

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA  
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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF: :  
 :  
USL WDC H Street LLC & H : Case No.  
Street Self Storage, LLC - : 12-18  
Consolidated PUD & Related :  
Map Amendment @ Square 858 :  
-----:

Thursday,  
April 18, 2013

Hearing Room 220 South  
441 4th Street, N.W.  
Washington, D.C.

The Public Hearing of Case No.  
12-18 by the District of Columbia Zoning  
Commission convened at 6:37 p.m. in the  
Jerrily R. Kress Memorial Hearing Room at  
441 4th Street, N.W., Washington, D.C.,  
20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairman  
MARCIE COHEN, Vice Chair  
MICHAEL G. TURNBULL, FAIA,  
Commissioner (AOC)

PETER MAY, Commissioner (NPS)  
ROBERT MILLER, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director,  
Development Review & Historic  
Preservation

KAREN THOMAS

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

JACOB RITTING, ESQ.

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF  
PRESENT:

JAMIE HENSON

FLEMING EL-AMIN

The transcript constitutes the  
minutes from the Public Hearing held on  
April 18, 2013.

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

2 6:37 p.m.

3 CHAIRMAN HOOD: Okay, let's get  
4 into our hearing for tonight. Good evening  
5 ladies and gentlemen. This is a public  
6 hearing of the Zoning Commission for the  
7 District of Columbia for Thursday, April 18,  
8 2013.

9 My name is Anthony Hood. Joining  
10 me this evening are Vice Chairman Marcie Cohen  
11 and Commissioners Robert Miller, Peter May,  
12 and Mike Turnbull. We are also joined by  
13 Office of Zoning Staff Ms. Sharon Schellin,  
14 Office of Planning Ms. Steingasser, Ms.  
15 Thomas. From DDOT we have Henson and Mr. El-  
16 Amin from DDOT.

17 This proceeding is being recorded  
18 by a court reporter. It is also webcast live.  
19 Accordingly, I must ask you to refrain from  
20 any disruptive noises or actions in the  
21 hearing room.

22 The subject of this evening's

1 hearing is Zoning Commission Case No. 12-18.  
2 This is a request by USL WDC H Street for  
3 approval of a Consolidated PUD and Related Map  
4 Amendment for property located at Square 858.

5 Notice of today's hearing was  
6 published in the D.C. Register on February 1,  
7 2013 and copies of that announcement are  
8 available to my left on the wall near the  
9 door.

10 The hearing will be conducted in  
11 accordance with the provisions of 11 DCMR 3022  
12 as follows: preliminary matters; Applicant's  
13 case; report of the Office of Planning; report  
14 of other government agencies; report of the  
15 ANC, in this case 6C. ANC 6A is near the  
16 site; organizations and persons in support;  
17 organizations and persons in opposition;  
18 rebuttal and closing by the Applicant.

19 The following time constraints  
20 will be maintained in this meeting: the  
21 Applicant 60 minutes; organizations five  
22 minutes; individuals three minutes. The

1 Commission intends to adhere to the time  
2 limits as strictly as possible in order to  
3 hear the case in a reasonable period of time.  
4 The Commission reserves the right to change  
5 the time limits for presentations if necessary  
6 and no time shall be ceded.

7 All persons appearing before the  
8 Commission are to fill out two witness cards.  
9 These cards are located to my left on the  
10 table near the door. When coming forward to  
11 speak to the Commission, please give both  
12 cards to the reporter sitting to my right  
13 before taking a seat at the table.

14 When presenting information to the  
15 Commission, please turn on and speak into the  
16 microphone first stating your name and your  
17 home address. When you are finished speaking  
18 please, turn your microphone off so that your  
19 microphone is no longer picking up sound or  
20 background noise.

21 The decision of the Commission in  
22 this case must be based exclusively on the

1 public record. To avoid any appearance to the  
2 contrary, the Commission request that persons  
3 present not engage the members of the  
4 Commission in conversation during any recess  
5 or at anytime.

6 In addition, there should be no  
7 direct contact of any kind whatsoever with any  
8 Commissioner concerning this matter. The staff  
9 will be available throughout the hearing to  
10 discuss procedural questions. Please turn off  
11 all beepers and cell phones at this time so as  
12 not to disrupt these proceedings.

13 Will all individuals wishing to  
14 testify please rise and take the oath.

15 Ms. Schellin, would you please  
16 administer the oath.

17 MS. SCHELLIN: Yes.

18 Please raise your right hand.

19 (The witnesses were sworn.)

20 CHAIRMAN HOOD: At this time the  
21 Commission will consider any preliminary  
22 matters. Does the staff have any preliminary

1 matters?

2 MS. SCHELLIN: We have received  
3 the Applicant's Affidavit of Maintenance. It  
4 is in order. The only other thing we have are  
5 some proffered expert witnesses by the  
6 Applicant to be considered. Some have been  
7 previously accepted. Actually, it looks like  
8 maybe all of them. Maybe all of them.

9 CHAIRMAN HOOD: Okay. Just give  
10 me one second. I have an announcement that  
11 the Special Public Meeting started at 6:15.  
12 It was properly noticed at 6:15 so I don't  
13 want those who are here, unless you want to  
14 sit through the hearing, but if you were here  
15 for the Special Public Meeting, that started  
16 at 6:15.

17 Okay. Now we may begin.

18 MS. SHIKER: Thank you, Chairman.  
19 My name is Christie Shiker with the law firm  
20 of Holland & Knight. As a preliminary matter,  
21 we did proffer several expert witnesses in our  
22 prehearing submission.

1 All of those witnesses have been  
2 accepted as an expert witness before. Mr.  
3 Steve Fotiu has been accepted by the Board of  
4 Zoning Adjustment but has not been accepted by  
5 the Zoning Commission heretofore.

6 CHAIRMAN HOOD: Okay. Mr. Fotiu  
7 has not been accepted by the Commission.

8 Where is Mr. Fotiu?

9 MR. FOTIU: Right here.

10 CHAIRMAN HOOD: Commissioners, I  
11 have noted that he was but he wasn't. Any  
12 concerns from the Commission?

13 COMMISSIONER TURNBULL: Mr. Chair,  
14 I want to bring up one thing. Maybe Mr. Fotiu  
15 can answer it. He has listed that he's a  
16 registered architect but it says Associate  
17 AIA.

18 MR. FOTIU: That's correct. I'm  
19 not a full member of the AIA. It's just a  
20 personal choice. You don't need to be an AIA  
21 member to --

22 COMMISSIONER TURNBULL: I'm a

1 member of the AIA. I understand that. Thank  
2 you.

3 MR. FOTIU: Yes.

4 COMMISSIONER TURNBULL: Okay.

5 CHAIRMAN HOOD: Any objections?

6 So we'll accept him as an expert.

7 MS. SHIKER: Thank you. Are you  
8 prepared for me to move forward?

9 CHAIRMAN HOOD: I'm ready for you  
10 to move forward.

11 MS. SHIKER: Excellent. Thank  
12 you.

13 Good evening again. My name for  
14 the record is Christie Shiker with the law  
15 firm of Holland & Knight. I'm joined by my  
16 partner Chip Glasgow in the front row, also  
17 with Holland & Knight. As you can see, we  
18 have a table full of people tonight to explain  
19 and present this project to you.

20 First, to my right I have Trent  
21 Smith and Maury Stern. They are with Insight  
22 Property Group who is representing the

1 Applicant in this case tonight.

2 I also at the end have Sami  
3 Kirkdil and Federico Soifer from SK&I  
4 Architectural Design Group. They are the  
5 architects for the project. We have Steve  
6 Fotiu from the Eisen Group who is doing the  
7 retail design and the architecture for the  
8 retail level.

9 We have in the audience Mr. John  
10 Fitch and Payam Ostovar from Landscape  
11 Architectural Bureau. They are the landscape  
12 architects for the project. We have Erwin  
13 Andres from Gorove/Slade, the transportation  
14 consultant. We also have Ryan Brannan from  
15 Wiles Mensch, our civil engineer.

16 We are here tonight to request  
17 approval for a consolidated PUD and a related  
18 Zoning Map Amendment for the development of a  
19 mixed-use project containing residential and  
20 retail uses along the vibrant H Street  
21 Corridor.

22 The property is located in Square

1 858. It's bounded by H Street, 6th, 7th, and  
2 I Street and it consist of a variety of lots  
3 and a portion of a public alley that is  
4 proposed to be closed. The site contains just  
5 over 100,000 square feet of land area so it's  
6 a large site ready for an exciting  
7 development.

8 As I mentioned, the project  
9 requires an alley closing and, as part of that  
10 closing, the Applicant is proposing to  
11 establish by easement a new alley system to  
12 provide enhanced access within the square and  
13 we'll talk about that more in detail in our  
14 presentation.

15 The original submission was  
16 presented to you in both the PUD submission  
17 and the prehearing submission. You should  
18 have both of those packages. The original  
19 submission proposes a building with a height  
20 of approximately 90 feet and a FAR of 4.84  
21 that includes approximately 453 residential  
22 units and approximately 73,000 square feet of

1 retail use.

2 I will note that the height of the  
3 entire project including all of the roof  
4 structures is still less than the 1910 Height  
5 Act which would permit 110 feet. At the  
6 maximum point of the highest roof structure  
7 we're at 108.5 feet.

8 In the supplemental prehearing  
9 submission, we submitted -- we introduced an  
10 alternate plan for your consideration which  
11 would allow for a grocery use to be included  
12 in the ground floor retail space. The height,  
13 FAR, and massing of the project and the design  
14 of the project will all stay the same with the  
15 grocery alternate.

16 However, the total retail square  
17 footage increases to about 96,000 square feet  
18 and the number of units decreases slightly to  
19 432. We will discuss in detail the few  
20 changes that occur with the grocery alternate  
21 with the site plan throughout our  
22 presentation.

1                   Please note that you do have two  
2 corrected plan sheets that were submitted  
3 today from the grocery alternate book. These  
4 reflect some refinement to the alley easement  
5 area that were not shown on the plans in your  
6 grocery alternate book and so we would ask  
7 that you review those. We've also submitted a  
8 summary of zoning flexibility, PUD-related  
9 flexibility, and a detailed outline of the H  
10 Street design guidelines.

11                   This information could be found in  
12 different elements and the various submissions  
13 from both the PUD, the prehearing, and the  
14 supplemental prehearing submission, but we  
15 felt for clarity in the record it would be  
16 useful for the Commission and for the Office  
17 of Planning to have this document that sets  
18 forth everything for both the original  
19 submission and the grocery alternate so you  
20 should have that as well.

21                   Go to the next slide, please. The  
22 site is currently split zone C-2-B and R-4

1 with the C-2-B portion being located within  
2 the H Street overlay. The applicant request  
3 a rezoning of the northern portion -- oh,  
4 that's very small. Can we go to the next  
5 slide?

6 Thanks -- of the northern portion  
7 of the site from R-4 to R-5-B, for this lot  
8 and the small portion over towards 7th Street  
9 to be rezoned from R-4 to HS-C-2-B. Portions  
10 of the public alley would also be rezoned  
11 along with that.

12 The R-5-B rezoning on I Street is  
13 to accommodate the apartment house use on the  
14 north side of the project. It does not  
15 provide any additional density or height on  
16 that portion of the lot and all R-4 standards  
17 are complied with at that point.

18 With the grocery alternate the  
19 rezoning application slightly changes.  
20 Specifically, in order to accommodate the  
21 grocery use within the ground floor, the  
22 rezoning line between the R-5-B and the C-2-B

1 must be extended to the north 29 feet.

2 In the application we noted that  
3 was 3,425 square feet of additional area going  
4 to the C-2-B. Actually, the 3,425 represents  
5 what's inside the box right there which  
6 actually represents the commercial use. If  
7 you maintain the line straight, it's actually  
8 4,711 square feet.

9 We don't plan any commercial use.  
10 These areas are either for alley or external  
11 outside use but we would suggest that the line  
12 be straightened. If the Commission would  
13 prefer, it could be limited to the smaller  
14 area. Again, this is simply to allow the  
15 grocery use to extend into the 29 feet. There  
16 are no changes or increases in the height or  
17 the density in that area.

18 We will also point out that the  
19 project and proposed rezoning is consistent  
20 with the future land use map of the  
21 Comprehensive Plan. It's also consistent with  
22 the generalized policy map.

1           It complies with a variety of  
2 major elements of the Comprehensive Plan as  
3 well as the major guiding principles. I think  
4 that has been described in detail both in our  
5 prehearing submission and the Office of  
6 Planning's report.

7           Furthermore, the H Street, N.E.  
8 Strategic Development Plan and the Design and  
9 Development Guideline identifies this as a  
10 type I large parcel site. It has been  
11 designated to be developed with a large-scale  
12 mixed-use project in this very important part  
13 of the H Street area.

14           We have worked very closely with  
15 the Office of Planning and we are very pleased  
16 to have the support in their report. We have  
17 also worked very closely with DDOT. DDOT  
18 supports the project but has a variety of  
19 conditions that they've put on.

20           Today we submitted our written  
21 response to the record setting forth our  
22 ability to comply with those conditions. As

1 you'll see, we have agreed to the significant  
2 majority of the conditions.

3 Most important, however, we cannot  
4 comply with the request to eliminate the  
5 driveway from 6th Street to the below-grade  
6 parking facility because, first, it's very  
7 important to the community to keep the traffic  
8 off that very low-volume alley and alley  
9 easement which serves only a few homes and the  
10 loading for the project in the original  
11 submission.

12 In addition, it's very important  
13 for quality retail users to have a retail  
14 access off the street and this would be  
15 imperative for any grocery use.

16 We did not see any justification  
17 in the DDOT report which would say that the  
18 double-curb cuts would at all harm public  
19 safety. This is especially given that the  
20 curb cuts provide the pedestrian refuge in  
21 accordance with DDOT's design and engineering  
22 manual. The curb cuts are well in excess of

1 the 60 feet from the intersection. With the  
2 low volume of traffic we do not see any  
3 pedestrian concerns for that double-curb cut.

4 As you will hear from Mr. Smith,  
5 who is going to speak next, we have worked  
6 very closely with the community. We are  
7 pleased to have unanimous support for both the  
8 original submission and the grocery alternate  
9 from ANC-6C. That is the ANC within which the  
10 project is located.

11 We also have support for both the  
12 original submission and the grocery alternate  
13 from ANC-6A. ANC-6A's boundary goes along 7th  
14 Street so the east side of 7th Street is  
15 within that ANC and those letters can all be  
16 found in the record.

17 We are also very pleased to have  
18 Ward 6 council member support and there was a  
19 letter submitted today in the record for that.  
20 While we have mostly received very strong  
21 support for this project, there are some  
22 neighbors who have concerns regarding impacts

1 of the development.

2 We have tried to address these  
3 concerns and these issues and we will talk  
4 about what we've done throughout our  
5 presentation tonight to address and hopefully  
6 resolve their concerns.

7 I would like to move to our first  
8 witness, Mr. Smith, to talk through a variety  
9 of issues.

10 MR. SMITH: Great. Thanks,  
11 Christie.

12 My name is Trent Smith, for the  
13 record. I live at 1320 T Street, N.W. I work  
14 for a company called Insight Property Group.  
15 We are a newer company started in 2009 from  
16 the ex-president and ex-chief investment  
17 officer of Kettler.

18 We're a D.C. focused mixed-use and  
19 multi-family developer and owner made up of  
20 veterans from Kettler, Archstone, and JPI.  
21 Our principals are probably best known for the  
22 high-rise mixed-use projects they did in

1 Pentagon City and in Reston Town center.

2 In Insight in a few short years  
3 we've acquired nine properties and currently  
4 have \$130 million of development projects  
5 under construction in DCMSA. Heading into  
6 2011 one of our goals was to plant a flag in  
7 D.C. We had projects underway in Arlington,  
8 Montgomery County, and Fairfax and really  
9 wanted to have a presence in the District.

10 We targeted H Street for the  
11 submarket we wanted to be in. In fact, our  
12 number one site happened to be the Murry's  
13 site. We are proud and excited owners of the  
14 Murry's site at 6th and H as of November 2011.

15 Subsequent to acquiring the  
16 Murry's site, we went under contract on the H  
17 Street Self Storage property just to the east  
18 of us. This was a big deal. In talking to  
19 Chip Glasgow he said he had 20 of his clients  
20 come before him trying to acquire this before  
21 and no one had been able to do it.

22 We were excited that the owners

1 who were not motivated sellers decided to give  
2 us a shot so that we could look at the north  
3 end of this block holistically and try and put  
4 these pieces together.

5 That said, I think we were able to  
6 pay more than anyone else, too, because the  
7 efficiencies of the Murry's site next door.  
8 So we are here before you with these plans  
9 that if we are able to get them approved, we  
10 would acquire the H Street Self Storage  
11 facility and it would be developed as the  
12 plans that we described tonight.

13 The community has been very, very  
14 excited about the inclusion of the self-  
15 storage building in every single meeting that  
16 I've head.

17 I also want to point out something  
18 that we've learned during the due diligence on  
19 our H Street self-storage building. We  
20 uncovered the fact that the beautiful Apollo  
21 Theater used to sit on that site. That's the  
22 image you see in the bottom right hand of your

1 screen.

2                   Sadly enough when the Ourisman  
3 Chevrolet was built, this was torn down. We  
4 decided to pay homage to that great relic and  
5 name our project the Apollo.

6                   We started our community outreach  
7 at the beginning of 2012 shortly after we  
8 acquired the site. To be honest with you,  
9 it's been an amazing process. I've had fun  
10 all the way through and it's been really,  
11 really collaborative and the design has  
12 advanced tremendously.

13                   We've been in front of the ANC and  
14 the ANC committees approximately 19 times.  
15 We've had a lot of what I call neighborhood  
16 gatherings. This is anything from four or  
17 five people having beers to me formally  
18 presenting in front of 30 or 40 people to get  
19 their feedback and start to understand what  
20 the community really wanted on the site.

21                   We worked really hard in the  
22 beginning of 2012 to understand it. Towards

1 the end of this summer there started to be a  
2 lot of excitement about the design, a lot of  
3 agreement about what the program should be.

4 Heading into September we got to a  
5 place where we were able to submit our formal  
6 PUD application. We debuted our renderings at  
7 the H Street Festival. This was an amazing  
8 day for me. We had hundreds and hundreds of  
9 people come and talk to us about our project.

10 I personally probably spoke to 150  
11 people that day. It was exhausting but the  
12 worse comment I got the entire day was, "Oh,  
13 I guess this is progress." It was amazing the  
14 reception we got. That was kind of a fun way  
15 to kick off the more public community process  
16 for the larger H Street and Capitol Hill  
17 district.

18 Subsequent to that we received  
19 formal support, as Christie mentioned, from  
20 both ANC-6A and 6C. We had the 19 public  
21 meetings but we are working week after week  
22 with the heads of those committees to get to

1 a happy place where everyone was agreeing over  
2 the design that is before you tonight.

3           Recently we've been back before  
4 the community to start to talk about this  
5 grocery alternative that Christie mentioned.  
6 We understand it's a late change. We have  
7 worked really, really hard to minimize the  
8 magnitude of the changes but we think this is  
9 a really, really exciting tenant, one I wish  
10 I could reveal but I'm not allowed to at this  
11 time.

12           They recently told us they want to  
13 be at this site and we would like them to be  
14 at this site. We are in extensive  
15 negotiations with them right now. We wanted  
16 to include a tool inside of our application in  
17 our approvals that will allow us to continue  
18 talking to that grocery if the community  
19 wanted a grocery on this site.

20           We didn't want to come back weeks  
21 later with a modification so we are confident  
22 in the likelihood of the alternate plan. With

1 that said, we do not have an agreement but I  
2 feel very good about it. Of late, as recently  
3 as the last couple weeks, we went out and got  
4 unanimous support for that grocery alternate  
5 plan as well.

6 I want to spend a minute to talk  
7 to you about the uniqueness of our site. Our  
8 site is highlighted in gold or yellow in this  
9 exhibit. It is the last type I site on H  
10 Street that is really easy to conceive.

11 The other ones in red, I'm sure  
12 you all know by heart, or either under  
13 construction or have already been approved.  
14 The thing that makes this unique this is the  
15 last large floor plate opportunity on H Street  
16 proper.

17 The Strategic Plan recognizes  
18 this, too. You can see our site at the bottom  
19 of the screen in the big orange block on the  
20 north side. That is the Murry's site. They  
21 recognize the fact this is a unique and  
22 special site.

1                   One of the things we wanted to  
2 understand with the community is how they  
3 wanted to use this unique space and this  
4 opportunity that we went out here. We started  
5 attending H Street/Main Street retail forums  
6 and their focus groups and we are out talking  
7 to the community to understand what they  
8 wanted.

9                   What we kept hearing over and over  
10 again is that there is a need for services on  
11 H Street that currently do not exist. A lot  
12 of people are being forced in their vehicles  
13 to drive elsewhere in order to have basic  
14 services.

15                   There was not a desire to re-  
16 create Columbia Heights and have it become a  
17 regional destination. The users that we kept  
18 hearing over and over again were the large-  
19 scale health club, specialty grocery.

20                   They understand that the Giant is  
21 coming to H Street but they think there is a  
22 niche for more of a specialty grocery as well

1 on H Street and people will end up traveling  
2 elsewhere to see those today.

3 In addition, not as a surprise,  
4 there is a strong desire to have neighborhood  
5 services and goods such as a home store. We  
6 took this information and really used it as  
7 the basis for our design. We started from the  
8 ground floor up and we really look at the  
9 retail as this being the true amenity for the  
10 community that they are going to be most  
11 excited about kind of as the years go on.

12 Our block is unique in that on the  
13 south side of our block Jair Lynch is getting  
14 ready to redevelop the entire south side of  
15 the block. Between the two of us we are  
16 presenting over 100,000 square feet of retail  
17 on this long 600 block.

18 There has been a very big focus to  
19 make sure we are getting this right. This is  
20 unique on H Street but this is unique  
21 District-wide to be able to have two  
22 developers working together in unison that are

1 going to be delivering things within a couple  
2 years of one another.

3 We've gone out and hired the same  
4 consultants and have been working together so  
5 we have the Eisen Group and Steve Fotiu  
6 working on our architectural design to make  
7 sure that we are looking at this area as a  
8 district not necessarily trying to mimic one  
9 another but make sure things make sense and  
10 work with one another.

11 We have hired Street Sense to help  
12 us out with our story telling to retailers to  
13 make sure that we're getting the bottom 30  
14 feet of this block in this special community  
15 amenity right. We understand kind of the  
16 special nature of this site and have been  
17 trying to take that into account every step of  
18 the way.

19 With that, I want to just briefly  
20 just remind you of kind of our summary of the  
21 architecture and go into more detail about how  
22 this works. What we are talking about tonight

1 is a large project. When you consider both  
2 plans there's 73,000 to 95,000 square feet of  
3 retail we're talking about and 430 to 450  
4 multi-family units.

5 All of the density and the height  
6 is pushed forward on our site as close to H  
7 Street as possible and we pare the building  
8 back to six stories in the alley and then four  
9 stories in the back.

10 Christie mentioned the alley  
11 reconfiguration earlier. I want to shed a  
12 little more light on this so you understand  
13 exactly what is happening. There is an alley  
14 currently behind the Murry's site that  
15 bifurcates the three parcels that we own when  
16 we acquired the Murry's site.

17 This alley today serves our site  
18 and three residential rowhomes on 6th Street  
19 and no one else. Under our proposed alley  
20 reconfiguration, what we've done is we've  
21 removed the red alley and proposed this new  
22 blue alley.

1                   This blue alley would act as a  
2                   buffer to our new project and would be an  
3                   alley easement. Then also it would provide  
4                   better access than what the people currently  
5                   have to their homes.

6                   Essentially this new alley would  
7                   act as a buffer. It provides loading in back  
8                   of house access for our site and then access  
9                   to the three homes and that's really it.  
10                  Although it is a public alley easement, it's  
11                  not anticipated to get a lot of use.

12                  This alley we spent a lot of time  
13                  in 2012 with all of the homeowners on 6th and  
14                  I that were willing to participate in the  
15                  discussion to talk about the shape and size of  
16                  this alley, the material of this alley, the  
17                  width of this alley, where the commercial  
18                  trucks on this alley, how the elevation looks  
19                  on this alley, the fact that there are no  
20                  balconies on this alley, how far back the  
21                  building is on this alley.

22                  We got to a place where I would

1 say almost all but one of the residents are  
2 very happy with this design and understand it  
3 and actually like it because it is going to  
4 improve their access and act as a buffer.

5 I want to briefly outline the  
6 phasing to you as well. We are requesting  
7 phasing of this project but it is our hope and  
8 desire to develop this in one phase. It is a  
9 rather large project. Due to scale and  
10 ownership structures it requires that we allow  
11 for phasing for financial flexibility.

12 With that said, the phasing in the  
13 baseline occurs right on the Murry's and Self  
14 Storage line that you can see. In the  
15 alternative -- in the alternative the phase I  
16 becomes a lot larger. The anchor retail  
17 tenant that we're talking about is something  
18 that would allow a very large first phase from  
19 a financing perspective.

20 What you see in the second phase  
21 of the alternative, just so you understand,  
22 it's really there for construction phasing.

1 We would like to be able to pull permits on  
2 the large phase I project and have our  
3 construction trailers on the phase II section.  
4 As soon as phase I is done, then phase II will  
5 be built after that.

6 I'm going to briefly touch on our  
7 amenities. All our amenities have been  
8 detailed in our PUD package but I do think  
9 there's a couple worth highlighting because  
10 the community was very interested in them.

11 In my meetings with Calvary  
12 Baptist and Calvary Episcopal, which are  
13 adjacent to our site, one of the comments I  
14 kept hearing was a need for access to parking  
15 on Sunday mornings.

16 They have a lot of their members  
17 that come in from out of town and so in  
18 working with the churches and with the  
19 community, we've decided to open up our garage  
20 on Sunday morning so that the community and  
21 the churches have access to them to help their  
22 members on Sunday mornings.

1           In addition to that, there is a  
2 parcel of land at 5th and I that is owned by  
3 the National Park Service. We've been working  
4 with them to create a passive public space  
5 with seating for the neighborhood.

6           Another community amenity that was  
7 an item that came out of all of our  
8 involvement was the Blair House Shelter  
9 streetscape. Currently there are cars that  
10 park in the public space and it has become a  
11 bit of an eyesore for the rest of the  
12 community so we've been working with DGS to  
13 come up with a new streetscape presence that  
14 would remove the parking spaces that are on  
15 the sidewalk today and help carry the  
16 landscape frontage through I Street that  
17 currently exist there.

18           Now we are going to start to touch  
19 on or dive into the design of the project. We  
20 love where this site sits for a variety of  
21 reasons. It's really at the center of a  
22 variety of converging forces. There's

1 Gallaudet with its new campus plan that opens  
2 up on 6th to the north and Union Market to the  
3 west.

4           Everyone knows what's happening in  
5 NoMa and with Union Station. What I've  
6 learned in this process is that 32 million  
7 people a year come through Union Station and  
8 I like that because I think that means that  
9 the infrastructure cost to upgrade Union  
10 Station for Burnham Place is going to happen  
11 sooner rather than later.

12           On the south we have Capitol Hill  
13 and Eastern Market to anchor us. Then to the  
14 east it's the entertainment district, the  
15 Atlas District. All of these forces are  
16 coming in on our site. On top of that the  
17 District has spent tens of millions of dollars  
18 on H Street Corridor through the streetscape  
19 improvements and also through the streetcar.

20           The icing on the cake for us is  
21 that we're on 6th Street. The 6th Street  
22 north connection from Capitol Hill is really

1 special. It creates an amazing retail corner.  
2 When you combine that with the large  
3 possibilities we talked about before, we think  
4 it makes this site incredibly special.

5 It's a great site today but we  
6 think it's going to be even better in the  
7 future. The one goal we've been trying to  
8 talk about in each of our design meetings is  
9 that we really want to create a timeless  
10 building here, something that makes sense  
11 today but is going to make sense in the  
12 future.

13 I look at the Ellington on U  
14 Street as being a timeless building that has  
15 weathered really well. We took buildings like  
16 that in mind. Also I think Union Row there  
17 are architects that also fits into that  
18 category.

19 Right now we're in the dead zone.  
20 We are really one of the biggest problems of  
21 H Street. It's Murry's and it's the Self  
22 Storage. We want to connect both ends of H

1 Street where all the activity is occurring and  
2 really anchor this center.

3 Site context. On the front of our  
4 site across H Street is the Jair Lynch Project  
5 I talked about before at 6th and H. You have  
6 five-story office buildings. In the middle is  
7 a nine-story apartment project that will break  
8 ground within the next month or two.

9 On the back of our site we are  
10 surrounded by residential uses, typical R-4  
11 uses. We also have the Blair House. A  
12 halfway house sits behind our site on I Street  
13 as well.

14 The images worth pointing out on  
15 this slide are probably number 1 and number 8.  
16 These two give you an idea of the existing  
17 alley that is there for the three row houses  
18 that we are impacting in the alley  
19 modification or the alley realignment.

20 I want to spend a couple minutes  
21 to talk about this context. Other than Senate  
22 Square there really aren't a lot of large-

1 scale buildings on H Street today even though  
2 there have been some approved. There is Giant  
3 as well.

4                   What we did find is that the  
5 community actually liked that, though. They  
6 liked certain elements in that building. For  
7 example, Senate Square ganged their windows  
8 together so that -- ganged their windows on  
9 multiple floors into one opening so it kind of  
10 reduces kind of the feeling of the number of  
11 stories in that building.

12                   That's one of the things you'll  
13 see in our design. Frankly, most of the  
14 context is in the historic rowhomes on H  
15 Street. We tried to draw inspiration from the  
16 neighborhood, from the materials that exist on  
17 H Street, and from the brick detailing.

18                   Our block is different than all  
19 the other blocks on H Street. Because of the  
20 existing office buildings and the nine-story  
21 building that is across the way, it's very  
22 different than the Rappaport site which had to

1 relate to three-story rowhouses that were on  
2 the other side.

3 We tried to frame the block and  
4 relate to mass across H Street to what was  
5 there and what exist but not mimic it.  
6 Typically we would emphasize our corners. In  
7 this instance we did not.

8 We tried to pull the massing down  
9 at the edges and bring our strong vertical  
10 elements and the focal point of this design to  
11 the center of the block. The center of the  
12 block is where it relates to the tall point of  
13 the Jair Lynch project but it also has the  
14 least amount of impact on the neighbors.

15 With that, I'll let our architects  
16 dig into the details of the design that has  
17 been extremely well received by the community  
18 and well vetted by the community. After the  
19 architects are through, I will walk you  
20 through the minor changes of the grocery  
21 alternate but they do not impact any of the  
22 elevations.

1 MR. SOIFER: Hello. My name is  
2 Federico Soifer with SK&I Architectural Design  
3 Group. My address is 1324 Euclid Street, N.W.  
4 The main challenge of this design was to  
5 address the needs of the community and, at the  
6 same time, achieve an elegant and contemporary  
7 solution that would give identity to the block  
8 and to the neighborhood.

9 It is worth to note that part of  
10 the building belongs to C-2-B zone belonging  
11 to the H Street Corridor and the rest of the  
12 building facing I Street is a four-story R-5-B  
13 residential area. One of the main features of  
14 the building is to connect this eight-story  
15 mass with tapering down to the four stories.

16 For the H Street component we  
17 decided to break the building in three main  
18 components. We have the west, central, and  
19 east. The west and central component belong  
20 to the existing Murry's site. This component  
21 belongs to the existing Self Storage site.

22 We decided to treat each component

1 not as a separate building but as a component  
2 with some urban variation but with the same  
3 architectural expression to cohesively connect  
4 the overall building.

5 We are going to describe the  
6 building through the floor plans where we are  
7 going to see the uses and different setbacks.  
8 The first floor is the main drive of the whole  
9 project. The residential is the -- I'm sorry,  
10 the retail component is the main presence on  
11 both places. The residential uses accumulate  
12 to the east of the retail uses.

13 The existing and newly-  
14 reconfigured alleys are going to provide  
15 loading access on both ends of the project.  
16 There is going to be a very easy bicycle  
17 access at grade. We are going to have the  
18 back component of the building a low four-  
19 story building facing I Street opening to  
20 setbacks and courtyards.

21 On the same slide we are going to  
22 see some additional setbacks that we used

1 through architecture to accommodate to the  
2 needs of the neighborhood and the context. We  
3 have a 24-foot setback facing north on the 6th  
4 Street side of the site. There is also a  
5 corner setback on 6th Street and H Street.  
6 There is a big urban courtyard on the center  
7 of the project that is tied up closely to the  
8 architecture.

9 This is the second floor where the  
10 residential building starts expressing itself  
11 above the retail. We have two big courtyards  
12 facing north and we are expressing this urban  
13 courtyard in the center of the building with  
14 an extra setback facing H Street.

15 This is where the east building  
16 starts articulating a courtyard and also a  
17 side courtyard facing H Street. The low  
18 component on I Street also has a setback to  
19 tie up to the neighborhood buildings' scale  
20 and mass.

21 On the 5th floor, the 5th and 6th,  
22 the building starts tapering up. On the 6th

1 floor we have an extra setback on 6th Street  
2 and the bay windows facing H Street. Seventh  
3 floor the same, the extra setback. That is  
4 where the top of the building starts and  
5 continues up to the 8th floor.

6 This cross section explains the  
7 functions and setbacks. We have the retail  
8 facing H Street, the low component of the  
9 building facing I Street, and succession of  
10 setbacks tapering up to H Street.

11 This long section explains the  
12 retail spaces; a one-story retail on the left,  
13 a two-story retail on the right with  
14 residential amenities in between and the  
15 central courtyard and the setbacks on both  
16 sides of the building, extremes of the  
17 building.

18 This is, again, a long section  
19 that explains the courtyards, the retail uses,  
20 and connection to the garage. We have two  
21 underground levels of parking. G1 is  
22 basically retail parking and residential

1 parking on G2.

2 On the second floor we want to  
3 note the retail piece on the east side. It's  
4 roughly 29,000 square feet of retail. In the  
5 event retail use is not going to happen, it  
6 might turn into residential use.

7 We chose a layout of the rooftop  
8 plan. This is an important feature in the  
9 building. The treated the rooftop as a  
10 unified element that articulates with the  
11 architecture. There is recreation of communal  
12 space, some mechanical space, and some  
13 isolated penthouse structures.

14 This are the architectural  
15 inspiration from other projects the firm has  
16 done and other projects that we like in the  
17 District, how to treat the blocks. There were  
18 large projects that needed some definition and  
19 breaking in terms of massing, some treatment  
20 of texture, and the pedestrian experience. We  
21 took all the lessons and I think we tried to  
22 apply it to this project.

1                   Tower corner elements. This  
2 explains the main component on H Street, how  
3 we treated the three components. We have two  
4 big solid brick buildings on both flanges and  
5 a lighter, smaller building as an nexus or a  
6 stitch that connects the front of the building  
7 with the back of the building at the  
8 penthouse. This is like the facade of this  
9 urban court that we generate in the center of  
10 the building.

11                   Talking about the east wing, we  
12 treated this as a warehouse building with  
13 double order and a couple of textures with  
14 bricks alternating. We also treated the  
15 building as a corner building trying to add  
16 interest and windows creating a real corner to  
17 minimize the impact and to embellish the  
18 building.

19                   This central element is mainly a  
20 all-glass element with vertical elements that  
21 ties the facade of the building into the  
22 courtyard. It wraps around the courtyard and

1 connects to the penthouse.

2 The west component is also treated  
3 as a solid massive building that relates to  
4 the scale of the street and then with a more  
5 contemporary element that is the top glass and  
6 articulations in the corner.

7 This is the low component on I  
8 Street. It's a three-story -- four-story  
9 building with a setback on the fourth floor  
10 trying to relate to the neighbors.

11 This is some of the material.  
12 Each building has its own distinct selection  
13 of bricks that harmonize but they are slightly  
14 different. The geometry of the top is similar  
15 but it has subtle differences in materials.

16 Here we are seeing the roof plan  
17 and the landscape proposal for the rooftop.  
18 We treated this as a homogeneous structure and  
19 design exercise with complimentary geometry  
20 and design systems.

21 On the west we present a pool deck  
22 elevated with some flowering trees, lounging

1 area and green area. In the center we have  
2 this communal recreational space. On the east  
3 side we have mainly a relaxing lawn and an  
4 outdoor lounge area.

5 This is the landscape on the first  
6 floor. We are complying with all DDOT  
7 regulations and H Street Corridor regulations.  
8 We are setting back the building on the whole  
9 front of H Street five feet to enhance the  
10 pedestrian experience. We are setting back in  
11 the central courtyard and on the north no-  
12 residential building on the alley and  
13 courtyard.

14 I'm going to pass it to Steve  
15 Fotiu.

16 MR. FOTIU: Thank you, Federico.

17 My name is Steve Fotiu. I'm the  
18 Director of Architecture for the Eisen Group  
19 and I live at 1255 25th Street, N.W.

20 As Federico just mentioned, the  
21 ground floor is pulled back five feet and  
22 that's to provide a wide enough sidewalk so

1 that a vibrant, active sidewalk with cafe  
2 seating, retail displays, and a variety of  
3 uses can occur without impeding the pedestrian  
4 traffic.

5 Together with this vibrant  
6 streetscape we are attempting to propose a  
7 vibrant storeroom that would complement the  
8 existing H Street Corridor. That context that  
9 has been mentioned, as you well know, is this  
10 fine-grained repetitive texture of rowhouses  
11 that have show windows, colorful exterior  
12 facades, brick detailing and cornices that are  
13 quite lovely, retailer expressions with  
14 signage and colors.

15 The challenge for us is to blend  
16 into that rhythm of the neighborhood but, at  
17 the same time, simultaneously we must  
18 transition these very large buildings down to  
19 the street, these three components of the  
20 west, the center, and the east down to the  
21 ground simultaneously creating a district with  
22 the Jair Lynch Project across the street.

1                   And providing a framework that  
2                   allows for retailer flexibility that can  
3                   accommodate a variety of different retail  
4                   types so that the retail will always stay  
5                   current with retail trend whether that's a  
6                   number of small shops or larger footprints  
7                   that other locations on H Street are unable to  
8                   accommodate such as a grocer.

9                   As mentioned previously, the  
10                  building is broken down into these three  
11                  components. In order to transition to the  
12                  retail, we introduced a belt course that's  
13                  pulled up to the underside of the second floor  
14                  windows as high as we can to try and establish  
15                  a retail presence that is larger than just the  
16                  first floor itself.

17                  To further transition down to the  
18                  pedestrian zone, we are proposing an increase  
19                  in the detail of the materials as we get down  
20                  to the ground. The brick will have more  
21                  intricate detailing. There will be  
22                  introduction of metal details and wood details

1 to further add a kind of tactility to the  
2 building at the sidewalk.

3 Then horizontally across the  
4 length of the block we are proposing that we  
5 introduce a series of different moments. As  
6 you can see, the vignettes down at the bottom  
7 show a little bit more detail there where  
8 occasionally there are brick piers that come  
9 down to the ground.

10 Occasionally there is no  
11 architecture and storefronts will be allowed  
12 to go center line to center line so that it's  
13 really the retailer expression that  
14 proliferates.

15 Then there is the outdoor room or  
16 the urban courtyard. There is the residential  
17 tower. Then as we transition to the east,  
18 again there are retailers coming center line  
19 to center line. There is a marching order of  
20 piers and then brick piers reappear. There is  
21 kind of a variety of different moments that  
22 happen along the length to break down the

1 scale.

2           Within this framework that we've  
3 created you can see here we're attempting to  
4 allow for retailers to have their expression  
5 but, at the same time, we want to provide  
6 flexibility as I mentioned and still allow the  
7 retailers to participate in the zone that's --  
8 this district that's being created together  
9 with the Jair Lynch Project.

10           Within this flexibility, as my  
11 colleague Trent has mentioned, the grocer is  
12 one of these opportunity to allow a different  
13 type of retailer for this H Street location.

14           MR. SMITH: Thanks, Steve.

15           I will talk about the differences  
16 of this grocery alternative plan from what we  
17 just went through. Essentially all of the  
18 elevations stay the same, the public street  
19 elevations.

20           The significant changes are the  
21 building area changes. We lose approximately  
22 21 units and gain about 23,000 square feet of

1 retail. Christie earlier mentioned the Zoning  
2 Map Amendment.

3 The loading under the grocery  
4 plan, there is no longer any loading off 6th  
5 Street. All of the loading comes in the same  
6 location it did in the baseline plan except  
7 now it accommodates larger trucks and is  
8 centralized into the middle of the block.

9 There have been some slight roof  
10 changes in order to accommodate the grocery  
11 mechanical requirements as well as a slight  
12 shift in the residential core to accommodate  
13 the grocery. Our lot occupancy increased  
14 slightly from 80 to 84 percent to accommodate  
15 the grocer or entry spacing.

16 This is an H Street overlay item.  
17 We have relief requested in order to  
18 accommodate the grocery. We won't be able to  
19 have as many entries as required by the H  
20 Street overlay.

21 Then with the alley easement, the  
22 alley easement with shifts from a commercial

1 width to a residential width under the grocery  
2 alternative. This is what that looks like in  
3 the site plan. I'll point out the main  
4 loading area is now centralized in the middle  
5 of the block. Erwin will go into more detail  
6 about how this flow works. There is no longer  
7 loading for phase I over here.

8 You can see the grocery store is  
9 in this area pushing back into the site in  
10 order to accommodate the very strict  
11 requirements of the grocer that we are  
12 negotiating with. This shows the changes in  
13 order to accommodate the grocery mechanical  
14 and the shift in the core at the roof.

15 Erwin.

16 MR. ANDRES: Good evening,  
17 Chairman Hood, members of the Commission. My  
18 name is Erwin Andres, principal for  
19 Gorove/Slade Associates. What I would like to  
20 do is just go quickly through our scope and  
21 our coordination with DDOT. DDOT had issued  
22 two review letters, one on February 13th and

1 then a subsequent one on April 10th  
2 identifying the recommendations.

3 Next slide, please. With respect  
4 to access and circulation, this is just a very  
5 brief summary that I will point out as we go  
6 through the following figures.

7 Next slide. The important aspects  
8 of the baseline plan include the two garage  
9 ramifications. The first is on the west side  
10 of the site there is a proposed entrance into  
11 the garage on 6th Street which runs parallel  
12 to the existing alley easement that both the  
13 architect and Trent had identified earlier.  
14 Then the second garage entrance is located off  
15 the alley that extends out to 7th Street.

16 To put this in context, the  
17 circulation around the entire site is H Street  
18 which, as you know, is two-way. 6th Street is  
19 one-way northbound. I Street is one-way  
20 eastbound. 7th Street is actually two-way up  
21 until you hit H Street and then south of H  
22 Street 7th Street actually runs one-way

1 southbound. In essence, the circulation  
2 around the entire block is almost clockwise  
3 except for 7th Street which is two-way just to  
4 give you some context.

5 In the baseline plan there are two  
6 loading areas. One loading area is in this  
7 section where the smaller delivery trucks  
8 would turn right, enter the alley easement,  
9 and then back in. As they exit they would  
10 turn right out onto 6th Street.

11 On the east side of the site there  
12 is the loading area where there are two  
13 loading berths where the delivery vehicles  
14 would come in off of 7th Street, enter into  
15 the public alley system, and then come back  
16 out. This is the summary of the access and  
17 loading plan for the baseline plan.

18 Next slide, please. The alternate  
19 plan, which is the grocery plan, is similar in  
20 the garage access in that the garage access,  
21 which is proposed for the baseline plan, is  
22 the same where you have an access off of 6th

1 Street and then garage access off of the  
2 public alley that extends out to 7th. The  
3 major difference is in the loading.

4 As Trent had identified earlier,  
5 we are providing the loading area to be able  
6 to accommodate 55-foot trucks that are  
7 consistent with many of the grocers in town.  
8 The loading plan for this plan is completely  
9 on the east side of the site where trucks  
10 would come to and from H Street, traverse  
11 north on 7th, turn left into the public alley,  
12 and use this internal alley system to back  
13 into these loading berths.

14 When they are leaving, they would  
15 essentially turn right, again, through this  
16 public alley system and then turn right to  
17 head south onto 7th Street. These larger  
18 vehicles, these larger delivery vehicles,  
19 aren't going through the neighborhood but are  
20 going to and from that short distance to H  
21 Street.

22 It's critical that in order to

1 accommodate that condition, we have proposed  
2 to DDOT and it's our understanding that  
3 they've agreed that it will be necessary to  
4 restrict a few on-street parking spaces to  
5 allow for those truck movements to occur.

6 Next slide. With respect to the  
7 access itself to the overall site, as I  
8 mentioned before, the two critical  
9 intersections that provide us access into the  
10 garage locations are the intersections of 6th  
11 and H and 7th and H.

12 As I mentioned before, we are  
13 looking to restrict some parking spaces at the  
14 juncture of 7th and H. With respect to the  
15 traffic analysis that we've done, it's  
16 critical that we -- we've identified some  
17 mitigation measures that will help address  
18 both the traffic impacts and the circulation  
19 related to both the passenger vehicles for the  
20 site as well as the loading vehicles.

21 The analysis -- the resulting  
22 analysis proved that we will need to perform

1 some signal timing modifications for both 6th  
2 and H and 7th and H. We are also looking at  
3 the opportunity to provide separate left-turn  
4 lanes at those locations in order to  
5 facilitate some of the queuing that occurs --  
6 actually some of the queuing that occurs  
7 today.

8 Some of these recommendations that  
9 we've identified with respect to signal  
10 timings are actually in some respect  
11 addressing existing conditions.

12 With respect to the mitigation, as  
13 I mentioned before, No. 3 is the signal  
14 adjustments that I had just alluded to. The  
15 other two components of the plan are  
16 consistent with the other PUDs that we've  
17 worked on in the District.

18 The first is the loading  
19 management plan. Obviously, especially in the  
20 grocery alternative, there are some impacts  
21 related to the bigger trucks, but we do intend  
22 to manage that with a loading management plan

1 that stipulates the designation of staff to  
2 manage both the residential and retail loading  
3 activities that take place. Consistent with  
4 driveway policy -- excuse me, loading policy  
5 for DDOT all of the maneuvers are actually  
6 taking place within the alley.

7           There are no backing up maneuvers  
8 from public streets which is unique  
9 considering their adjacency to a lot of this -  
10 - a lot of our residential neighbors because  
11 there are other mixed-use grocery projects  
12 within the District that actually have to use  
13 the public right away and we are not doing  
14 that. We have made a significant effort to  
15 make sure that the loading is head in and head  
16 out into the public alleys.

17           The next item on here is  
18 transportation demand management. We have  
19 coordinated with DDOT and are making a  
20 significant push to incentivize many of the  
21 residents and employees to take alternate  
22 modes such as bicycle and transit.

1           As part of our TDM plan we have  
2 committed to providing Capital Bikeshare  
3 memberships and offering them to initial  
4 residents and employees in the project. We  
5 are also offering SmarTrip of \$25 to the  
6 initial residents. We've also committed to  
7 identifying a transportation coordinator who  
8 would be responsible for managing all of these  
9 other TDM issues with respect to TDM.

10           Which brings us to the next slide  
11 which is parking. This is just a quick  
12 summary on the two parking strategies for both  
13 the baseline and the alternate. The parking  
14 is within the same range for both alternates.

15           I think the two numbers that are  
16 critical are the 2.0 and 2.2 spaces and that's  
17 for the retail. That's what is driving the  
18 retail demand. That is based on some of our  
19 experience of retailers in the District as  
20 well as the Applicant's experience as well.  
21 The .5 we believe is appropriate for parking  
22 demand in this neighborhood.

1                   Next slide. So based on our  
2                   coordination and interaction with DDOT, as I  
3                   mentioned, in their April 10, 2013 letter they  
4                   have identified four conditions as part of  
5                   their recommendations on our development  
6                   program.

7                   For the most part we agree to  
8                   three of them with some conditions. Obviously  
9                   the first condition, which is the 6th Street  
10                  entrance, we take issue with considering that  
11                  we are committed to provide that 6th Street  
12                  entrance because of the fact we are providing  
13                  that alley easement as both a buffer and as an  
14                  opportunity for those three townhomes -- three  
15                  rowhomes adjacent to our site that were  
16                  committed to provide that clear path for them,  
17                  as well as the buffer.

18                  In addition to that, we are  
19                  providing a 6th Street entrance to allow for  
20                  visibility for the retailers to use that 6th  
21                  Street entrance as a point where vehicles can  
22                  easily identify how to get into and out of the

1 parking garage which is important to the  
2 retailers that we're tracking.

3 The second recommendation in  
4 DDOT's letter identifies either the need to  
5 reduce the retail parking. Given our  
6 experience, we don't believe we can do that to  
7 be successful so DDOT had also put in a  
8 measure that if you're not going to reduce the  
9 parking, then we want you to implement other  
10 transportation demand management measures  
11 which we will do and we are committed to do  
12 that.

13 The first measure that we  
14 committed to do as part of this condition is  
15 to monitor trip generation. We will monitor  
16 trip generation until the trip generation is  
17 stabilized and until the trip generation is at  
18 the levels that we projected it to be.

19 I think one revision that we  
20 wanted to add was that as part of DDOT's  
21 letter they mentioned that any variation  
22 beyond 10 percent -- if we are generating more

1 than 10 percent then we said we would, it  
2 would take us into providing more TDM  
3 measures.

4 What we're suggesting is 10  
5 percent is a rather tight interval so we are  
6 suggesting instead of 10 percent if you can  
7 give us the flexibility to meet our goal  
8 within 20 percent we believe that would  
9 suffice given that there are some fluctuations  
10 in retail demand depending on the season,  
11 depending on, in essence, the time of day.  
12 If we can get that 20 percent buffer we  
13 believe we can achieve the transportation  
14 demand management goals that have been set out  
15 for us.

16 The next item on there is  
17 providing adequate bike parking spaces in a  
18 public space. As we go through the PDRM  
19 process we will provide more bike parking in  
20 the public space so we agree to that.

21 As I mentioned earlier, we are  
22 agreeing to more Capital Bikeshare capacity.

1 There is an existing Capital Bikeshare station  
2 at 6th and H. We are committed to either  
3 expanding it or providing a new one because we  
4 do believe it's an important aspect of  
5 commuting in and around this corridor.

6 The next item on here is another  
7 issue that we have concerns about because the  
8 way this condition is written it says, "Limit  
9 vehicle parking to on-site uses." There are  
10 two issues with that. One, we are proposing  
11 this garage as a market rate garage for all  
12 the users so that the market rate aspect of it  
13 is geared to disincentivize people from  
14 driving.

15 So if you want to drive or you  
16 have to drive, you can drive, you can park,  
17 but you have to pay market rate and hopefully  
18 that market rate is at a rate that discourages  
19 people from driving. But it doesn't preclude  
20 somebody from going to a restaurant across the  
21 street. We can control that activity of other  
22 people coming into our garage. That is one

1 difficulty we have with that recommendation.

2           The other difficulty we have, as  
3 Trent had mentioned earlier, on Sundays he had  
4 committed to providing vouchers for the  
5 neighborhood churches and civic groups for  
6 free parking given some of the parking demands  
7 associated with the church and community  
8 activity on Sundays so this would be in  
9 violation of that recommendation as well and  
10 that's why we can't agree to this  
11 recommendation.

12           Moving forward, we are committed  
13 to addressing the next item on there which is  
14 we're not looking to sublease any of the  
15 spaces. Then the last two conditions;  
16 providing more bike parking and committing to  
17 any signal modifications we are agreeing to.

18           In summary, we are agreeing to  
19 most of the DDOT conditions except for the  
20 ones related to the 6th Street access.

21           MS. SHIKER: With that testimony,  
22 we have concluded our direct presentation and

1 we are happy to take any questions the  
2 Commission may have. In addition to our  
3 panel, we also have our landscape architects  
4 and our civil engineer here for additional  
5 questions the panel may not be able to answer.  
6 Thank you.

7 CHAIRMAN HOOD: Thank you, Ms.  
8 Shiker. The presentation that you did, when  
9 you rehearsed it, was it about the same time?  
10 I'm just curious.

11 MS. SHIKER: Within a couple  
12 minutes.

13 CHAIRMAN HOOD: Couple minutes?  
14 Okay.

15 Let's open it up, colleagues. Any  
16 questions? Okay.

17 Mr. Andres, I want to go back.  
18 Can we put the slide up about the notations  
19 about the BikeShare and the DDOT  
20 recommendations? If we do the alternative  
21 with the retail grocer, I noticed that the  
22 parking changed. Help me understand why the

1 parking changed.

2 MR. ANDRES: Typically grocery  
3 stores per square foot generates more traffic  
4 than just regular general retail because --

5 CHAIRMAN HOOD: Let me ask you  
6 this, though. By car or bike?

7 MR. ANDRES: By all modes across  
8 the board. Usually our industry says that for  
9 grocery for square foot it generates more  
10 traffic than, say, general retail like a  
11 clother, like a hardware store just because of  
12 the fact that there are more people buying  
13 more stuff at a grocery store per square foot  
14 than there are other general retail uses.  
15 That's why there's that slight difference in  
16 the parking plan.

17 CHAIRMAN HOOD: I'm actually going  
18 somewhere here. The last time I asked this  
19 question I got in a lot of trouble so I'm  
20 going to ask you now. Do you see a lot of  
21 people on bicycles carrying a lot of bags of  
22 groceries? I know there's different methods.

1 There's room for all and I'm just trying to  
2 touch some other things we're going to be  
3 doing down the line. Do you see that?

4 MR. ANDRES: Actually, Chairman  
5 Hood, it depends what neighborhood you're in  
6 to be frank with you. There are certain  
7 neighborhoods where grocery stores are more  
8 likely based on some of the demographics, some  
9 of the household sizes, some of the ages of  
10 some of the certain neighborhoods. In some  
11 neighborhoods, yeah, you actually do see a lot  
12 of people biking with groceries.

13 CHAIRMAN HOOD: Let me ask you  
14 this. Is this one of those neighborhoods?

15 MR. ANDRES: The demographic for H  
16 Street in itself is relatively younger than  
17 many of the other more established  
18 neighborhoods in the District.

19 CHAIRMAN HOOD: So we would  
20 probably see more -- I actually agree with  
21 your assessment. I'm just cruising for some  
22 other things that I'm going to have to deal

1 with. I appreciate you saying other  
2 neighborhoods because it varies. But, again,  
3 we need to make room for all.

4 MR. ANDRES: Absolutely.

5 CHAIRMAN HOOD: Is that a far  
6 assessment?

7 MR. ANDRES: Yes, absolutely. We  
8 need to make sure that all of the modes are  
9 accommodated, especially since in some  
10 neighborhoods such as this on-street parking  
11 is at a premium so we want to be able to make  
12 that if we provide the parking, especially for  
13 the grocery alternative, we believe there's an  
14 opportunity there to make sure that none of  
15 that traffic spills out onto the public  
16 streets and that's the intent of the parking  
17 supply that we're looking at.

18 CHAIRMAN HOOD: Okay. I just have  
19 one architectural question. The structure in  
20 the middle, which I think kind of breaks up  
21 the long brick facade, the little structure in  
22 the middle where you make the connection,

1 what's actually happening there again? I know  
2 you mentioned that when you were doing your  
3 presentation but what's going on with that  
4 structure that sits back?

5 MR. SOIFER: Well, basically that  
6 structure goes 16 feet above the 90 feet that  
7 is the maximum height of the building because  
8 it's the recreational space and it's tying up  
9 with the rooftop structure. By D.C. Zoning we  
10 need to unify the structures so we took that  
11 opportunity.

12 Because the building is receding  
13 and the core is very difficult to setback, we  
14 have a certain core structure that is close to  
15 the facade and the facade recedes so we treat  
16 it as a unified element.

17 CHAIRMAN HOOD: Okay. All right.  
18 Normally I go last but I asked two questions  
19 so I'm sure one of my colleagues is ready by  
20 now.

21 Any questions?

22 Mr. May.

1                   COMMISSIONER MAY: Did you say  
2 Commissioner Miller or Commissioner May?

3                   CHAIRMAN HOOD: Commissioner May.  
4 Commissioner Miller pointed to Mr. May.

5                   COMMISSIONER MAY: I saw him point  
6 but I didn't quite hear what you said.

7                   First, I would like to say they  
8 actually make special bags you can put on your  
9 bicycle for groceries so when you get your  
10 bicycle, let me know. I'll get you one.

11                   CHAIRMAN HOOD: Can I carry 10  
12 bags?

13                   COMMISSIONER MAY: Not 10 but  
14 enough to feed you.

15                   CHAIRMAN HOOD: I eat quite a bit.  
16 Can't you tell?

17                   COMMISSIONER MAY: One of the  
18 first statements, Ms. Shiker, you made was  
19 about the R-4 on H Street and that it complies  
20 with everything about R-4 except something.  
21 Say that again? It's not R-4, I know. What  
22 is it?

1 MS. SHIKER: There is existing R-4  
2 on I Street and there is a small amount of R-4  
3 on 6th and 7th Street. There is no R-4 on --

4 COMMISSIONER MAY: I'm sorry. I  
5 said it wrong. On I Street. The section on  
6 I Street you said it generally complies  
7 with --

8 MS. SHIKER: For example, we are  
9 no more than 40 feet in height. We are no  
10 more in that space. We are not contributing  
11 any density more than the 1.8 times the land  
12 area of that. The density itself and the  
13 height is limited to the R-4 standard.

14 COMMISSIONER MAY: Really? I  
15 can't believe the density is only 1.8 FAR  
16 because you lot occupancy is almost 100  
17 percent in that section. That's sort of what  
18 got me confused. I don't disagree with what  
19 you've done in terms of the massing. I  
20 thought I was missing something.

21 MR. GLASGOW: Mr. May --  
22 Commissioner May, what we were doing was we

1 kept the height and the massing along that. We  
2 kept the street grid. Mainly what we need  
3 that for, though, is the apartments and not  
4 row dwellings or flats on the R-4 on I Street.

5 COMMISSIONER MAY: Right. I mean,  
6 the massing of it is generally consistent at  
7 the street front with R-4.

8 MS. SHIKER: That's correct.

9 COMMISSIONER MAY: But, I mean, it  
10 is continuous to a much greater depth than R-4  
11 would be.

12 MS. SHIKER: Absolutely. Yes.  
13 That's correct.

14 COMMISSIONER MAY: The overall  
15 massing is not. It's just the street facade.

16 MS. SHIKER: That is correct.

17 COMMISSIONER MAY: Okay. Let's  
18 stay on the FAR question. You are creating a  
19 new -- what was the term? -- public alley  
20 easement. Right?

21 MS. SHIKER: That is correct.

22 COMMISSIONER MAY: And closing the

1 existing alley which is somewhat contorted and  
2 so on. Is the existing -- the area of the  
3 existing site, that measurement that I saw  
4 somewhere in the chart --

5 MS. SHIKER: 101,100.

6 COMMISSIONER MAY: Is that  
7 exclusive of the existing alley or includes  
8 the existing alley?

9 MS. SHIKER: It includes the  
10 existing alley that will be closed.

11 COMMISSIONER MAY: And does it  
12 include the public alley easement?

13 MS. SHIKER: It does include the  
14 alley easement because it will be dedicated by  
15 easement so, therefore, it continues to count  
16 in your land area. This is the case in many  
17 types of situations where you dedicate an  
18 alley by easement.

19 COMMISSIONER MAY: Okay. So how  
20 is that different from private streets when in  
21 other PUD cases we've recalculated FAR because  
22 private streets should be excluded?

1 MS. SHIKER: I certainly  
2 understand what you're talking about when you  
3 do certain developments where you are creating  
4 major streets or any type of street through  
5 it. In fact, we've created zone districts  
6 where that is excluded. Historically for  
7 alley easements they have continued to be  
8 included because they are not -- they are  
9 smaller service easements more like driveways  
10 as opposed to streets.

11 COMMISSIONER MAY: Yeah, but they  
12 tend also to be in zones where you are allowed  
13 100 percent lot occupancy. That is my  
14 recollection back to where we've done other  
15 alley easements.

16 MS. SHIKER: We have other  
17 examples including, I believe, further down on  
18 H Street where we have a closed more  
19 securitist alley and a better alley system.  
20 In those cases we do count those into square  
21 area.

22 COMMISSIONER MAY: That is a

1 pretty tricky slight of hand there if you're  
2 doing that because if that alley were already  
3 there, you wouldn't get to include the alley  
4 space in your lot occupancy and, therefore,  
5 comply with a lower-density zone than some of  
6 the higher-density commercial zones. I'm not  
7 saying --

8 MS. SHIKER: It's not a secret.  
9 It's done often.

10 COMMISSIONER MAY: No, it's not.  
11 Right, but it is a little -- it's one of those  
12 things where you don't really understand the  
13 implications of some of the -- how the  
14 regulations are applied in combination.

15 MS. SHIKER: In some cases you see  
16 throughout the District it is where people  
17 simply just sat back to create driveways and  
18 do not necessarily create the alley easement.  
19 In those cases it was certainly just the open  
20 space. It would not be an alley easement.

21 The benefit of doing it through an  
22 alley easement process is that it allows the

1 public to have full and unincumbered access to  
2 the spaces so it is a benefit to the extent  
3 that it became --

4 COMMISSIONER MAY: Of course, the  
5 ultimate public benefit would be to have it  
6 declared as a public alley again. Wouldn't  
7 it?

8 MS. SHIKER: There really is no  
9 difference in how it is used on the surface  
10 when it's an easement. For example, 4th  
11 Street, S.W. that goes through next to the  
12 Office of Planning's office is an easement and  
13 it functions in all respects as a street.

14 COMMISSIONER MAY: Was it counted  
15 in the FAR for that project?

16 MS. SHIKER: In that case the FAR  
17 there was -- it was C-3-C and the FAR was  
18 around 4 and --

19 COMMISSIONER MAY: It didn't  
20 really matter.

21 MS. SHIKER: -- it really didn't  
22 matter.

1                   COMMISSIONER MAY: It was a moot  
2 point. I'm interested in hearing the Office  
3 of Planning's opinion on how that is applied  
4 and whether it's, in fact, consistent with  
5 what we've done or what we should be doing.  
6 It never occurred to me before and it's only  
7 recently -- I don't know, maybe the last three  
8 years we started to focus on private streets  
9 not being included in FAR.

10                   MS. SHIKER: And in many of those  
11 cases with the private streets there is  
12 actually a width dimension. Before like below  
13 a certain width you don't count it and if it's  
14 greater than a certain width they have been  
15 counted. I think it was to try to say that  
16 streets and right-of-ways are different than  
17 alley easements which could just be driveways.

18                   COMMISSIONER MAY: Right. So now  
19 I want to move on to another area. This is a  
20 very interesting project and it certainly has  
21 a lot to recommend it. It's also got some  
22 unusual circumstances and there are few

1 aspects of it that pique my interest.

2 One of them is the roof pool  
3 platform which we have certainly seen before  
4 and not really paid much attention to the  
5 height level that it was at. At least, it  
6 certainly never stuck in my mind. From what  
7 I understand here, that is built on top of the  
8 90-foot level, right? It's above 90 feet.

9 MS. SHIKER: That is correct.

10 COMMISSIONER MAY: Okay. So what  
11 is it then?

12 MS. SHIKER: So it is --

13 COMMISSIONER MAY: That's it  
14 considered in Zoning terms?

15 MS. SHIKER: So Section 411 talks  
16 about structures that are less than four feet  
17 above the roof or parapet.

18 COMMISSIONER MAY: Right.

19 MS. SHIKER: In this case, our  
20 roof deck, our pool deck, is fully less than  
21 four feet below the top of our parapet. It's  
22 over three-and-a-half feet but somewhere less

1 than four feet.

2 COMMISSIONER MAY: Okay.

3 MS. SHIKER: So it would be  
4 considered a structure but it is not a  
5 structure under Section 411.17, I believe.

6 COMMISSIONER MAY: Because it's  
7 less than four feet.

8 MS. SHIKER: That is correct.

9 COMMISSIONER MAY: I don't need to  
10 read it. Thank you, Mr. Glasgow.

11 MS. SHIKER: It's 411.17.

12 COMMISSIONER MAY: I don't  
13 remember thinking about that question in the  
14 past. Maybe I did. It's just we don't them  
15 that often. So how many actual separate  
16 penthouses do we have here? Four or five?

17 MS. SHIKER: I believe there's  
18 four. We are permitted multiple penthouses  
19 for multiple levels so I would say we could  
20 have, for example --

21 COMMISSIONER MAY: You've got four  
22 on the top level. Right? Three on the top

1 level?

2 MS. SHIKER: We have three on the  
3 top level and then a fourth one -- can we put  
4 up the other plan, the roof plan I just  
5 showed? The blue plan.

6 This one is on top of a four-story  
7 roof so that is on a separate level.

8 COMMISSIONER MAY: Right.

9 MS. SHIKER: This one and this one  
10 each have separate elevator cores in it which  
11 would actually be permitted as well.

12 COMMISSIONER MAY: They don't  
13 count. Right.

14 MS. SHIKER: This is a required  
15 code stair tower. I think arguably you could  
16 say there's just one extra because the others  
17 would be permitted.

18 COMMISSIONER MAY: Okay. That's  
19 what I was trying to understand. It's just  
20 the one. Okay. A few architectural  
21 questions. The east facade on the back there,  
22 the upper section. Bring up the east facade.

1 You have an image of that. It's in your  
2 package. No, I don't want to see that part.  
3 I want to see the back part.

4 MS. SHIKER: The fronting on 7th  
5 Street?

6 COMMISSIONER MAY: No, more the  
7 fronting on the alley or whatever. The  
8 fronting on the adjacent property along I  
9 Street. The former school building. I can't  
10 remember the name of the building there.

11 MS. SHIKER: This is the I Street  
12 frontage. As you go over here, this is where  
13 the alley easement would come out. As you go  
14 there --

15 COMMISSIONER MAY: Right. It's  
16 the "there" I wanted to look at. It's in  
17 package 1.102?

18 MS. SHIKER: We have them all up  
19 there. He can find it.

20 COMMISSIONER MAY: Okay. Good.  
21 1.109. That doesn't seem quite right either.  
22 Oh, here we go. It's on the alley. It's

1 1.111. There we go. Okay. That's better.  
2 I was looking at 1.109 and I was trying to  
3 figure out what is that big white space. That  
4 makes sense.

5 So the last subject I have, which  
6 is the most interesting and difficult, I  
7 think, is that center tower. I think I might  
8 have raised this at set-down. I appreciate  
9 the fact that maybe you're considering it an  
10 architectural embellishment.

11 I can see a reason to have an  
12 architectural embellishment there but it just  
13 looks like it's a penthouse extend out to the  
14 front. Inside there's community recreational  
15 space. Right? Do I understand correctly?

16 MS. SHIKER: That is correct. It  
17 actually is a space that hides the elevator  
18 penthouse because that elevator penthouse is  
19 pulled closer to H Street given the location  
20 of the residential entrance and the creation  
21 of this urban courtyard. It has been created  
22 to extend the facade and be a tower element

1 because we are fully below the 1910 Height Act  
2 and we don't have --

3 COMMISSIONER MAY: I don't care  
4 about that. That's fine.

5 MS. SHIKER: We took the  
6 opportunity to engage it and make it something  
7 more special than just a faux architectural  
8 embellishment that had walls that prevented  
9 anyone from going in.

10 COMMISSIONER MAY: It could have  
11 been an architect. So how far back is the  
12 elevator core from the front of the building?  
13 From just the looks of what I see, it seemed  
14 like the major purpose of that was to be a  
15 movie screen for the east side of the roof.

16 MS. SHIKER: So you see it there.  
17 This is where the elevators come up right in  
18 here. As you know, this is the --

19 COMMISSIONER MAY: So it's not any  
20 further forward than the rest of that  
21 penthouse. The elevator core is not any  
22 further forward than the rest of that

1 penthouse. You just decided to connect them  
2 up.

3 MS. SHIKER: That is correct. It  
4 would have been somewhat imposing. What the  
5 architects did is they created the connection  
6 with the glass extension of the facade which  
7 if it was empty would just simply be an  
8 architectural embellishment. Because we have  
9 no issues with occupiable space subject to  
10 zoning flexibility for the one-to-one setback,  
11 you could put the community space in  
12 accordance with 411, the accessory community  
13 space there.

14 COMMISSIONER MAY: Because it's  
15 not -- it's not restricted by Zoning  
16 Regulation?

17 MS. SHIKER: No. In fact, Section  
18 411 encourages or allows -- encourages might  
19 be an advocacy word -- it permits accessory  
20 communal recreation space inside the penthouse  
21 when not in conflict with the Height Act of  
22 1910. One hundred and 10 is the Height Act.

1 We're at 108.5 at the very top of our top  
2 penthouse.

3 COMMISSIONER MAY: Right. I got  
4 that the first time around. Okay. I'll have  
5 to look at that distinction more carefully.  
6 It's in 411?

7 MR. GLASGOW: It's in 411.1.

8 COMMISSIONER MAY: So we don't  
9 have to do any kind of -- this is not  
10 accessory to rooftop use. It is fully allowed  
11 because in 411.1 it says you can fill up your  
12 penthouse with community recreational space so  
13 long as you are below the Height Act height.

14 MR. GLASGOW: It says, "When not  
15 in conflict with the Act of 1910." And then  
16 it gets down and says in (b) "Other enclosed  
17 areas within the area permitted as a roof  
18 structure used for recreational uses accessory  
19 to communal rooftop recreation space."

20 COMMISSIONER MAY: So there is a  
21 calculation that needs to be done to  
22 demonstrate that what's inside is accessory to

1 the rooftop use.

2 MR. GLASGOW: That's correct. It  
3 was a complicated situation with 1111 New  
4 Jersey. We are in a better situation here.

5 COMMISSIONER MAY: Yeah. I mean,  
6 it looks like you've got plenty to prove  
7 that --

8 MR. GLASGOW: Yes.

9 COMMISSIONER MAY: I mean, the  
10 threshold is like 20 percent.

11 MS. SHIKER: Yes. In the original  
12 submission we are at 17 percent of our  
13 enclosed of the amenity space outdoors. In  
14 the grocery alternative it's 20 percent. It's  
15 just a bit larger because of the way the  
16 corridors push the residential elevators over  
17 but it is at 20 percent.

18 COMMISSIONER MAY: It's at 20  
19 percent.

20 MS. SHIKER: It's at 20 percent.  
21 Both of those would fall within what the  
22 Zoning Administrator has reasonably agreed is

1        accessory.

2                    COMMISSIONER MAY:    Twenty percent.

3                    MS. SHIKER:    That's correct.

4                    COMMISSIONER MAY:    Okay.    Is that  
5        calculation in what we have received here?

6                    MS. SHIKER:    No.    We did it in  
7        advance of the hearing and it is certainly  
8        something that we could submit for the record.

9                    COMMISSIONER MAY:    I think because  
10       we've picked up on this distinction, it would  
11       be worth having that in the record.    Then I  
12       assume that calculation excludes the areas  
13       that are not useable.

14                   MS. SHIKER:    That is correct.

15                   COMMISSIONER MAY:    Okay.    That's  
16       it for me.    Sorry to take so long, Mr.  
17       Chairman.

18                   CHAIRMAN HOOD:    Okay.    No problem.  
19       Anytime.

20                   Vice Chair.

21                   VICE CHAIR COHEN:    Thank you, Mr.  
22       Chairman.

1                   When do you think you'll have your  
2 negotiations with the grocery completed  
3 because I think there are concerns with your  
4 alternative one with regard to the alley  
5 access?

6                   MR. SMITH: I would love to be  
7 able to speculate. We've been talking to them  
8 for quite some time. It wasn't until recently  
9 that they really said they were committed to  
10 the site. I've been pushing, pushing, pushing  
11 them hard for a long time so we didn't have to  
12 do a last-minute change. I cannot -- I have  
13 no idea. I'm at their mercy in these  
14 negotiations.

15                  VICE CHAIR COHEN: Is there any  
16 modification in alternative 1? Do you have  
17 any room to instead of using the entry on 6th  
18 Street so that you have to have the curb cut,  
19 can you avoid that in any way?

20                  MR. SMITH: The additional curb  
21 cut that's separated from the pedestrian  
22 refuge from the entrance to the garage under

1 the baseline plan really acts as a back-of-  
2 house alley for those three rowhouses. Those  
3 three rowhouses wanted to maintain an entrance  
4 off of 6th Street and off of I Street in our  
5 conversations with them.

6 That's why we've maintained it on  
7 both sides. Really the most contentious part  
8 of all of our discussions with the community  
9 have been related to not allowing that parking  
10 garage access to come onto that alley.

11 If you notice in our support from  
12 ANC-6C, I think the first condition that they  
13 reference is we do not -- we support both of  
14 these curb cuts because we do not want the  
15 garage to spill out onto that alley.

16 That's hundreds and hundreds of  
17 hours spent to the solution that you see here  
18 today. It's not perfect but it has the most  
19 amount of people happy.

20 VICE CHAIR COHEN: Okay. But the  
21 ANC's concern of not using the alley, is it  
22 just for those three residences?

1 MR. SMITH: It's for all the  
2 residences at 6th and I. I believe there's 12  
3 homes that participated in the conversation.  
4 There's three today that actually use the  
5 little 10-foot alley that's behind Murry's.  
6 It was a broader conversation point.

7 VICE CHAIR COHEN: In the  
8 alternative with the grocery store, you are  
9 going to reduce the amount of residential  
10 units by 21 I believe it is. Will that also  
11 reduce the number of affordable units?

12 MR. SMITH: We kept a percentage  
13 of affordable units at the same as it relates  
14 to the residential square footage. I think  
15 under the grocery plan the affordable  
16 percentage is reduced by about 1,000 square  
17 feet. Correct?

18 MR. SOIFER: Yes.

19 VICE CHAIR COHEN: Remind me how  
20 many square feet is your average unit going to  
21 be?

22 MR. SMITH: It's approximately 750

1 net square feet.

2 VICE CHAIR COHEN: On your  
3 rendering for the building looking down H  
4 Street, the upper floors you have that square  
5 that is sort of open. That's a balance to the  
6 middle, I would presume, of the separation of  
7 the buildings, the glass. Is that correct?  
8 It just looks very heavy to me. I'm looking  
9 at the rendering that is on the cover.

10 MR. SMITH: Are you referring to  
11 this?

12 VICE CHAIR COHEN: It's the one  
13 that looks down from, I guess, maybe 6th  
14 Street.

15 COMMISSIONER TURNBULL: She's  
16 referring to the Olympic diving platform at  
17 6th and H.

18 VICE CHAIR COHEN: Thank you.

19 MR. SMITH: This element was  
20 actually designed when looking down H Street  
21 east. At one point the glass element  
22 projected all the way to the top of the

1 building and it really made the building feel  
2 too vertical.

3 As you walk as a pedestrian or in  
4 a car and head east on H Street kind of  
5 pulling down this section really reduces the  
6 height and the mass and it's a very, very  
7 different feel.

8 That is something that evolved.  
9 This is a comment that came out of one of our  
10 community meetings. Someone said, "It would  
11 be neat if you would bring down that portion  
12 and create kind of an interesting space up  
13 there."

14 That was something that came out  
15 of the conversations we had and actually was  
16 a recommendation that as you see the building  
17 from other angles it does have a strong impact  
18 on how that allegation is perceived.

19 That floor where you would stand  
20 on actually carries the line, kind of the  
21 heavy mass line of the base building to help  
22 separate it from the light more transparent

1 top.

2 VICE CHAIR COHEN: I don't know.  
3 From looking at a flat rendering it doesn't  
4 really -- it makes it look very heavy, top  
5 heavy to me. I'm going to actually probably  
6 defer to my colleague who can be more  
7 descriptive because he sounds like he has some  
8 similar concerns. I do like the step down  
9 that faces I Street. I think that is  
10 contextual so I appreciate that.

11 In the Planning report also it  
12 says the roof structure does not meet the  
13 setback requirement, the one that is center  
14 farthest to the east. Can you comment about  
15 that. It's on page 7 of the Planning report.  
16 It's less than the one-to-one setback ratio.

17 MS. SHIKER: The roof structure  
18 has a few areas right in this section and  
19 right in this section where it does not meet  
20 the one-to-one. We had originally put in that  
21 we would need relief. Recently the BZA  
22 indicated that those types of walls are not

1 going to be exterior walls for zoning and so  
2 you do not necessarily need relief but we  
3 still pointed it out to the Commission.

4 For example, this is a property  
5 line right here and then there is a setback  
6 at the 7th floor. If the entire building was  
7 on the property line, it's clear that there  
8 would be no setback required but because there  
9 is a setback and an open court. Excuse me --  
10 yes, an open court.

11 We have typically asked for relief  
12 for those types of setbacks. Very recently  
13 the BZA has said that is not necessary. We  
14 still point it out right there and right  
15 there. This meets the setback, this meets the  
16 setback, and we have requested relief for the  
17 front setback.

18 VICE CHAIR COHEN: I will probably  
19 ask the Office of Planning to comment on that  
20 as well.

21 About the parking, the residential  
22 parking as well as the commercial parking

1 related to the project, are you going to be  
2 charging market rates for the customers, the  
3 retail tenants, and the residential tenants?

4 MR. SMITH: Yes. The only  
5 exception to that may be in the case of the  
6 specialty grocer which will define kind of  
7 their parking rates. Again, I have no  
8 control.

9 CHAIRMAN HOOD: Can I just ask a  
10 question?

11 In relation to the grocer, I know  
12 you say you have no control but if it's  
13 dependent upon what the rate is for parking,  
14 most places they validate for the first hour  
15 or two. Do you see that type of scenario  
16 happening here?

17 MR. SMITH: Yeah, I do think there  
18 will be -- I think they will have dedicated  
19 parking spaces to the grocery that are  
20 specific to those grocery users and they will  
21 be validated and will have time limits.

22 CHAIRMAN HOOD: Okay. Thank you.

1                   VICE CHAIR COHEN: Mr. Chairman,  
2                   that's it for me.

3                   CHAIRMAN HOOD: Okay.

4                   Mr. Turnbull.

5                   COMMISSIONER TURNBULL: Thank you,  
6                   Mr. Chair.

7                   I want to congratulate you. It  
8                   was a very nice presentation. I think you  
9                   covered a lot. I think this project has an  
10                  awful lot going for it. I want to  
11                  congratulate you on involving the community as  
12                  much as you have.

13                  That said, I do have a few issues.  
14                  If we could go back to the parking, you are  
15                  asking for a lot of parking that our friends  
16                  at the end of the table really don't want.  
17                  What I'm concerned about are some of the  
18                  comments. It will be market-rate parking that  
19                  will be open for anyone to go in and park.  
20                  Did I understand that right?

21                  MR. SMITH: It'll be market-rate  
22                  parking for both residential and commercial.

1 The residential spaces will only be for  
2 residents of the project.

3 COMMISSIONER TURNBULL: Are they  
4 separated? Is there a separation then between  
5 residential?

6 MR. SMITH: The separation is in  
7 the garage.

8 COMMISSIONER TURNBULL: Okay.

9 MR. SMITH: For example, the whole  
10 lower level is 100 percent residential and  
11 those will be at market rates. On the  
12 commercial side it is anticipated that the  
13 garage is open to the public and that people  
14 that are shopping inside of the community will  
15 have validation for that parking but it will  
16 be at market rates.

17 COMMISSIONER TURNBULL: Other than  
18 the church use on Sundays is there parking for  
19 other residential people in the neighborhood?  
20 I mean, could they go into the retail spacing?  
21 I'm trying to make sure what's going on with  
22 the parking.

1                   MR. SMITH: We are precluded from  
2                   that due to the DDOT language that Erwin went  
3                   over earlier. In my conversations with the  
4                   community, I did not receive a single request  
5                   for long-term parking or for access other than  
6                   short-term parking on our site.

7                   COMMISSIONER TURNBULL: Okay. I  
8                   guess getting back to the Vice Chair's comment  
9                   about the structure at the west end of the  
10                  property, I jokingly referred to it as a  
11                  diving platform. I think the whole intent of  
12                  what I've been seeing is that you are trying  
13                  to step back and make the building a little  
14                  more friendly.

15                  There is that whole appearance of  
16                  trying to reduce the height and trying to make  
17                  the building more friendly with the whole  
18                  neighborhood. I really do agree that towers  
19                  sticks out like a sore thumb. That does not  
20                  do what you said you thought it did.

21                  I think it doesn't even anchor  
22                  that in. It just really looks -- it just

1 breaks up what you tried to do. Maybe that  
2 then ties in with what Commissioner May said  
3 with the center portion.

4 I think the way it's going  
5 generally but I think you need to rethink  
6 those and try to make them work a little bit  
7 better with your overall scheme of the brick,  
8 the setback, and what you are trying to do.

9 I don't mind the embellishment  
10 idea, the concept, but I think there is just  
11 something -- the thing at the end just doesn't  
12 work for me. That just does not work.

13 The other thing I'm concerned  
14 about is the perspective looking up 6th  
15 Street. Is that a trellis? There is a  
16 trellis that looks very close to the edge of  
17 the building. Is that setback by Zoning  
18 Regulations? It just looked awfully close to  
19 the edge when you see the perspective up  
20 there. It looks like only 12 feet or 10 feet  
21 away from the edge or something.

22 MS. SHIKER: It was envisioned as

1 a moveable cabana but we can make sure that  
2 it's setback from that edge.

3 COMMISSIONER TURNBULL: I guess  
4 what I would like to see is a roof plan and  
5 some sections of the roof plan that clearly  
6 show the height for the record. When you  
7 talked about the pool deck what height that  
8 is, no higher than 18.6 for any of the ones.

9 If we could see a clearly-defined  
10 roof section that shows those so we know that  
11 you are totally in compliance and then  
12 setbacks on the sides for everything so we  
13 know exactly that the roof is in compliance  
14 with the Zoning Regs just for the record.

15 MS. SHIKER: Yes, we can do that.

16 COMMISSIONER TURNBULL: Okay. And  
17 you already answered my questions about the  
18 alley. We talked about the H Street design  
19 guidelines. What would be the design  
20 guidelines for the grocery store, the  
21 storefront? Are they going to be all glass  
22 windows?

1 MR. SMITH: They are going to have  
2 to adhere with the H Street guidelines that we  
3 have agreed to. With that said, in AC-6C  
4 we --

5 You are better off describing the  
6 condition that we agreed to with ANC-6C.

7 MS. SHIKER: So the H Street  
8 Overlay guidelines say that 50 percent of the  
9 storefront has to have clear glass. There  
10 needs to be visibility into the area. We are  
11 proposing more than 50 percent of our ground  
12 level.

13 We worked with the ANC on this  
14 issue because they wanted all of our ground  
15 level to be visible through. It is a  
16 necessary evil of some grocery stores that you  
17 have to have some frosted glass to shield some  
18 of the cash registers and there may be some  
19 other issues. You have circulation issues  
20 where you may not be able to fully see in  
21 there.

22 What we have agreed to with the

1       ANC is that we will ensure that 50 percent of  
2       the ground floor have visible clear windows.  
3       To the extent that we are over that number,  
4       which is greater than what is required by  
5       Zoning, we have some flexibility in order to  
6       respond to the needs of the specialty grocery  
7       store.

8                       COMMISSIONER TURNBULL:   Okay.  
9       Good.   Thank you.

10                      What is the height on the first  
11       floor?   What is the clear height?

12                      MR. SMITH:   It's 18-and-a-half  
13       inches.

14                      COMMISSIONER TURNBULL:   It is 18-  
15       and-a-half?   I had a feeling.   Okay.

16                      Mr. Chair, I think that is it for  
17       me.

18                      CHAIRMAN HOOD:   Commissioner  
19       Miller.

20                      COMMISSIONER MILLER:   Just a  
21       couple questions, Mr. Chairman.   Let me first  
22       just echo Commissioner Turnbull's

1       congratulations to you on generally a very  
2       exciting and attractive project that will  
3       contribute to the continuing revitalization of  
4       H Street.

5                   I think with all the setbacks and  
6       stepdowns and the change in materials I think  
7       you've done a good job of breaking up what is  
8       a large structure. I think you should be  
9       commended. And that you worked with the  
10      community as well.

11                   You mentioned that there is second  
12      floor retail on the east side. How much is on  
13      the second floor and what kind of use are you  
14      envisioning there?

15                   MR. SMITH: This is where we  
16      anticipate putting in a large format health  
17      club. There is 29,000 square feet of space on  
18      the second floor. There would be a jump lobby  
19      and entrance on the first floor and then the  
20      bulk of the health club would be on the second  
21      floor.

22                   COMMISSIONER MILLER: You made

1 some reference that if you don't have the  
2 second floor, you would convert it back to  
3 residential. Have you had talks with the  
4 health club?

5 MR. SMITH: We've actually had  
6 people reaching out to us for this phase. I  
7 think it's very, very likely that we are able  
8 to get a health club that the community and we  
9 would be excited about.

10 With that said, we are requesting  
11 the flexibility so that if for some reason we  
12 are unable to we are not forced into building  
13 kind of a space that would be dead and sit on  
14 H Street unoccupied and that it would revert  
15 back to similar floors above. Since you add  
16 22 multi-family units on that second floor, I  
17 think that is not a likely option. I think  
18 we'll get the health club.

19 COMMISSIONER MILLER: Okay. It's  
20 interesting that a grocer is interested in  
21 going in there. Isn't there a grocery store  
22 that is just opening this month three blocks

1 away?

2 MR. SMITH: May 3rd. We've been  
3 talking with several grocery stores. One in  
4 particular is really committed. They do not  
5 compete with the grocery store that is three  
6 blocks away.

7 COMMISSIONER MILLER: What was  
8 that last comment?

9 MR. SMITH: They believe they do  
10 not compete. They can actually work in unison  
11 for the community. I anticipate the community  
12 to be like my neighborhood. I actually shop  
13 at three different grocery stores for  
14 different things. I think it will provide  
15 different services and amenities to the  
16 community that will complement the Giant and  
17 not take away from it.

18 CHAIRMAN HOOD: How do you get to  
19 the grocery store? I'm just curious.

20 MR. SMITH: I actually do take --  
21 if I'm in a hurry I take BikeShare but I  
22 typically walk and I don't bring home a whole

1 lot.

2 COMMISSIONER MILLER: Just a  
3 couple more questions, Mr. Chairman.

4 You have a number of gardens on  
5 the courtyard level and on the rooftop but are  
6 any of them -- none of them are community food  
7 or vegetable gardens that the tenants would be  
8 able to grow food?

9 MR. SMITH: Actually, that is an  
10 amenity we do want to bring to the buildings.  
11 We are anticipating that a portion of the  
12 green roof is a community garden.

13 COMMISSIONER MILLER: And I think  
14 somewhere in the record it says that you are  
15 above the equivalent of LEED Silver but you  
16 can't get to LEED Gold.

17 MR. SMITH: That's a good  
18 question. It's difficult for us right now as  
19 it relates to building design to commit to  
20 anything beyond Silver. With that said, on  
21 the project that is under construction right  
22 now in Montgomery County in Silver Spring by

1 the Metro, we have a LEED Silver requirement  
2 with Montgomery County and we are building to  
3 LEED Gold.

4 We are going to make every effort  
5 on this project to meet LEED Gold or go above  
6 and beyond that if we can but it's difficult  
7 for us to commit. The main reason why this is  
8 a south-facing building with a lot of glass.  
9 As you know, the majority of your points in  
10 LEED come from energy efficiency.

11 We're not really going to know  
12 until we get down to the energy modeling stage  
13 once the units are designed to see kind of  
14 where we stand. We are able to sit here and  
15 commit and say we can definitely do LEED  
16 Silver. It's hard for us to commit to Gold  
17 but I think there is a high likelihood that  
18 we'll get there.

19 COMMISSIONER MILLER: That's  
20 encouraging. I would encourage you to do  
21 that. As OP pointed out in its report, the  
22 LEED Silver is basically a baseline of what is

1 expected these days in the District.

2 On the parking, as part of your  
3 TDM measures that you are committing to, is  
4 the restriction of RPP for the tenants?

5 MR. SMITH: As well as visitor  
6 passes.

7 COMMISSIONER MILLER: Finally, the  
8 OP report mentions the mitigation measures  
9 that the owner of 819 6th Street, which I  
10 believe is the address, the lot north of lot  
11 861 is it? Anyway, can you comment on the  
12 mitigation measures that were proposed by that  
13 particular owner.

14 MR. SMITH: I've been working with  
15 Ms. Bradley for a very, very long time and I  
16 have reviewed all the mitigation measures. We  
17 agree to a number of those items. There has  
18 been a flurry of activity in the last couple  
19 days. Some of the new measures are things I  
20 had not seen before discussed. I'm excited to  
21 continue an open dialogue with her but, at  
22 this time, I can't commit to everything that

1 is on that list.

2 COMMISSIONER MILLER: Thank you,  
3 Mr. Chairman.

4 Thank you.

5 CHAIRMAN HOOD: Did you have the  
6 list of issues from Ms. Bradley prior to or  
7 some of the things are new?

8 MR. SMITH: I --

9 CHAIRMAN HOOD: Pretty much most  
10 you have seen before?

11 MR. SMITH: These bullet points  
12 are from an agreement that I presented her in  
13 October, the beginning of October that I've  
14 been trying to get some responsive feedback on  
15 since then.

16 CHAIRMAN HOOD: Okay. All right.  
17 I don't think I have anything additional.  
18 Maybe I have one. Let me go to Commissioner  
19 May while I think about it.

20 COMMISSIONER MAY: I was just  
21 hoping that you could recap kind of the  
22 highlights of the amenities. I have to say it

1 wasn't really striking in the presentation  
2 that you spoke about, even the mention of Park  
3 Service property.

4 I know it may be difficult to get  
5 answers in that particular area. I'm not  
6 familiar with any discussions that you've had.  
7 I am familiar with the property and some of  
8 the history of it. In terms of the commitment  
9 to make improvements there, I would be  
10 interested to know more of the commitments.

11 MS. SHIKER: We have been in  
12 conversation for several months with Frank  
13 Young at the National Park Service about this  
14 property. We were hoping to have something  
15 from him but we do have an email stating that  
16 they are very supportive of the proposed  
17 improvements which would be passive  
18 landscaping, some gravel walkways, not high-  
19 maintenance planting, and some benches.

20 Mr. Young had indicated that he is  
21 confirming with other divisions that there are  
22 no National Park Service plans for this small

1 piece of land.

2 COMMISSIONER MAY: My division but  
3 I won't obviously weigh in on that.

4 MS. SHIKER: But he indicated  
5 today that he was confirming that but  
6 otherwise they did support the proposal  
7 subject to community support for it. The ANC  
8 has been very supportive and reaching out to  
9 the next door neighbor as well.

10 COMMISSIONER MAY: Okay. Is there  
11 a dollar value associated with the  
12 improvements that are contemplated or a  
13 ceiling?

14 MS. SHIKER: We have not set one  
15 yet. We've been working to come up with the  
16 plan which, again, would include grass, low-  
17 maintenance planting, some gravel and some  
18 benches. We could come up with a more  
19 specific number if you would like.

20 COMMISSIONER MAY: Okay. Similar  
21 kind of improvements at Blair House?

22 MS. SHIKER: We have been in

1       conversations for several months with D.C.  
2       General Services Administration which is  
3       the --

4                   COMMISSIONER MAY: I've worked for  
5       both. Who is easier to work with? No, I'm  
6       just kidding. You don't need to answer that.  
7       Please, don't answer that.

8                   MS. SHIKER: I won't.

9                   COMMISSIONER MAY: Have you  
10       actually quantified that at this point?

11                  MR. ANDRES: We have quantified  
12       the improvements. We have not quantified a  
13       dollar value but we are doing streetscape  
14       improvements along the front.

15                  COMMISSIONER MAY: Okay.

16                  MR. ANDRES: We've been talking to  
17       him about some other green initiatives that  
18       they're working on. We have not finalized  
19       that. We probably have a letter from them  
20       tonight. We have not received that yet but we  
21       do have their support for the initial design  
22       and we'll continue to work with them.

1                   COMMISSIONER MAY: Okay. So are  
2 there other high points? I mean, don't tell  
3 me about the ordinary stuff or the regular  
4 stuff. What really is the meat here? LEED  
5 Silver, not much.

6                   MS. SHIKER: Well, of course,  
7 replacement of non-residential uses with  
8 residential uses is always considered a very  
9 important amenity in the city.

10                  COMMISSIONER MAY: Right, but  
11 you're only doing IZ level of affordable  
12 housing. Right?

13                  MS. SHIKER: But because of the  
14 rezoning, the actual amount of IZ that results  
15 is significantly higher than would result  
16 under the R-4 and C-2-B. It's much higher.  
17 It's by a factor of 50 percent higher in the  
18 total number of inclusionary zoning square  
19 footage that you receive based on the  
20 increased first floor area.

21                  We also have the parking. We've  
22 been working very closely with the community

1 to allow the church and the community parking  
2 on Sunday mornings through a voucher system.  
3 We have an extremely robust Transportation  
4 Demand Management Program and it's gotten even  
5 more robust through our further work with  
6 DDOT.

7 We also will be doing improvements  
8 to all of the alleys within the square. Not  
9 only the alley easement, which we will be  
10 trying to create through the Green Alleys  
11 Program for the District to create less  
12 impermeable space.

13 COMMISSIONER MAY: Impervious.

14 MS. SHIKER: Impervious space.

15 Less impervious space so we would be making  
16 that green alley to help the environmental  
17 benefits of the city. We also will be  
18 improving and helping update all the other  
19 existing public alleys in the square to make  
20 it better for the property owners in the  
21 square.

22 COMMISSIONER MAY: Okay. Anything

1 else you care to mention or highlight?

2 MS. SHIKER: Excellent, excellent  
3 urban design and efficient site planning and  
4 how we have constructed the retail uses and  
5 the mapping of the site. I'll ask Mr. Smith  
6 if there is anything else he wants to add.

7 MR. SMITH: Just as I mentioned  
8 earlier, we look at the retail and what we are  
9 trying to do and the amount of money and time  
10 we're spending. The streetscape in front is  
11 a major, major community amenity kind of  
12 pulling our entire site back five feet across  
13 the entire frontage and then a lot more in  
14 special locations as well. We look at this as  
15 a community amenity that has been very well  
16 received.

17 COMMISSIONER MAY: Okay. Thanks.

18 CHAIRMAN HOOD: I would just also  
19 echo my colleagues. I think the presentation  
20 was very well done. I think this is exciting  
21 for H Street. I remember the People's Drug  
22 Store on 6th Street, or whatever was there,

1 years ago. I think this is exciting and will  
2 help revive that area. I also think it will  
3 continue to revive that area. Let me say it  
4 that way.

5 Also, I think we can continue to  
6 have a discussion with the Bradley family as  
7 we continue to move along. I think that will  
8 be very helpful. You've done great with the  
9 ANCs and the community. I always like to see  
10 somebody out there but I know we can't always  
11 accommodate every person's need. Let's see  
12 what we can continue to do to help the  
13 Bradleys. I would appreciate it.

14 Any other questions up here?

15 Mr. Turnbull.

16 COMMISSIONER TURNBULL: Thank you,  
17 Mr. Chair. Getting back to the IZ, a lot of  
18 time in our presentations we get a floor plan  
19 that shows sort of a breakup of units and a  
20 theoretical mix of where you are having one-  
21 bedroom studios.

22 Then on that mix we sort of show

1 where the IZ units are going to be. It would  
2 be nice to sort of see are they being excluded  
3 on certain floors or how are you going to  
4 break up the mix of IZ units?

5 MS. SHIKER: At this point we do  
6 not have floor plans drawn or market-rate  
7 units much less the IZ units. We certainly  
8 will commit to the IZ regulations of not  
9 overly concentrating them on any floor but we  
10 have proposed excluding them from the top two  
11 floors of the project.

12 COMMISSIONER TURNBULL: Okay.  
13 Evenly mixed on all other floors?

14 MS. SHIKER: Correct.

15 COMMISSIONER TURNBULL: Okay. The  
16 other thing is were you proffering a full-time  
17 loading management staff person on your  
18 project?

19 MR. SMITH: The idea is that we'll  
20 have a lot of people working full time on this  
21 site in our property management operations.  
22 One of those people will be responsible for

1 that management.

2 COMMISSIONER TURNBULL: For that  
3 alone or will they other duties?

4 MR. SMITH: They will have other  
5 duties as well.

6 COMMISSIONER TURNBULL: Okay. But  
7 if there is a problem in the alley, they are  
8 going to drop everything and deal with it?

9 MR. SMITH: Correct.

10 COMMISSIONER TURNBULL: And at the  
11 same time with a traffic management  
12 coordinator I believe I heard mention? The  
13 staff person that is going to be involved in  
14 that?

15 MR. SMITH: Correct. That is an  
16 onsite staff member that is there all kind of  
17 working hours. A percentage of their job and  
18 their role is to manage the TDM programs.

19 COMMISSIONER TURNBULL: Okay.  
20 Thank you.

21 VICE CHAIR COHEN: Any other  
22 questions?

1                   Okay. Do we have anyone from ANC-  
2                   6C? Any cross-examination? Anyone from ANC-  
3                   6C?

4                   Okay. Let's go to the Office of  
5                   Planning and DDOT. We'll do both at the same  
6                   time and ask our questions at the end.

7                   Ms. Thomas.

8                   MS. THOMAS: Yes. Good evening,  
9                   Mr. Chair, members of the Commission. The  
10                  Applicant has made a full presentation so I'll  
11                  be brief. We are in support of both  
12                  alternatives as currently presented by the  
13                  Applicant as redevelopment of this location  
14                  would be an important milestone for the  
15                  renewal of the H Street Corridor bringing yet  
16                  more residential units, including affordable  
17                  units, to support the retail establishments  
18                  both old and new. The site redevelopment  
19                  proposal is not inconsistent with its split  
20                  designation as identified in the Comprehensive  
21                  Plan.

22                  We see that the main highlight of

1 the differences between the initial submission  
2 and the alternative would be the location of  
3 the loading docks. We prefer this design  
4 since it takes such heavier loading  
5 requirements off the residential alley at 6th  
6 Street.

7 We are in support of the Applicant  
8 continuing to work with the affected neighbor  
9 at 819 6th Street to mitigate impact on her  
10 property with respect to the alley closing,  
11 the outstanding issue of loading off of 6th  
12 Street, and construction management. We  
13 anticipate that such commitments by the  
14 Applicant would be included as conditions of  
15 approval.

16 The Applicant is also working with  
17 DDOT to address their comments as indicated in  
18 the report and I'll let DDOT have a discussion  
19 on that if there are no questions.

20 CHAIRMAN HOOD: Thank you, Ms.  
21 Thomas.

22 MS. THOMAS: Thank you.

1 CHAIRMAN HOOD: Mr. El-Amin.

2 MR. EL-AMIN: Thank you, Mr.  
3 Chairman, and fellow Zoning Commissioners. I  
4 will also be brief. The Applicant has  
5 accurately portrayed the conditions that we  
6 had in our report.

7 I just wanted to speak on three of  
8 them that the Applicant has not agreed upon  
9 but we still stand firm on our  
10 recommendations. The first is the curb cut on  
11 6th Street.

12 We have been working with the  
13 Applicant for over a year in regards to  
14 discussing workable solutions to have a single  
15 curb cut that is shared with the alley but  
16 also is designed in a fashion that actually  
17 works for the garage but also safely and  
18 adequately accommodates the users of the alley  
19 in a safe manner. We still stand by that  
20 recommendation.

21 The back-to-back curb cut is  
22 against our standards in our Design and

1       Engineering Manual, Chapter 31. Again, we are  
2       very sensitive to the concerns of the users of  
3       the alley but we also have been working with  
4       the Applicant to show that it actually can  
5       work with just a single curb cut.

6               Also, with regards to actually the  
7       development, that will spawn more pedestrian  
8       activity and so while there may not be that  
9       much now, we certainly anticipate that  
10       changing. Typically our standards call for a  
11       two-way driveway to be 24 feet. Currently the  
12       total width would be 41 feet with a six-foot  
13       median as proposed by the Applicant, but the  
14       driveway itself would be 35 feet.

15              Not knowing exactly how many cars  
16       would be coming in and out or using the drive  
17       for the development and pedestrian traverse in  
18       that area, certainly we think a single curb  
19       cut and driveway would be a safer solution and  
20       we think there are certainly designs that  
21       could accommodate that request.

22              Secondly, the ratio for parking on

1 the retail side. The Applicant is  
2 approximately two spaces per 1,000 square feet  
3 of retail, but on the trip generation side  
4 they are suggesting that 60 percent of the  
5 trips will be made non-auto. I think on the  
6 retail side 25 percent transit, 25 percent  
7 walking, and 10 percent bike so we think that  
8 ratio is high.

9 Particularly for H Street being a  
10 high-capacity transit corridor, a lot of  
11 bicycling and pedestrians such that we've seen  
12 in other similar developments, one space per  
13 thousand square feet being more adequate.

14 There's other similar developments  
15 in the District that had a higher ratio and  
16 only about half of the spaces are being used  
17 currently. We think that ratio of one space  
18 per thousand would be much more -- in terms of  
19 the actual mode split we certainly can get  
20 closer to achieving that with less spaces. We  
21 think the development is overparked at this  
22 point.

1                   Finally, the other thing is with  
2                   respect to the 10 margin of error, if you  
3                   will, with respect to the submitted trip  
4                   generation report and the requested  
5                   performance monitoring.

6                   With regards to the actual trip  
7                   generation report, we generally ask the  
8                   applicant's to look at a worse-case scenario  
9                   so when there is monitoring that we are  
10                  relatively close to what was anticipated. If  
11                  we allow up to 20 percent above and beyond  
12                  what was forecast and, again, we are talking  
13                  about over several days, if it's consistently  
14                  over 10 percent, we think that actually should  
15                  trigger additional TDM measures.

16                  If we were to go higher than that,  
17                  then I don't think we are being true to what  
18                  was submitted with regards to the actual modal  
19                  split. I don't think we can get to those  
20                  splits if we allowed it to be 20 percent or  
21                  above what was forecast in their trip  
22                  generation report.

1                   So, with that, I'll take any  
2                   questions. Thank you.

3                   CHAIRMAN HOOD: Thank you Ms.  
4                   Thomas and Mr. El-Amin.

5                   Commissioners, any questions of  
6                   either DDOT or Office of Planning?

7                   Vice Chair.

8                   VICE CHAIR COHEN: Thank you, Mr.  
9                   Chairman.

10                  Ms. Thomas, I would like you to  
11                  address the comment that you made with regard  
12                  to the setbacks. The one thing that was  
13                  omitted from that paragraph is your support or  
14                  your willingness to accept that. Can you just  
15                  elaborate a little bit?

16                  MS. THOMAS: I'm sorry, but we do  
17                  support the flexibility.

18                  VICE CHAIR COHEN: You do?

19                  MS. THOMAS: Yes.

20                  VICE CHAIR COHEN: Okay. It  
21                  wasn't clear. To me, at least. I just wanted  
22                  to confirm that. Thank you.

1 CHAIRMAN HOOD: Any other  
2 questions?

3 Mr. May.

4 COMMISSIONER MAY: I have a few  
5 DDOT questions. What is the status of the  
6 streetcar? I can't keep up with the shifting  
7 schedule so if you can tell me what the latest  
8 is.

9 MR. HENSON: Well, that's not my  
10 project. Excuse me, Jamie Henson, DDOT.  
11 That's not my project. I've understood that  
12 the Agency is still saying we are planning on  
13 having streetcars operating by the end of the  
14 year.

15 COMMISSIONER MAY: By the end of  
16 '13?

17 MR. HENSON: Yes.

18 COMMISSIONER MAY: Okay. Is there  
19 an electrical infrastructure that needs to be  
20 installed?

21 MR. HENSON: It's in process. I  
22 believe we kicked off the construction project

1 April 1st so there should be construction  
2 beginning at 3rd Street to get the cars up to  
3 the top of the Hopscotch Bridge. There should  
4 be construction beginning on the overhead  
5 electrical contact.

6 I don't know exactly when they are  
7 going to start. Then on the other end the car  
8 barn facility and I don't know exactly where  
9 that is. Nonetheless, the other portions are  
10 going to be starting.

11 COMMISSIONER MAY: They haven't  
12 started construction on the car barn. Is that  
13 necessary to implement the line?

14 MR. HENSON: I'm not going to  
15 answer because I don't know honestly.

16 COMMISSIONER MAY: I'm just  
17 curious because, honestly, all I've read are  
18 headlines and the headlines are not -- they  
19 don't tell you very much.

20 MR. HENSON: I understand. I  
21 don't know that project so I would rather not  
22 speak to it.

1                   COMMISSIONER MAY: Sure. But it  
2 sounds like whatever it is it's likely to --  
3 it will be in place by the time this --

4                   MR. HENSON: We fully anticipate  
5 that. We fully anticipate that our project  
6 will be done in whatever form. We're talking  
7 about on the order of a year. Maybe it's  
8 delayed and maybe it's not but we're talking  
9 a year to year-and-a-half out.

10                  COMMISSIONER MAY: Right.

11                  MR. HENSON: I don't think they've  
12 mentioned a schedule but I would be  
13 hardpressed to imagine less than two years.

14                  COMMISSIONER MAY: Okay. So where  
15 are the overparked projects in the vicinity?

16                  MR. EL-AMIN: Yes. You may be  
17 familiar with the Target in Columbia Heights.

18                  COMMISSIONER MAY: Yes. That's  
19 not in the vicinity.

20                  MR. EL-AMIN: Well, not in the  
21 vicinity. I just mentioned it as similar with  
22 a ratio of two to one in that regard, two

1 spaces per 1,000 square feet. We just think  
2 that maybe we don't have an example right in  
3 the vicinity but the type of retail we're not  
4 certain of but we certainly think that two  
5 spaces per thousand square feet is just on the  
6 high side from our experience.

7 MR. HENSON: And I would actually  
8 argue that if you begin to look at option 2,  
9 I guess that's what we're calling it, you  
10 begin to see similar type uses actually; a  
11 specialty grocer, a health club, a little bit  
12 of other retail that is not a dissimilar vein  
13 to what you do have at DC USA.

14 Now, the density is not exactly  
15 the same on H Street but over time between the  
16 H Street Connection that's already approved;  
17 the Giant that's coming in, there is an  
18 apartment house on the backside, there's a few  
19 more projects at the other end of H Street, so  
20 you are already dealing with similar --  
21 beginning to get on a Columbia Height's type  
22 scale. Not quite that extreme but not

1 necessarily quite as far off either.

2 COMMISSIONER MAY: Okay. I know,  
3 Mr. Henson, you eat at restaurants on H Street  
4 but I think you probably have a transportation  
5 advantage there. You don't have to travel  
6 very far to get there.

7 MR. HENSON: Very true.

8 COMMISSIONER MAY: Right. But  
9 many people do drive and driving and parking  
10 in that area is a real problem. Even those of  
11 us who are quite willing to pay for parking,  
12 there isn't any parking available. I don't  
13 know how much is the right number and it seems  
14 like everything is going to be happening at  
15 the same time.

16 It seems like it's an area in  
17 significant need of parking, perhaps more so  
18 than some other places in town like the Office  
19 of Planning is recommending parking be built  
20 such as on the Mall. That's all beside the  
21 point. I mean, no, it's not just for buses.  
22 Anyway, that's okay. We have our own little

1 private discussions I guess.

2           There is a real need undoubtedly  
3 in that area and I don't have a sense that we  
4 are really grappling with the entirety of the  
5 need when these things come up one at a time.  
6 Has there been any attempt to try to grapple  
7 with the entirety of the need?

8           MR. HENSON: I'll actually defer a  
9 little bit to Ms. Steingasser on that. I  
10 think when the H Street -- before I defer too  
11 much, I'll note that there are at least four  
12 other projects within five blocks of the Giant  
13 which is well parked.

14           The Jair Lynch Project across the  
15 street, which I don't remember the parking  
16 ratios on that but will be relatively well  
17 parked. The H Street Connection which is not  
18 going to be highly parked. I believe around  
19 one per thousand if I remember correctly, and  
20 then this project.

21           You've got a pretty high amount of  
22 parking on the H Street Corridor just about to

1       come into play. That said, there's not as  
2       much opportunity on the higher usage end which  
3       is the section 1100, 1200, 1300 blocks of H  
4       Street. I mean, that's where the problems  
5       are. There's not as much opportunity there.

6                 There's one or two redevelopment  
7       sites and those sites aren't big enough, quite  
8       frankly, to provide the level of parking that  
9       folks would be looking for. This end is but  
10      I would argue that market rate is going to be  
11      low because there's going to be a lot of  
12      parking on that end of the corridor.

13                COMMISSIONER MAY: Okay. I guess  
14      I'm still skeptical of that. I mean, at the  
15      moment what I still sense is an area in need  
16      of additional parking. I'm not saying DC USA  
17      scale of parking but, then again, I don't  
18      think you have retail up there so I'm not  
19      convinced of that.

20                I do think you're on target in  
21      terms of -- I guess poor choice of words. You  
22      are right in pushing for a lower trigger. I

1 think the 20 percent trigger for additional  
2 TDM is not right. At 10 percent I don't know  
3 but 20 seems like an awful lot of flexibility.

4 MR. HENSON: We've been very eager  
5 to provide the Applicant flexibility on how  
6 they measure that. We are really not into an  
7 I gotcha moment where they get one day and  
8 it's a bad day and then all of a sudden there  
9 are lots of implications.

10 We are fine with looking at a  
11 methodology that looks over many days to get  
12 a real average of what's going on. This is  
13 not -- the point is to keep the trips low, not  
14 to have an I gotcha moment because there's a  
15 bad day on parking.

16 COMMISSIONER MAY: Thank you.

17 On to the Office of Planning. I  
18 did have a couple questions for you. One is  
19 the -- do you agree with the Applicant's  
20 contention that a public alley easement is  
21 something that we would typically allow to be  
22 included in the FAR in this sort of

1       circumstance?

2                   MS. STEINGASSER:  Yes and no.  OP  
3       will definitely take the heat on this one  
4       because we didn't flag this for the Applicant  
5       that it was an issue.  Typically the Zoning  
6       Commission does ask that be taken out of the  
7       denominator so there is a sense.  That's been  
8       the case when that alley easement has served  
9       as the principal type of circulation to the  
10      site such as townhouse developments.

11                   COMMISSIONER MAY:  Right.

12                   MS. STEINGASSER:  When it showed  
13      up here, it didn't even dawn on us because  
14      it's serving only the parking for the three  
15      adjoining properties and the loading.  We  
16      viewed it more as a driveway with a bit of a  
17      benefit to the adjoining property owner so we  
18      didn't even suggest that they would look at  
19      that.

20                   COMMISSIONER MAY:  Okay.  I'm not  
21      sure what the right strategy is, whether it's  
22      something that does need to be excluded when

1 you do the FAR calculation and, therefore,  
2 triggers a relief.

3 I'm certainly not suggesting that  
4 the building needs to be altered as a result  
5 but I do want to understand the right thing  
6 and the right precedent, whether it's what the  
7 Applicant suggests or whether it's something  
8 different where we need to recalculate and  
9 grant relief just so that we are --

10 MS. STEINGASSER: We are treating  
11 this consistently. Yes, sir.

12 COMMISSIONER MAY: Right. And  
13 then the second -- oh, I did want to ask we  
14 have the Giant coming, I guess, somewhere in  
15 that vicinity but isn't there also a Wal-Mart  
16 on the other side of -- on H Street on the  
17 other side of Union Station? I mean, the  
18 railroad tracks over at the Prego site?

19 MS. STEINGASSER: 3rd and H, N.W.

20 COMMISSIONER MAY: That's not too  
21 far away. Is that going to be a full grocery  
22 too?

1 MS. STEINGASSER: It is going to  
2 be one of the urban grocery.

3 COMMISSIONER MAY: Okay. I don't  
4 know what the demand is. Obviously the  
5 grocery companies know that but I was just  
6 curious.

7 And the last thing is my overall  
8 sense of the amenities package on this is that  
9 it doesn't seem to be as substantial as what  
10 we see on other PUDs. Certainly in terms of  
11 the definite dollar amounts associated with  
12 some of the park improvements and so on. I'm  
13 wondering what your sense of this is, whether  
14 there really is -- if we have the right  
15 balance of amenities on this project.

16 MS. STEINGASSER: Well, there's  
17 amenities and there's benefits and that's  
18 always been one of the distinctions that OP  
19 looks at. Benefits are things that accrue in  
20 the neighborhood that result from the project  
21 compared to a matter of right.

22 In that regard we felt that the

1 project really did provide significant  
2 benefits in terms of housing as opposed to  
3 non-residential. It provided -- because of  
4 the increase in housing and the increase in  
5 the FAR it resulted in more inclusionary  
6 zoning units, as Ms. Shiker explained.

7 We felt those were two substantial  
8 benefits. Amenities are things that accrue to  
9 the property owner and the -- I'm sorry, to  
10 the residents of the property.

11 COMMISSIONER MAY: Right.

12 MS. STEINGASSER: We felt there  
13 was significant amenities in regards to how th  
14 building was laid out, its efficient use of  
15 land, the architecture, the mix of uses, the  
16 ground floor retail which served as both  
17 benefit and amenity.

18 We were also very pleased that the  
19 Applicant was willing to work on the green  
20 alley system which is part of the Mayor's  
21 sustainability initiative. As far as I know,  
22 this will be the first project to work as a

1 private developer in terms of the green alley  
2 program so we were very excited that they were  
3 willing to do that.

4 We felt overall that, yes, the  
5 project had more benefits than the city would  
6 have seen as a matter of right and the  
7 benefits did warrant the flexibility requested  
8 including the increase in density.

9 COMMISSIONER MAY: Okay. So then  
10 it seems to me the only thing that I'm missing  
11 for my own comfort is I'm not looking for a  
12 quantification of the entire list of public  
13 benefits. It would be beneficial, I think, if  
14 the Applicant were to put some detail to this  
15 notion that the inclusionary zoning is boosted  
16 by the increase in FAR, that calculation.  
17 They are not in here. Will they be provided?

18 MS. STEINGASSER: I would be happy  
19 to get that. The Zoning Commission has a  
20 precedent for accepting that very argument on  
21 H Street.

22 COMMISSIONER MAY: Right. I know

1 we've seen it before. I can't remember where.

2 MS. STEINGASSER: It was the  
3 Rappaport project.

4 MS. THOMAS: And H Street  
5 Connection.

6 COMMISSIONER MAY: Right. Okay.  
7 I won't go off on another tangent there.

8 And then I think for the other  
9 ones where we are talking about landscape  
10 improvements at Blair House and this Park  
11 Service parcel, I would like to get those  
12 nailed down certainly before we take final  
13 action on this with some specific dollar  
14 amounts.

15 I think there was a reference on  
16 the Park improvements to initial improvements  
17 and the Park Service would do the maintenance  
18 in the long run. I don't know. I would think  
19 there would be some ability to make sure that  
20 the landscaping stays good for some limited  
21 period of time.

22 I'm not looking at something in

1 perpetuity but, you know, you can't just plant  
2 the grass and run away. I think it's got to  
3 be something more substantive than that.

4 VICE CHAIR COHEN: I would just  
5 like to concur with Commissioner May. Some of  
6 us don't have the history of the developments  
7 on H Street to even compare different  
8 proffers.

9 I mean, my experience is space  
10 appraisal but I didn't follow a lot of the  
11 Zoning cases before I was appointed. I really  
12 feel that OP should in the future make some  
13 kind of statement to that effect. Thank you.

14 MS. STEINGASSER: Sure. We would  
15 be happy to.

16 CHAIRMAN HOOD: Did you have  
17 something else to do that you didn't follow  
18 the Zoning cases?

19 Any other comments or questions of  
20 the Office of Planning and DDOT?

21 COMMISSIONER TURNBULL: I think  
22 Commissioner May has been very thorough.

1 CHAIRMAN HOOD: All right.

2 Commissioner May has asked all our questions  
3 so we'll move on.

4 Does the Applicant have any cross-  
5 examination of either the Office of Planning  
6 or DDOT?

7 MS. SHIKER: We have a few  
8 questions for DDOT.

9 I heard, and DDOT testified, that  
10 we are not in compliance with the Design and  
11 Engineering Manual. Isn't it true that  
12 Chapter 31 of the Design and Engineering  
13 Manual allows curb cuts to go up to a width of  
14 24 feet?

15 MR. HENSON: It allows up to 24  
16 feet.

17 MS. SHIKER: And isn't it true  
18 that there is also provision that if you  
19 exceed 24 feet, if you provide a refuge of at  
20 least 6 feet that that would comply with  
21 Chapter 31?

22 MR. HENSON: Right, but that's not

1 the full extent of what's going on because  
2 really the way we see it it's two separate  
3 curb cuts so that's written basically for a  
4 single curb cut.

5 In my mind it's pretty clear that  
6 is two separate curb cuts. According to our  
7 standards, if I remember correctly, I think  
8 it's 32 feet that they would be required to be  
9 separated.

10 MS. SHIKER: Certainly Chapter 31  
11 does say that 32 feet between separate curb  
12 cuts but this could then be viewed as a single  
13 curb cut that has a six or eight-foot refuge  
14 in one situation at 16 feet with a six-foot  
15 refuge and a 24-foot curb cut. In the other  
16 situation it's two 24-foot curb cuts with an  
17 eight-foot refuge.

18 I do believe there are examples  
19 throughout the city where that has been  
20 permitted to have the eight-foot refuge and  
21 DDOT routinely, isn't it true, allows curb  
22 cuts to be three feet off the property line in

1 order to allow for a six-foot refuge between  
2 two different property curb cuts?

3 MR. HENSON: So there's a few  
4 questions in there. I'm not sure how many.  
5 I'll try to answer as many as I can and give  
6 the context. There are places where the  
7 buildings are built where the parking is  
8 allowed three feet from the edge.

9 That's true. That's not the best  
10 practice quite frankly and that's not what we  
11 are in the interest of pursuing as a policy  
12 for the city. We are interested in limiting  
13 the number of curb cuts that we have. Just to  
14 be very direct, as this gets to permitting, I  
15 don't see this getting approved as two curb  
16 cuts.

17 Now, we will be glad to work with  
18 the Applicant to figure out how to make this  
19 into a single curb cut whether it points  
20 directly into the garage and there's a spur  
21 off or it points in the alley and there's a  
22 spur off from the alley.

1           The design is such that access  
2           toward I Street, which we've understood is the  
3           problem, can be eliminated. We're glad to  
4           work on a design that allows that. As far as  
5           two curb cuts go I would not suggest that.

6           MS. SHIKER: Thank you. Going  
7           back to my question, it is consistent with the  
8           current Design and Engineering Manual as  
9           published, Chapter 31. The policies may be  
10          favoring not directly but --

11          MR. HENSON: They are separate  
12          curb cuts. We can disagree on that but they  
13          are separate curb cuts. If it's one common  
14          curb cut, I think you would have much more of  
15          an argument if it was the same building as the  
16          loading curb cut into that building, the  
17          driveway curb cut for cars into that building  
18          but you're talking an alley and a building  
19          curb cut.

20          MS. SHIKER: It is still on  
21          private property so it could be considered a  
22          single curb cut with --

1 MR. HENSON: But is it an alley or  
2 is it not?

3 MS. SHIKER: It is an alley  
4 easement.

5 MR. HENSON: Alley though. In  
6 essence --

7 MS. SHIKER: Let me ask my other  
8 question. In the report we heard testimony  
9 just a few minutes ago that you were  
10 recommending -- DDOT was recommending that the  
11 parking ratio be reduced.

12 It's it true that the report says  
13 that we either reduce the parking ratio or  
14 incorporate significant performance monitoring  
15 and TDM? Isn't it true that we have agreed to  
16 the significant majority of those TDM  
17 measures?

18 MR. HENSON: Right. We were very  
19 clear it is an "or." Given the choice I would  
20 take the reduction in parking but it is an  
21 "or" to reduce the parking or commit to a  
22 monitoring program which we've talked through.

1 MS. SHIKER: Right. Thank you  
2 very much.

3 That's all our questions.

4 CHAIRMAN HOOD: Thank you. Again,  
5 I don't see anyone from ANC-6C to do any  
6 cross.

7 Okay. Let's move right along.  
8 The report of any other government agencies.  
9 Well, let me just also say the report of ANC-  
10 6C and 6A. There are letters from council  
11 member Tommy Wells.

12 Also from Chairperson Wirt from  
13 ANC-6C, as well as from Chairman Holmes from  
14 ANC-6A all in support. It has already been  
15 mentioned that the Applicant supports all the  
16 caveats which the ANCs have mentioned. You  
17 support both of the ANC letters?

18 MS. SHIKER: That is correct.

19 CHAIRMAN HOOD: I think when I  
20 read the letter I didn't see any caveat. He  
21 just agreed with the ANCs and he had his own  
22 recommendation of support.

1                   Did I miss anyone? We don't have  
2 anyone who signed in, organizations or persons  
3 in support, organizations or persons in  
4 opposition. Obviously the Applicant had done  
5 all that before they got here so that shows a  
6 good faith effort on this Applicant.

7                   Let's do rebuttal and closing by  
8 the Applicant. Did I miss something?

9                   MS. SHIKER: No. Thank you. We  
10 believe that we have put on a full case and we  
11 would hope that the Commission would act  
12 favorably on this exciting project pending the  
13 additional submissions that you requested.

14                   I will point out that we  
15 understand that there is a permitting process  
16 for curb cuts and we will continue to try to  
17 convince DDOT of our ways. Because we have  
18 heard loud and clear that there may be an  
19 issue, we have requested flexibility in our  
20 PUD documents for the Commission to approve  
21 the drive way access either off of 6th Street  
22 or off the alley so there would be a single

1 curb cut.

2 It is not favored by the  
3 community. It is not favored by the retail  
4 users. We do not believe it is the best  
5 situation and we are going to continue to push  
6 but we would like for the Commission to  
7 consider that flexibility so that if we are  
8 unable to succeed in the end on that  
9 permitting process that we would have the  
10 flexibility without having to modify the PUD  
11 to simply switch the access either off the  
12 alley access easement or somehow revive that  
13 driveway so that we are able to get the public  
14 space permit.

15 In addition, we are happy to  
16 submit the additional information that's been  
17 requested that we'll go over and then we would  
18 ask the Commission to consider this for  
19 approval at its earliest convenience.

20 CHAIRMAN HOOD: Do you think you  
21 could continue to work on it with DDOT  
22 possibly before we do final? I know they have

1 a permitting process and I would just send a  
2 message to DDOT. I know they have regulations  
3 but sometimes with a community this strong and  
4 no one is in the audience in opposition, I  
5 don't usually see that.

6 The community sees something they  
7 agree with. If for whatever reason it  
8 changes, I hope that DDOT would work and let  
9 the community know the Zoning Commission  
10 didn't authorize or make the change that DDOT  
11 did because of the permitting process.

12 Enough said on that. You don't  
13 have to answer, Mr. Henson. I just said that  
14 because, I mean, the record is complete.  
15 There's a lot of support here. I know this  
16 area and I know this ANC and for them to just  
17 send letters and not show up says a lot about  
18 the work this Applicant has done.

19 Let's open it up. Any other  
20 comments?

21 Ms. Schellin, do we have a list of  
22 what's needed?

1 MS. SCHELLIN: I may have missed  
2 one that Mr. May made mention of but I'm sure  
3 he'll let me know. He usually does.

4 I have calculation of the  
5 accessory space to the roof top, and Mr. May  
6 made mention of that. The west facade tower  
7 sticks out. It breaks up what was trying to  
8 be done.

9 The thing at the end -- that was  
10 the statement. I don't know what it was  
11 called. The thing at the end just doesn't  
12 work. That was Mr. Turnbull and Commissioner  
13 Cohen also.

14 Provide a roof plan that shows the  
15 sections, heights, and setbacks. Commissioner  
16 Turnbull asked for that. Continue to converse  
17 with the Bradley family. Chairman Hood asked  
18 for that.

19 I thought that Commissioner May  
20 made mention of maybe an amenity that I may  
21 not have caught.

22 COMMISSIONER MAY: I did ask for

1       them to tighten up on the benefits and  
2       amenities and to quantify dollar amounts for  
3       the Blair House landscape improvements and the  
4       Park Service parcel improvements. I suggested  
5       they might want to include some maintenance  
6       for some limited period but that's up to them.

7                   I did also ask the Office of  
8       Planning to provide some feedback on the  
9       question of how the FAR was calculated and  
10      whether the new alley is included or not. The  
11      Applicant is welcome to submit their  
12      information on that as well but I'm mostly  
13      interested in what the Office of Planning has  
14      to say. That was it.

15                   CHAIRMAN HOOD: Do we have  
16      anything else? I was informed by the very  
17      eloquent Vice Chair who informed me that I  
18      need to call for this -- I thought I did but  
19      maybe I didn't -- any organizations or persons  
20      in support? Any organizations or persons her  
21      in opposition? Okay.

22                   You want to do rebuttal and

1 closing again?

2 MS. SHIKER: No thank you.

3 CHAIRMAN HOOD: All right. Thank  
4 you, Vice Chair.

5 COMMISSIONER TURNBULL: I would be  
6 willing to go ahead and vote but I just want  
7 to make sure that we understand that we are  
8 looking for some changes. Depending upon what  
9 we get for those changes may affect final  
10 vote.

11 CHAIRMAN HOOD: I've seen it turn  
12 around at final. Okay. We will go ahead and  
13 proceed tonight with a bench decision but,  
14 again, we'll be looking for some things at  
15 final. You will want to come back with a  
16 strong case.

17 Okay. I'll take a motion.

18 COMMISSIONER MAY: Subject to the  
19 additional submissions that we've asked for,  
20 robust and successful submissions at that, I  
21 would move approval of Zoning Commission Case  
22 No. 12-18, USL WDC H Street Consolidated PUD

1 and Related Map Amendment at Square 858.

2 CHAIRMAN HOOD: Okay. It has been  
3 moved and properly seconded. Any further  
4 discussion? All those in favor aye.

5 COMMISSIONERS: Aye.

6 CHAIRMAN HOOD: Not hearing any  
7 opposition, Ms. Schellin, would you record the  
8 vote?

9 MS. SCHELLIN: The staff records  
10 the vote five to zero to zero to approve  
11 proposed action in Zoning Commission Case No.  
12 12-18. Commissioner May moving, Commissioner  
13 Miller seconding, Commissioners Hood, Cohen,  
14 and Turnbull in support.

15 If I could have the Applicant  
16 provide me a draft Findings of Fact and  
17 Conclusions of Law by May 16th and final  
18 action -- and those additional documents, if  
19 we could have those by May 16th also, 3:00  
20 p.m. Final action will occur at the June 10th  
21 meeting. Thank you.

22 CHAIRMAN HOOD: Okay. Do we have

1 anything else before us tonight?

2 MS. SCHELLIN: No, sir.

3 CHAIRMAN HOOD: I want to thank  
4 everyone for their participation. This  
5 hearing is adjourned.

6 MS. SHIKER: Thank you very much.

7 (Whereupon, at 9:06 p.m. the  
8 hearing was adjourned.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Public Hearing

Before: DCZC

Date: 04-18-13

Place: Washington, DC

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

  
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Court Reporter

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