANCs, we walked them through each waiver and the
19 variance in detail and they were happy with the results.

20 VICE CHAIR MILLER: And I also appreciate all the
21 detail that you provided on those waivers and variance,
22 which I'm totally comfortable with. I think that the
23 reasons that you've articulated in the record and here today
24 make total sense, as to whether it's the topography or
25 whether it's the linear park accommodation or whatever the

1 reason that was provided.

2 It made sense to proceed with the design that you
3 have presented and it is an attractive design. So thank you
4 very much, Ms. Battise and the team for being here today and
5 for your work on this project and with the community.

6 Thank you, Mr. Chairman.

7 CHAIRPERSON HOOD: Thank you.

8 Commissioner Stidham, any questions or comments?

9 COMMISSIONER STIDHAM: Thank you.

10 I have a -- well, a couple comments and I think
11 one question. I have to agree, I'm not a huge fan of Juliet
12 balconies. I feel they're not really a meaningful space,
13 outdoor space for people who are making their home here, and
14 I would encourage you to think about if there is a way to
15 incorporate it -- incorporating them that still fits with
16 the other objectives of the project.

17 I would -- I also too would like to see a lot more
18 three-bedroom units, more families here. So I'm sort of not
19 thrilled that there are so few of them. I believe the
20 number was 11 and it would be great to see a lot more of
21 those.

22 I think -- my question is -- so I'll go to the
23 landscape plan first. While there's not a lot of detail
24 there, I think that space even becomes more meaningful
25 without the balcony space.

1 And I would hope that you would consider -- it
2 looks like there's a lot of structured space, space for
3 eating and preparing food. I don't see a lot of play space.
4 So I would encourage you to take a look at that as you look
5 a little further.

6 Not really clear on what's going to be included in
7 that park space out front, but be thinking about things that
8 are interesting, not just to the people who are walking in,
9 but the children who will be living there too, hopefully.

10 So I encourage you to go look at that.

11 MS. BATTIES: I'm sorry, Commissioner, are you
12 talking about the park on Independence Avenue?

13 COMMISSIONER STIDHAM: Right. You're naming it
14 after Kennedy. The strip park on one of the projects.

15 And then help me understand --

16 MS. BATTIES: (Crosstalk) --

17 COMMISSIONER STIDHAM: Go ahead. I'm sorry.

18 MS. BATTIES: I'm sorry. I just wanted to note
19 that that will be approved through Public Space Committee
20 because a portion of that project property for the park is
21 public space.

22 So we'll have -- we'll be able to do some
23 improvements there, but, you know, we will have restrictions
24 just based on what DDOT's requirements (audio cutout).

25 COMMISSIONER STIDHAM: Understood.

1 Help me, the interior space, that's supposed to
2 serve for both buildings, how will that space be welcoming
3 to the people who are living in the other building? Because
4 it's -- I believe it's completely confined to the interior?

5 You know, they're basically walking through the
6 lobby to get to that space, so how are people in the other
7 building feeling welcomed to use that space, along with
8 those that are living in the building?

9 MS. TORRES: Good question.

10 The different ways how the residents from B2 can
11 go to the B1 amenity space. They either -- oh, yeah. If we
12 could pull up slide -- it's -- I think it's slide number 8?

13 There are two ways.

14 COMMISSIONER STIDHAM: Okay.

15 MS. TORRES: The resident can go through the lobby
16 of B2, get out onto 21st Street and then enter the main
17 residential entrance on B1 and through the lobby and through
18 the lounge and then into the courtyard.

19 That is one way. The second way is they can go
20 all the way down to the garage -- they can go through the
21 garage and there we have connecting elevators in the first
22 level garage where they go down on B2 elevators, get out of
23 the garage and then get into the B1 elevator and go up.

24 COMMISSIONER STIDHAM: Okay. All right. I think
25 that -- going through the garage helps at least feel

1 connected to the other building.

2 MS. TORRES: Yes. And they're all sharing the
3 garage. You know the bike space, and the EV stations.
4 Everything that is down there is shared.

5 The courtyard itself, the nice thing is that some
6 of the residential units that are around the courtyard, they
7 will have like a little outside terrace.

8 And then the courtyard itself, our fantastic
9 landscape architect, is going to create different spaces
10 there for several people at the same time or several groups
11 to enjoy it.

12 I hope this answered your question.

13 COMMISSIONER STIDHAM: It did. I would just add,
14 I think the spaces could be really interesting, I just would
15 encourage you to include play spaces as well, so that there
16 is -- it looks like it's organized sort of in rooms to break
17 up the spaces and to offer different things to different
18 groups.

19 MS. TORRES: Yes.

20 COMMISSIONER STIDHAM: So --

21 MS. TORRES: Definitely an organic layout, that
22 was the vision of the landscape architect.

23 COMMISSIONER STIDHAM: I like that. I like that.
24 I hope that he takes it further.

25 There was one other question about the retail and

1 the waiver request associated with the retail. I believe it
2 was out of an abundance of caution. Could you go into that
3 a little bit further, please?

4 MS. TORRES: That is correct. Because of an
5 abundance of caution. Approximately 73 percent of that
6 space is going to comply with the 14 feet clear height.

7 COMMISSIONER STIDHAM: No, that the amount of
8 retail space is the question.

9 MS. BATTIES: I can explain.

10 MS. TORRES: Oh, please.

11 MS. BATTIES: We were asking for that and for an
12 abundance of caution because we went to the Zoning
13 Administrator to get an interpretation as to whether or not
14 the communal like office space or work stations would count
15 toward meeting the preferred use requirement.

16 We did not get a confirmation back from the Zoning
17 Administrator. I even want to say maybe Office of Planning
18 at one point thought we didn't need the waiver, but since it
19 wasn't clear, we requested the waiver.

20 COMMISSIONER STIDHAM: Got it. Got it. Okay,
21 that is helpful. Thank you.

22 Chairman Hood, I think that's all I have.

23 CHAIRPERSON HOOD: Okay. Thank you.

24 One of the things that I've learned over the years
25 on the Zoning Commission, that's why there's five of us. I

1 remember one case where all five people told the applicant
2 something different.

3 And at the end, I told them good luck. Come back
4 whatever the votes are.

5 Let me just first of all say that I believe that
6 this is neatly packaged. I like the design. I've heard
7 some of my colleagues' questions and comments. I liked
8 everything I saw in the submission, but I will caution you,
9 you know, I hear about we need to upgrade some stuff.

10 One thing, I don't like a lot of crowded stuff. I
11 don't like my room to be packed to where I can't move around
12 in it, so you know and I heard that about the landscape
13 plan. I would defer to some, but sometimes I won't.

14 So I'm sure that while one commissioner or two has
15 asked for upgrades, but make sure that it's across the
16 board. I would not like to see it cluttered. A
17 neighborhood cluttered -- and another thing is, what I'm
18 seeing in the city management, we got to make sure we take
19 care of stuff.

20 You know, we're planning stuff and we don't take
21 care of it. So what -- I'm sure that this applicant and
22 this developer have watched what they've done all over the
23 city and they've been taking care of it. They've worked
24 with the community engagement and I appreciate that.

25 I know we did foam-based coating for this area,

1 that was a big issue too. And I think, again, that's why I
2 said I see this forming to me neatly packaged.

3 I will say this though, the bicycle parking, and I
4 don't want to get in trouble here, do we need that much
5 bicycle parking? Who is the audience we're trying to
6 attract here? Because there's got to be an audience, a
7 clientele you're trying to attract.

8 I get the income numbers, like 30 percent, 20
9 percent MFI, but that's quite a bit of bicycle parking for
10 being close to a metro. So maybe it's -- maybe -- I know
11 you've run the numbers. I believe -- I know bicycles are
12 very prevalent, but I want to make sure that that has been
13 analyzed so that we ascertain and we can justify how many
14 bicycle parking. Because we got a bit here near metro.

15 MR. WATSON: Absolutely and it's a valid question.
16 You know, and I appreciate that. You know, when we look at
17 zoning, we're required to have 166 spaces. You know, we're
18 providing 233, which is about 77 more than zoning.

19 You know, I think one of the things we think about
20 when we're thinking of where the location is. DDOTs
21 implemented a considerable bicycle -- bike infrastructure on
22 Capitol Hill and Hill East and the area.

23 You've got the Anacostia Trail that's nearby
24 there. So there's a significant amount of bike
25 infrastructure that we want to make sure we're able to

1 respond, you know, to any need that may be there from
2 potential residents, no matter what their income are.

3 CHAIRPERSON HOOD: Okay. I appreciate that. I
4 just want to make sure that we have examined everything.
5 And I think that helps me.

6 I wasn't pro or conning it, I was just trying to
7 figure out, making sure that we either leave room -- we're
8 not overbilling. You know, we leave room to expand, but we
9 -- because right now, I'm sure, if this facility was fully
10 developed and ready to go and it was approved and
11 everything, I don't know if all those spaces would probably
12 go -- those bicycle spaces would be utilized.

13 And plus, I'm thinking, and I've said this before
14 and I know people disagree with me, I'm thinking when you
15 get over like 70 or 75, you're not going to be riding --
16 well, my former colleague, since his name was brought up, he
17 would disagree with me and I'm sure the bicycle community
18 would disagree with me, but we don't know where we're going
19 to be 15 and 20 years from now.

20 We may be riding bikes now -- and I hope we all
21 are still riding bikes at 70 and 80 years old, but the folks
22 over here that living near me, when we were dealing with the
23 bike issue, saying, Anthony Hood, I'm not riding no bike to
24 my doctor's appointment.

25 These are people in their 80's. So we have to

1 balance it. That's all I'm saying.

2 Let me ask you this, about the repair. How does
3 that work? Is there somebody manning that or is that --
4 I've heard that before, or is it just where I can go in and
5 fix my own flat tire? How does that work?

6 MR. WATSON: So the bicycle repair stations is
7 that what you're referring to?

8 CHAIRPERSON HOOD: Right.

9 MR. WATSON: Yeah. So it's for the -- they're not
10 manned at all. It's basically kind of a small little
11 station with a set of tools attached to it. There's a bike
12 air pump there. It just kind of allows people to do minor
13 repairs to their bikes, you know, on their own as needed.

14 CHAIRPERSON HOOD: Okay. Okay, thank you for
15 that.

16 I have a couple more questions. And I appreciate
17 the work with the ANC. I have to commend both ANCs. I
18 think they're both in unison, wanted to postpone this, if I
19 recall this correctly.

20 But I do want to commend ANC 7F and 7D too, but
21 7F, I had to search for their support. They wrote three
22 letters and you had to really look hard to find their
23 support.

24 So I appreciate all the work that has been done by
25 both. I think we only had two ANCs, correct?

1 Ms. Battise? Yeah.

2 MS. BATTIES: Yeah.

3 CHAIRPERSON HOOD: Yeah. I appreciate the work of
4 both ANCs.

5 Now, let me ask this about the, and I think you
6 mentioned this, about the affordable units. How does
7 that -- let me see, how do I want to ask that.

8 How are people being notified that this may
9 happen? And I notice this is a design review, how is the
10 messaging going, besides just through the ANCs? How is this
11 whole messaging process being done? Communication
12 (crosstalk) --

13 MS. BATTIES: (Crosstalk) --

14 CHAIRPERSON HOOD: This project is coming. We
15 have affordable housing? You know, this is what we have
16 here? This is what's coming right near the Metro? How is
17 that being advertised?

18 MS. BATTIES: So I will say, this applicant is
19 very much engaged with the community at all levels. And I
20 know, in fact, it's either the Ethel or the Park Kennedy,
21 they run like a training program out of that building.

22 So they're engaged. And they also have control
23 over I think three other parcels within Hill East. So they
24 are visible, engaged, actively engaged stakeholders and the
25 community knows them and they know what's coming down the

1 pike.

2 CHAIRPERSON HOOD: Okay. Yeah, I'm pretty sure
3 they're engaged not just in this area, but all over the
4 city, so I just wanted you to put that on the record.

5 Let me see what else I may have. And that whole
6 conversation about materials. I think materials -- I heard
7 Commissioner Imamura and Vice Chair Miller talking about the
8 lite and the dark.

9 For me it's a little goes -- but I have learned to
10 go with the dark and I'll tell you why. Not just even --
11 not just with the penthouse, because yesterday I looked at a
12 building that this Commission voted on and I was horrified
13 with all the dirt that was coming down those lite colors, it
14 really just turned -- and I'm like, you know, and I think
15 that's why I've kind of, Vice Chair, I've kind of learned
16 from Commissioner May, also from John Parsons, and also from
17 the late Gerald E. Press about that.

18 So they've taught me that and I've actually seen
19 it. So that's -- leaves to be desired on light and dark
20 colors. But what I ask applicants to do, and I think
21 Commissioner May has done this too, as well in recent years.

22 If you're going to use those lighter colors, come
23 up with some kind of a way to clean them, because when you
24 ride by some of these buildings, when you've been here 25
25 years and you ride by some of these buildings, you -- they

1 were voted on in 1998 and you look at them, you get very
2 disappointed when they're not kept up. So I'll leave it at
3 that.

4 But other than that, I think this is a great
5 project. I like the way it's packaged, is the word I'm
6 going to use. And I'll leave it at that.

7 Any follow-up questions?

8 Okay. All right.

9 Ms. Schellin, do we have anyone from ANC 7F or
10 7D?]

11 MS. SCHELLIN: No, sir.

12 CHAIRPERSON HOOD: Okay. Do we have any other
13 government agencies, besides DDOT, and I don't think DDOT is
14 here, but do we have any other --

15 MS. SCHELLIN: DDOT is here.

16 CHAIRPERSON HOOD: Oh, DDOT is here? Okay.

17 MS. SCHELLIN: Yes.

18 CHAIRPERSON HOOD: What about any other --

19 MS. SCHELLIN: No others.

20 CHAIRPERSON HOOD: Okay.

21 MS. SCHELLIN: No others. Just DDOT and OP>

22 CHAIRPERSON HOOD: Let's go -- okay. Let's go to
23 DDOT and then we'll go to OP. And thank the applicant
24 again. We'll come back shortly.

25 MS. SCHELLIN: We have Maxine Brown-Roberts from

1 OP. Do you want them both up at the same time?

2 CHAIRPERSON HOOD: Yeah. No, let's just bring up
3 DDOT first. We have a new person --

4 MS. SCHELLIN: Just DDOT? Okay.

5 CHAIRPERSON HOOD: -- I didn't recognize his name.

6 MS. SCHELLIN: Sure. It's Mr. Jutte.

7 CHAIRPERSON HOOD: Mr. Jutte?

8 MS. SCHELLIN: I may have pronounced it wrong.

9 MR. JUTTE: You did. That's okay. I'll deal.
10 It's happened my whole life. Every graduation. I get it.

11 CHAIRPERSON HOOD: Mr. Jutte, is this your first
12 time on the Zoning Commission?

13 MR. JUTTE: Yes, sir.

14 CHAIRPERSON HOOD: Well, first of all I want to
15 welcome you to the Zoning Commission. And have you been to
16 the BZA yet? I have a standing question.

17 MR. JUTTE: Not yet, no.

18 CHAIRPERSON HOOD: Okay. Well, I'll ask you later
19 then.

20 Mr. Jutte, welcome again. You may begin.

21 MR. JUTTE: Thank you.

22 Good evening, Chairman Hood, and members of the
23 Commission. For the record, I'm Preston Jutte with the
24 District Department of Transportation.

25 DDOT is supportive of the applicant's proposal to

1 develop parcels B1 and B2 on the Hill East Campus and our
2 March 29th, 2024, report, which is in the record as Exhibit
3 27, we recommend approval with two conditions, construction
4 of a road diet on Independence Avenue Southeast by using
5 permanent materials, and implementation of a Transportation
6 Demand Management Plan.

7 As you heard in the applicant's presentation, they
8 have agreed to both of our requested conditions and with
9 those included in the zoning order, DDOT has no objection to
10 the approval of this design review application.

11 We look forward to continuing to work with the
12 applicant on the road diet, as well as the design of the
13 streetscape and the curbside management plan as they go
14 through public space permitting.

15 Thank you and I'd be happy to answer any
16 questions.

17 CHAIRPERSON HOOD: Mr. Jutte, let me ask you. Was
18 this easier to analyze because the Metro was closer?

19 MR. JUTTE: I'm not sure how to answer that
20 question. I guess, what exactly are you asking?

21 CHAIRPERSON HOOD: I'm just asking you, when you
22 did your analyzation and your DDOT, and your transportation
23 management and all -- everything you analyzed to give us a
24 report, was it easier for you to analyze because the Metro
25 was near?

1 MR. JUTTE: I think for our purposes it's a
2 factor, but I'm not sure I would say it's easier or harder.
3 It impacts the parking rates, you know, what we look at, but
4 I'm not sure I could say it's easier or harder, one way or
5 the other over the --

6 CHAIRPERSON HOOD: So you just --

7 MR. JUTTE: -- for the purposes of analysis.

8 CHAIRPERSON HOOD: I'm going to pick on you now
9 since you're new. So now you are -- since you're new, I can
10 pick on you. The rest of them know I do this.

11 So basically, you still use your, what is it the
12 guide, the transportation guidebook, you still use that in
13 your analyzation?

14 MR. JUTTE: Yes, sir. We use the Comprehensive
15 Transportation Review Guidelines.

16 CHAIRPERSON HOOD: Okay. Okay. All right, I'm
17 going to leave you alone on that. So I think it's good.
18 Thank you for your report.

19 MR. JUTTE: Excellent. Thank you.

20 CHAIRPERSON HOOD: Commissioner Imamura, do you
21 have any questions or comments?

22 COMMISSIONER IMAMURA: Thank you, Mr. Chairman, no
23 questions.

24 Mr. Jutte, welcome to the Zoning Commission.
25 Thank you for bringing your talent and expertise to DDOT and

1 to the Zoning Commission tonight. Appreciate the work that
2 you put into your report and, again, welcome.

3 MR. JUTTE: Thank you. Appreciate it.

4 CHAIRPERSON HOOD: And Vice Chair Miller?

5 VICE CHAIR MILLER: Thank you, Mr. Chairman.

6 Thank you, Mr. Jutte, for being here, for joining
7 DDOT well enough. You just joined DDOT -- well, are you
8 just joining DDOT or just joining this part of DDOT, but
9 we're happy to have you here.

10 MR. JUTTE: Thank you.

11 CHAIRPERSON HOOD: And Commissioner Stidham, any
12 questions or comments?

13 COMMISSIONER STIDHAM: No, just echo the welcome
14 and we look forward to you joining us more often.

15 MR. JUTTE: Thank you.

16 CHAIRPERSON HOOD: So Mr. Jutte, let me just say,
17 don't -- it's not going to always be that way, but let's
18 just see how it goes, okay?

19 Does the applicant have any cross of the District
20 Department of Transportation?

21 MS. BATTIES: No, we don't.

22 CHAIRPERSON HOOD: Ms. Batties?

23 MS. BATTIES: No, we don't.

24 CHAIRPERSON HOOD: Okay. Thank you.

25 All right. Again, Ms. Schellin, we don't have

1 anybody from the ANC, right?

2 MS. SCHELLIN: No, sir.

3 CHAIRPERSON HOOD: Okay.

4 All right, Mr. Jutte, thank you very much. We
5 greatly appreciate it.

6 All right. Let's go to Ms. Brown-Roberts.

7 MS. BROWN-ROBERTS: Good afternoon, Mr. Chairman
8 and members of the Zoning Commission. This is Maxine Brown-
9 Roberts from the Office of Planning and I don't know why my
10 video isn't showing, but I'll go ahead.

11 You can hear me?

12 CHAIRPERSON HOOD: Yeah, we can hear you fine.

13 MS. BROWN-ROBERTS: Yes. Okay. Sorry about that.

14 The Office of Planning recommends that the Zoning
15 Commission approve this design review application, along
16 with the requested waiver and variance.

17 Next slide.

18 The Office of Planning found that the application
19 generally meets the mandatory design review criteria for
20 Subtitle X, Section 604 which seeks to promote consistency
21 with the Comprehensive Plan map and policies.

22 The Hill East Master Plan, and the Hill East
23 Design Guidelines outlined in Subtitle K for the Hill East
24 Zone, as well as the housing and retail use as the proposal
25 would provide active and passive open space areas for

1 residents, as well as the general public. Safe pedestrian
2 and bicycle and vehicle spaces, and encourage the use of
3 transit and sustainability.

4 We are supportive of the architecture that meets
5 the mandatory design. We are supportive of the
6 architecture. Other features we found compelling included
7 the linear park along Independence Avenue, the architectural
8 crown to accentuate the roofline, the tower elements, the
9 private drive to provide access to shared loading berths,
10 trash pickup and other back of the house activities of both
11 buildings, as well as what should be visible porous ground
12 floor at the retail area along Burke Street.

13 The regulations allow an applicant to seek waivers
14 and relief through the design review process and this
15 application includes a handful of areas that would require
16 waivers.

17 Some of the waivers could be traced back to
18 providing the setback from Independence Avenue, sculpting
19 the building away from the property lines to allow some
20 depth to the changing rhythm of the building façade and
21 responded to the topography of the site.

22 None of the waivers or the variance would result
23 in undo impacts on any adjacent properties or the overall
24 development of the Hill East as envisioned by the Master
25 Plan.

1 Subtitle X 604 also asks us to evaluate the
2 project's consistency with the Comp Plan, and we do this
3 through a Racial Equity Lens. Our full racial equity
4 analysis can be found beginning on page 26 of our report,
5 but to summarize, the project would further a number of
6 policies related to equity.

7 The project would meet its affordable unit's
8 requirement by providing units at zero to 30 percent, 30 to
9 50 percent, and 60 to 100 percent AMI. There also would be
10 varying unit sizes, including some three bedrooms.

11 Along with the housing, there would be an
12 extension of Burke Street and the construction of 20th and
13 21st Street. The development limits curb cuts making it
14 much safer for pedestrians and it is easier to walk to and
15 from the metro.

16 With the development's proximity to Metrorail and
17 buses, residents would have transportation options, making
18 it easier to access employment or other locally, city-wide,
19 or others in the region.

20 Next slide.

21 Regarding the FLUM, the HE-2 zone and the proposed
22 development would not be inconsistent with the medium
23 density residential and commercial uses recommended. The
24 FLUM also recommends institutional uses.

25 However, as addressed in our report, the vision

1 for a hospital at Hill East was envisioned at the time of
2 the Master Plan has been relocated to St. Elizabeth's.

3 Next slide.

4 The Policy Map recommends the area for a land use
5 change area and the future planning analysis area. All
6 these recommendations are reflected in the Hill East Master
7 Plan.

8 The resilience focused areas are reflected in the
9 sustainability elements included in the proposal. Many of
10 the recommendations of the Master Plan has been included in
11 the Capitol Hill area element and the Capitol Hill policy
12 area focus area.

13 Next slide.

14 When evaluated through a racial equity lens, the
15 proposal would provide housing and affordable housing at
16 various AMI and would provide variety in unit sizes. The
17 data shows that the Capitol Hill is becoming more diverse,
18 however, it has one of the lowest amount of affordable
19 housing in the District.

20 According to the mayor's 2019 Housing Equity
21 Report, which has been updated in February 2024, Capitol
22 Hill has projected -- was projected to provide 1,400
23 affordable units by 2025.

24 However, to date, only 22.9 percent of the
25 projected units have been provided. The affordable units

1 generated by this project would go towards meeting the
2 housing goals for the planning area and advance the Comp
3 Plan policies related to housing.

4 We did identify, in a report, that we would like
5 to have additional balconies on Building B2, and the
6 Commission has sort of talked about it already, and so we
7 are going to leave that decision up to the Zoning Commission
8 to make.

9 However, as stated in our report, one of the
10 things that we think on this building B2 was that most of
11 the recreational facilities are in -- are in building B1
12 and, you know, those residents will always have to be
13 leaving their building to go to another building, and I
14 think this would give them some additional outdoor space.

15 Regarding the -- I think the aesthetics that the
16 applicant has concerns about, I think that's something that
17 could be managed.

18 So I think that was a two question. Mr. Miller
19 also asked about the open balconies, the open balconies
20 counting towards FAR, they don't, and we have not done any
21 further analysis on that, but currently, the open balconies
22 do not count towards FAR.

23 So in summary, again, the Office of Planning
24 recommends approval of the application.

25 Thank you, Mr. Chairman, and I'm available for

1 questions.

2 CHAIRPERSON HOOD: Thank you very much, Ms. Brown-
3 Roberts. Let's see if we have any questions or comments.

4 Commissioner Imamura?

5 COMMISSIONER IMAMURA: No questions. Thank you,
6 Ms. Brown-Roberts for your report.

7 CHAIRPERSON HOOD: Commissioner Miller? Vice
8 Chair Miller?

9 VICE CHAIR MILLER: Thank you, Mr. Chairman.

10 Thank you, Ms. Brown-Roberts, for your report and
11 your presentation here today.

12 So I appreciate you leaving it up to the
13 Commission on the balcony question, but were you satisfied
14 with the response that the applicant gave to the
15 recommendation that walk-out balconies could be
16 accommodated?

17 You were saying that the aesthetics, I think in
18 one of the responses you gave or one of the comments you
19 made just now was that the aesthetics, at least, could be
20 managed.

21 Do you think the reorientation of the units and
22 the whatever costs is involved could also be managed?

23 MS. BROWN-ROBERTS: I don't know about the
24 costing, because we haven't done an analysis on that. That
25 was something that was conveyed to us by the applicant.

1 But at the same time, I consider numerous, you
2 know, buildings throughout the city that has balconies, you
3 know, to various income levels and that sort of thing.

4 So I don't know what the cost is in regarding this
5 application. I will say that, yes, you know, we work with
6 the applicant, they work with us on the design of the
7 building and we were very encouraged about that.

8 We did mention -- we did bring up the issue about
9 the -- about balconies early and they did come back with the
10 Juliet balconies, but again, you know, sometimes we don't
11 catch everything at these meetings and it's when we get the
12 full package before us that some things really hit us and
13 stuff like that.

14 So that was the situation in this case.

15 VICE CHAIR MILLER: Okay. Well, thank you for
16 that response and thank you for all of your work and
17 recommendations to the applicant on this project.

18 Thank you very much.

19 MS. BROWN-ROBERTS: Thank you.

20 CHAIRPERSON HOOD: Okay. Any questions or
21 comments, Commissioner Stidham?

22 COMMISSIONER STIDHAM: No, none from me. Thank
23 you, Ms. Brown-Roberts for being here this evening.

24 MS. BROWN-ROBERTS: Okay. Thank you.

25 CHAIRPERSON HOOD: I have to -- Ms. Brown-Roberts,

1 I don't have any questions for you, but thank you, again,
2 another well-done report. We appreciate it. Thank you.

3 Let's see if we have Ms. Battise, does the
4 applicant have any cross?

5 MS. BATTIES: No, we don't.

6 CHAIRPERSON HOOD: Okay. And again, we don't, at
7 this point, have I don't believe, anyone from either the
8 ANCs.

9 So thank you, Ms. Brown-Roberts.

10 MS. BROWN-ROBERTS: Thank you, Mr. Chairman.

11 CHAIRPERSON HOOD: So let's see if we have anyone
12 who would like to testify in support, opposition, or
13 undeclared.

14 Ms. Schellin?

15 MS. SCHELLIN: We do not.

16 CHAIRPERSON HOOD: Okay.

17 Ms. Batties, do you have any closing remarks or
18 any rebuttal or closing?

19 MS. BATTIES: No. We again, just respectfully
20 request that the Zoning Commission approve the application
21 of the building's design as proposed. And I just want to
22 reiterate that the applicant has considered the cost and the
23 management of balconies, which as you know this is not their
24 first project, and they made the decision that, in this
25 case, of Juliet balconies is the appropriate alternative to

1 full walk-out balconies. Thank you.

2 CHAIRPERSON HOOD: Ms. Batties, let me just ask
3 you. Didn't you mention that the RFP was out there some
4 years now, it just sat there?

5 MS. BATTIES: Well, the first phase was out in
6 2012 and then the second RFP came out in 2020. The RFP for
7 this phase two.

8 CHAIRPERSON HOOD: Okay, phase two, okay.

9 All right. Thank you.

10 Any follow-up questions or comments?

11 All right. Did anybody ask for anything? And I
12 believe this is a design -- is that two votes, Ms. Schellin,
13 or one?

14 MS. SCHELLIN: This is a one vote --

15 CHAIRPERSON HOOD: Okay.

16 MS. SCHELLIN: -- case.

17 CHAIRPERSON HOOD: All right. Did anybody ask for
18 anything? Did --

19 MS. SCHELLIN: No. I think there was just to make
20 sure that they were good with the conditions that OP, DDOT,
21 and I believe the ANC had some concerns. Were those all
22 addressed?

23 CHAIRPERSON HOOD: Yeah.

24 MS. SCHELLIN: I believe Ms. Lovick will --

25 CHAIRPERSON HOOD: Yeah, let me -- I was asking --

1 MS. SCHELLIN: Just go ahead and make sure she has
2 everything she needs. If you guys are thinking about
3 proceeding this evening?

4 CHAIRPERSON HOOD: Make sure who has everything
5 they need?

6 MS. SCHELLIN: Ms. Lovick.

7 CHAIRPERSON HOOD: Okay.

8 MS. SCHELLIN: As far as for the order that
9 everything's been addressed.

10 CHAIRPERSON HOOD: Let me make sure we have --

11 MS. SCHELLIN: (Crosstalk).

12 CHAIRPERSON HOOD: -- everything we need first.

13 MS. SCHELLIN: Yes. That you guys feel you've
14 addressed everything as far as --

15 CHAIRPERSON HOOD: Yeah. Then we'll go to Ms.
16 Lovick --

17 MS. SCHELLIN: -- with DDOT, OP --

18 CHAIRPERSON HOOD: -- and everybody else.

19 MS. SCHELLIN: -- because I did have to answer a
20 call and email, so I didn't hear whether they addressed
21 those concerns or not.

22 CHAIRPERSON HOOD: Okay. No problem.

23 Does anybody need anything or have any hesitation
24 that we need to hold off?

25 Let me just go down my regular order for the

1 night.

2 Commissioner Imamura?

3 COMMISSIONER IMAMURA: No requests, Mr. Chairman.

4 Nothing to hold this up. I did encourage the applicant to
5 think more about a lighting plan in the private driveway,
6 private drive, but I don't think that we need to hold this
7 up to review that.

8 I'm certain that they'll take that into serious
9 consideration.

10 CHAIRPERSON HOOD: Okay.

11 And Vice Chair Miller, anything?

12 VICE CHAIR MILLER: Thank you, Mr. Chairman, I was
13 having trouble finding my cursor to unmute myself.

14 No, I think, you know, I think there are certain
15 things we might have preferred to see the, and we were
16 encouraging the applicant to pursue if this goes forward,
17 whether it's the lighting plan that Commissioner Imamura
18 said, the LEED Gold versus Silver, the walk-out balconies
19 versus the Juliet balconies.

20 You could get rid of the baseball cap trellis
21 rooftop structure if you want to. You know, if you want to
22 -- if we proceed tonight, if you want to put in the draft
23 zoning order the flexibility to do all those things so you
24 don't have to come back to us, whether it's legal, more
25 detailed lighting, landscaping plan, walk-out balconies, and

1 more three-bedroom units, as Commissioner Stidham had
2 mentioned.

3 You know, I think, if we could have that
4 flexibility in the order to make those improvements, if you
5 can do it, that would make the project even better, but I'm
6 not prepared, after 22 years of seeing this Master Plan on
7 the shelf, seeing it implemented.

8 I don't want to do anything to hold up it being
9 implemented.

10 CHAIRPERSON HOOD: Okay.

11 Commissioner Stidham?

12 COMMISSIONER STIDHAM: No, I don't need anything
13 further.

14 CHAIRPERSON HOOD: Thank you.

15 Yeah, I don't want it to stay on the shelf and I
16 don't want it to go back to the shelf. I know some of the
17 things that we've asked for, some requested individually we
18 may have, but I think, overall it's beneficial to the city.

19 So we can do that. We can do, as the Vice Chair
20 mentioned, about putting the flexibility in there if
21 possible, especially the lighting plan, but I believe this
22 applicant, Ms. Torres, and those people that we've
23 discussing with all of the applicant, and I don't mean those
24 people, but the applicant, and also the community.

25 I believe that they will adhere and do what's best

1 for the best interest of the residents of this city. I have
2 every bit of confidence in that. So I am ready.

3 We can do the flexibility. Put it in the order
4 whatever, I'll leave that up to our legal folks, but I
5 believe that this is ready to move forward.

6 So with that, unless I hear any objection, we will
7 go ahead and move forward.

8 Would somebody like to make a motion?

9 COMMISSIONER IMAMURA: I'll make the motion,
10 unless I saw Vice Chair Miller move forward, so I'll yield
11 to Vice Chair Miller.

12 VICE CHAIR MILLER: That was very perceptive.

13 I would move that the Zoning Commission take
14 action, approval action on case number 23-28, Hill East
15 Parcel B LLC., Design Review in Parcel B1 and Parcel B2 in
16 the Hill East Zone District at Square 112E lots 809, 815 on
17 Independence Avenue Southeast and ask for a second.

18 COMMISSIONER IMAMURA: Second.

19 CHAIRPERSON HOOD: It's been moved and properly
20 second.

21 Any further discussion?

22 Not hearing any, Ms. Schellin, would you do a roll
23 call vote, please?

24 MS. SCHELLIN: Yes.

25 Commissioner Miller?

1 VICE CHAIR MILLER: Yes.

2 MS. SCHELLIN: Commissioner Imamura?

3 COMMISSIONER IMAMURA: Yes.

4 MS. SCHELLIN: Commissioner Hood?

5 CHAIRPERSON HOOD: Yes.

6 MS. SCHELLIN: Commissioner Stidham?

7 COMMISSIONER STIDHAM: Yes.

8 MS. SCHELLIN: The vote is four to zero to one to
9 approve final action with the flexibility stated on the
10 dais.

11 So four to zero to one to approve final action as
12 discussed and the minus one being the third mayoral
13 appointee seat, which is vacant.

14 And if we could have a draft findings of facts,
15 conclusions of law uploaded to ISIS with an Word version
16 emailed to me within four weeks, that would be great.

17 MS. BATTIES: Thank you so much.

18 CHAIRPERSON HOOD: Do we have anything else on
19 this case?

20 MS. SCHELLIN: No, sir.

21 CHAIRPERSON HOOD: Okay. The Zoning Commission
22 has a monthly meeting on April the 11th. Is that correct?

23 MS. SCHELLIN: Yes, Thursday.

24 CHAIRPERSON HOOD: Oh. I thought today was
25 Thursday. Again, okay.

1 All right. So April the 11th the Zoning
2 Commission with have its regular monthly meeting. We have a
3 number of agenda items on the agenda and we will be on these
4 same platforms at the same time.

5 Again, we want to thank Hill East Parcel B, LLC.,
6 for working with the community and coming back, we think,
7 with a win-win for the District of Columbia.

8 So thank you and with that, this hearing is
9 adjourned. Good night everyone.

10 (Whereupon, the meeting was adjourned at 6:03
11 p.m.)

12 * * * * *

TRANSCRIBER CERTIFICATE

This is to certify that the foregoing transcript
In the matter of: Public Hearing
Before: DC Zoning Commission
Date: 4-8-2024
Place: Teleconference
was accurately transcribed under my direction; further,
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Capital L. Helgast

Transcriber Name