

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

IN THE MATTER OF:

Consolidated PUD and Related Map Amendment at Square 3040- 3321 Georgia, LLC	Case No. 10-26
--	-------------------

Thursday,
March 03, 2011
Hearing Room 220 South
441 4th Street, N.W.
Washington, D.C.

The Public Hearing of Case No. 10-26 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Office of Zoning Hearing Room at 441 4th Street, N.W., Washington, D.C., 200 01, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairman
KONRAD SCHLATER, Vice Chairman
PETER MAY, Commissioner (NPS)
GREG SELFRIDGE, Commissioner
MICHAEL G. TURNBULL, FAIA,
Commissioner (OAC)

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OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JOEL LAWSON
STEPHEN MORDFIN

The transcript constitutes the
minutes from the Public Hearing held on March
3, 2011.

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TABLE OF CONTENTS

Preliminary Matters	14
Applicant's Case	14
Report of the Office of Planning	61
Report of Other Government Agencies	65
Report of ANC 1A	89
Organizations and Persons in Opposition ...	89
Organizations and Persons in Support	89
Rebuttal and Closing by the Applicant	90
Approval	91
Closing	101

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

6:47 p.m.

CHAIRMAN HOOD: Good evening, ladies and gentlemen. This is the public hearing of the Zoning Commission of the District of Columbia for Thursday, March 3rd, 2011.

My name is Anthony Hood. Joining me are Vice Chairman Schlater, Commissioner Selfridge, Commissioner May and Commissioner Turnbull.

We're also joined by the Office of Zoning Staff, Ms. Sharon Schellin.

The Office of Planning, Mr. Lawson, Mr. Mordfin and District Department of Transportation Mr. Jennings.

This proceeding is being recorded by a court reporter and is also webcast live.

Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room.

The subject of this evening's

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1 hearing is Zoning Commission Case 10-26. This
2 is a request by 3321 Georgia LLC for approval
3 of a consolidated PUD and related map
4 amendment for property located at Square 3040.

5 Notice of today's hearing was
6 published in the D.C. Register on January
7 14th, 2011 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 provisions of 11 DCMR 3022 as
12 follows: Preliminary matters, Applicant's
13 case, report of the Office of the Planning,
14 report of other government agencies, report of
15 ANC 1A, organizations and persons in support,
16 organizations and persons in opposition,
17 rebuttal and closing by the Applicant.

18 The following time constraints
19 will be maintained in this meeting: The
20 Applicant 30 minutes -- 20 or 30 minutes,
21 organizations five minutes, individuals three
22 minutes.

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

8 All persons appearing before the
9 Commission are to fill out two witness cards.

10 This cards are located to my left on the
11 table near the door. Upon coming forward to
12 speak to the Commission, please give both
13 cards to the reporter sitting to my right
14 before taking a seat at the table.

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

22 The staff will be available

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1 throughout the hearing to discuss procedural
2 questions.

3 Please turn off all beepers and
4 cell phones at this time so not to disrupt
5 these proceedings.

6 Would all individuals wishing to
7 testify please rise to take the oath?

8 MS. SCHELLIN: Please raise your
9 right hand. Do you solemnly swear or affirm
10 the testimony you give this evening will be
11 the truth, the whole truth and nothing but the
12 truth?

13 WITNESSES: I do.

14 MS. SCHELLIN: Thank you.

15 CHAIRMAN HOOD: Thank you, Ms.
16 Schellin, for administering the oath. I'm
17 just curious. Do people still have beepers?
18 Does anybody in here have a beeper? Raise
19 your hand if you have a beeper. Okay. I
20 think we may eventually state that. Because I
21 was thinking I haven't heard of a beeper in
22 awhile.

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1 Okay. Mr. Freeman, let's -- I
2 think you have some expert witnesses and I
3 think everyone has been previously accepted,
4 but you may begin.

5 MR. FREEMAN: Good evening,
6 Chairman Hood and Members of the Commission.
7 My name is Kyrus Freeman with the law firm of
8 Holland & Knight here on behalf of the
9 Applicant.

10 With respect to experts, we hav e
11 four experts tonight starting to my immediate
12 left Mr. Steve Sher of the law firm of Holland
13 & Knight who we had submitted as an expert in
14 zoning and land -use analysis wh o's been
15 qualified at least once before this Commission
16 in that capacity. To my immediate right, we
17 have Mr. Adrian Washington of the Neighborhood
18 Development Corporation who we would like to
19 submit as an expert in urban real estate
20 development who's also been qualified in that
21 capacity before the Zoning Commission. Mr.
22 Erwin Andres of Gorove/Sla de and Associate s

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1 we'd like to qualify as an expert in
2 transportation, planning and engineering who's
3 also been recognized and qualified in that
4 capacity by this Commission and Mr. Mel
5 Thompson of Grimm and Parker Architecture Firm
6 who we would like to qualify as an expert in
7 architecture and design.

8 You have all of our witnesses
9 resumes. They were included in our pre-
10 hearing submission and we are prepared to
11 answer any questions about our experts.

12 CHAIRMAN HOOD: Okay. I think all
13 of the experts have -- with the exception of
14 maybe Mr. Thompson, I'm not sure, but all have
15 been previously accepted.

16 Does anyone have any issues on the
17 ones who have already been previously
18 accepted?

19 I thought Mr. Washington was
20 accepted previously.

21 MR. FREEMAN: He was. In fact, he
22 was -- the last case that we did for --

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1 CHAIRMAN HOOD: The last case that
2 we saw you all together. Right.

3 MR. FREEMAN: Ten -- 8-26 if I
4 remember correctly.

5 COMMISSIONER MAY: Was that
6 another project that Mr. Washington's company
7 was developing?

8 MR. FREEMAN: Yes.

9 CHAIRMAN HOOD: It was on Georgia
10 Avenue, too. Wasn't it or where was it?

11 MR. FREEMAN: A block to the south
12 of this site.

13 CHAIRMAN HOOD: Okay. Yes. So,
14 all with the exception of Mr. Thompson, I
15 think we've done it previously. No sense in
16 rehashing the ones we've already -- especially
17 Mr. Sher. Now, we're getting to the point now
18 we just need to fly on by that.

19 Let's look at Mr. Thompson's
20 resumé, Commissioners.

21 MS. SCHELLIN: Chairman Hood, if I
22 may while you guys are looking, ask Mr.

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1 Freeman for their affidavit of maintenance.

2 MR. FREEMAN: Frieda filed that
3 today.

4 MS. SCHELLIN: She did?

5 MR. FREEMAN: Yes.

6 MS. SCHELLIN: We don't have that.
7 Okay. I'll have to check because it's not in
8 the record.

9 COMMISSIONER TURNBULL: I just
10 have one question, Mr. Chair.

11 CHAIRMAN HOOD: Sure.

12 COMMISSIONER TURNBULL: Mr.
13 Thompson, are you a licensed architect?

14 MR. THOMPSON: No, I'm not.

15 COMMISSIONER TURNBULL: Okay.

16 MR. THOMPSON: Sorry. No, I'm
17 not.

18 COMMISSIONER TURNBULL: Okay.

19 CHAIRMAN HOOD: Okay. Need more
20 time?

21 COMMISSIONER TURNBULL: How long
22 have you been with Grimm and Parker?

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1 MR. THOMPSON: I've been with
2 Grimm and Parker for 11 years.

3 COMMISSIONER TURNBULL: Eleven.
4 Well, I just have a question and Mr. Thompson
5 wants to be recognized as an expert in
6 architecture?

7 MR. FREEMAN: Yes.

8 COMMISSIONER TURNBULL: Or design?

9 MR. FREEMAN: Architecture and
10 design.

11 COMMISSIONER TURNBULL: Though
12 he's not a registered architect. Licensed
13 architect in any jurisdiction.

14 MR. FREEMAN: We're happy to
15 proffer him as an expert in design instead of
16 architecture if that's the feeling of the
17 Commission.

18 COMMISSIONER TURNBULL: Housing
19 design or --

20 MR. FREEMAN: Urban, residential
21 and retail design.

22 COMMISSIONER TURNBULL: Okay. I

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1 just throw that out to my other Commissioners
2 and see how they -- if they're comfortable
3 with that.

4 CHAIRMAN HOOD: So, what are --

5 COMMISSIONER TURNBULL: About
6 being an expert in architecture and design --
7 housing design, urban design.

8 CHAIRMAN HOOD: So, it's in
9 housing design. Everybody okay with that?
10 Okay. Great. Thank you, Mr. Turnbull.

11 Okay. Housing design, Mr.
12 Thompson. We'll proffer Mr. Thompson an
13 expert in housing design.

14 Have I ever heard of that one
15 before? I'm trying to think.

16 COMMISSIONER MAY: Well, actually,
17 we have done that before.

18 CHAIRMAN HOOD: Housing design?

19 COMMISSIONER MAY: Well, in other
20 cases when architect -- when designers are
21 appearing before us and they're not licensed
22 architects, yes, we've qualified them as

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1 designers and not as architects.

2 CHAIRMAN HOOD: Let's just make
3 that a rule. You come down. You don't have
4 your license. You're now in housing design.
5 Thank you.

6 Thank you very much, Mr. Turnbull.

7 I actually think that was good. I
8 appreciate that. Okay.

9 Anything else, Commissioners?

10 Okay. Do you have anything else?

11 MR. FREEMAN: Just a quick opening
12 statement to address a couple of issues that
13 have been raised in the case. I should only
14 take about two minutes and then we can either
15 ask respondent questions or we could do a
16 quick abbreviated presentation.

17 CHAIRMAN HOOD: I was really just
18 asking anything preliminary before we turn it
19 over to you because this is your show now.
20 This is your show.

21 MR. FREEMAN: Oh, I'm sorry.

22 We're happy to be here this evening and

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1 present what we think is an exciting project
2 which will continue in a revitalization of the
3 Georgia Avenue Corridor.

4 The applications will allow the
5 construction of a mixed-use building which
6 you've seen the plans for and Mr. Thompson
7 will describe in more detail tonight.

8 We're looking for a couple of
9 areas of zoning relief which as noted in the
10 Office of Planning's report we meet the
11 standards for and Mr. Sher will talk about
12 those in more detail as he does his report.

13 The Applicant has worked extremely
14 hard since this case was set down in order to
15 address the comments raised by the Commission
16 and we believe we've addressed all of those
17 comments successfully. As you will heard from
18 Mr. Washington, they've worked very hard with
19 the community to develop what we think is a
20 strong amenities package.

21 As you know, we have the strong
22 resolution in support of the project from ANC

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1 1A which is marked as Exhibit 23 of the record
2 and we have the report of the Office of
3 Planning. OP's raised two conditions and as
4 you'll see tonight, we've agreed to their
5 conditions. Specifically, to paint the
6 interior walls of the garage and to provide a
7 cool roof on a post office.

8 The one issue from our perspective
9 is the DDOT report which we actually think has
10 some pretty serious errors in its statements
11 which I'd like to just kind of jump into now
12 and then you'll hear our expert detail those a
13 little further.

14 The first point, and we think this
15 is very important, DDOT refers to the area to
16 the east of our site as a "alley right-of-way"
17 which is incorrect. It's not an alley. It's
18 private property owned by the Applicant. So,
19 there's absolutely no legal basis whatsoever
20 for DDOT to require the Applicant to dedicate
21 that as a public alley as part of this
22 process.

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1 COMMISSIONER MAY: Can you point
2 to a drawing where we can see the area you're
3 talking about?

4 MR. FREEMAN: If you look at -- in
5 the booklet, you have sheets A, the general
6 existent site plan which would be -- it's --
7 where it's built upon. It's not -- that's not
8 showing an open area. Okay. Let's go all the
9 way to the civil sheet, C1.0 1 It's the area
10 to the -- along the eastern property line of
11 the building.

12 COMMISSIONER MAY: Okay. So, the
13 proposed project will build over that entire
14 space that's currently a private driveway?

15 MR. FREEMAN: Yes, sir.

16 COMMISSIONER MAY: Okay.

17 MR. FREEMAN: The second point is
18 with respect to loading ingress and egress, we
19 submitted what we believe is extensive
20 evidence including a traffic impact study and
21 supplemental transportation analysis prepared
22 by Gorove/Slade which clearly established that

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1 the loading ingress and egress for our project
2 can all be accommodated within the property,
3 head-in/head-out. Which as this Commission
4 has found in a number of cases is a
5 significant improvement and benefit.

6 I'd also like to note that DDOT
7 calls their proposal a "gain for the
8 community." But, as you will see in an ANC
9 letter which is included as Exhibit 23 of the
10 record, the ANC says, and I quote, "We believe
11 the accommodation of all service and loading
12 activities within the building and head-
13 in/head-out truck movements are also
14 significant site planning and land utilization
15 benefit."

16 So, I'd say the community has
17 already said our proposal with respect to
18 loading is what they're looking for.

19 Thirdly, DDOT states that the
20 Applicant is proposing to "install an
21 additional 24-foot curb cut on Morton Street."

22 This isn't true, Members of the Commission.

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1 What we're proposing to do is
2 widen an existing 16-foot curb cut to 24 feet.

3 So, we're widening an existing curb cut and
4 we're actually closing two other curb cuts.
5 So, we're going from three curb cuts to one
6 curb cut which is a change of approximately 56
7 feet of curb cut to 24 feet of curb cut.

8 The last point I'd like to make
9 with respect to DDOT's report is they
10 recommend that the Applicant provide 50
11 interior bike spaces and next bus display in
12 the building as "mitigation for the reduction
13 in the number of required parking spaces."

14 Well, the Applicant's not
15 requesting any parking relief in this case.
16 Forty-nine parking spaces are required and
17 we're providing 50. So, we're actually one
18 over.

19 In addition to that, they haven't
20 indicated any adverse impacts which we would
21 need to mitigate. As you'll hear from our
22 expert tonight, the project doesn't create any

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1 adverse impact. So, we're just not clear on
2 what we're mitigating. Particularly, since
3 we're already proposing to install 31 bikes
4 whereas one is required and we agree to do
5 transportation demand measurements as listed
6 in the ANC letter.

7 So, that kind of concludes what I
8 wanted to say at least in my opening statement
9 about the DDOT report.

10 We're happy to proceed now with
11 Mr. Washington and do a brief presentation and
12 then with our other witnesses.

13 MR. WASHINGTON: Thank you,
14 Chairman Hood, Members of the Commission.

15 I'd like to take just a few
16 minutes to talk to you about our company, our
17 work in the area and the process we went in
18 developing this project.

19 Our company, the Neighborhood
20 Development Company, was founded in 1999.
21 We're a District-based company and our
22 headquarters, in fact, is really five or six

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1 blocks from the property site and so, we're
2 very concerned with this neighborhood.

3 Since 1999, we've developed about
4 500,000 square feet of real estate. Again, I
5 would say the bulk of this development is
6 within a half mile of this area. This area is
7 very important to us.

8 In addition to our own direct
9 work, we've been involved with the District in
10 several public/private partnerships: City
11 Center D.C. which is which is breaking ground
12 soon, City Vista very near here and also
13 another public/private partnership, the State
14 Center Project in Baltimore.

15 And we've been recognized by
16 several publications. Our projects have
17 received numerous awards and I would, you
18 know, point out that these awards -- many of
19 these were for our work on Georgia Avenue and
20 the revitalization of it.

21 As you may recall, we came to you
22 about two years ago on a project, The Heights

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1 in Georgia Avenue, which is really about a
2 block away from this project and which
3 presented many of the same, you know, design
4 ambitions, community i nvolve ments and
5 additions and we worked, I think, very well
6 with the Commission in addressing your concern
7 and received enthusiastic support fro m the
8 community on this project.

9 It'll have 69 units, ground-level
10 retail space and we are expecting to break
11 ground on this project very soon within the
12 next 30 to 60 days. We have permits in hand.
13 We have finance commitme nts in place and
14 we're very excited about this project which
15 will be right up the street.

16 For the project that you have
17 before you tonight, we, as we do with all of
18 our work, went through an extensive community
19 involvement process starting, of course, with
20 the Advisory Neighborhood Commission 1A. We
21 had multiple meetings with them and we've had
22 several meetings over the yea r on this and

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1 other projects. We've worked with the Georgia
2 Avenue Community Development Task Force, a
3 very active member of the community there, the
4 Pleasant Plains Civic Association, the Park
5 View Kids Zone and the Park View Recreation
6 Center and, you know, in addition to, you
7 know, these official organizations, we've
8 worked, you know, on this project and many
9 others with many residents in the neighborhood
10 trying to come up with a project that would
11 meet all of their requirements.

12 After an extensive look -- and we
13 heard very clearly from the Commission that
14 they wanted a -- besides the general amenities
15 offered by this project, they wanted a special
16 amenity that would live for the life of the
17 project with the community. We looked through
18 many, many alternatives and finally decided
19 that the work that we would do best would be a
20 complete renovation of a Park View Recreation
21 Center Field House.

22 This field house as you can see

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1 from the earlier photo was originally built in
2 the early 1900s and it serves as a place now
3 for a great organization, the Park View Kids
4 Zone, but it's really completely substandard
5 and the community just thought this would be a
6 great addition to the neighborhood and so, we
7 have pledged to do a complete renovation.
8 Whatever it takes to make this a first class
9 facility to help the community.

10 MR. FREEMAN: I think that pretty
11 much concludes what Mr. Washington wanted to
12 highlight. We're happy to move on to Mr.
13 Thompson to just highlight some of the
14 elevations and the changes made to the plan.

15 MR. THOMPSON: Good evening ,
16 Commission. Thanks for having us.

17 I'm starting with the basic plan
18 of the project. We are at Morton and Georgia
19 and I'm showing in the plan what the retail
20 looks like, where the common areas are in the
21 building, where the lobby is for the apartment
22 building and the zone of where the

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1 loading/receiving area is for the project and
2 also, we have the post office to the south of
3 the project.

4 This elevation is the east
5 elevation which was revised on the
6 Commission's request to better the elevation
7 to the east of the project. The view being
8 somewhat important to that situation and here
9 we've provided brick and brick patterns on
10 that elevation and so, it mimics the
11 defenestration on the rest of the building.

12 Here we have basically panels that
13 we're showing what we're doing on the
14 elevation and what we're trying to achieve as
15 far as doing some exciting phase, doing sun
16 control screens, the brick veneer, metal rails
17 with wood caps and I said sun screens and
18 metal panels and lots of glass.

19 At the retail level, we're trying
20 to bring some vibrancy to the elevation by
21 doing lots of store front and glass and metal
22 canopies. Here on the elevation, at the base,

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1 we have the high-density masonry units.
2 Again, recessed-glass entries and different
3 types of brick on the elevation and here we
4 have our recessed entries, metal panel that
5 we'll have on the building.

6 One of the Commission's comments
7 was to continue the finish or the tone of the
8 exterior on the interior of the loading berth
9 and drive aisle. So, we added color to that
10 area. So, since it's open, you'll be able to
11 see through that zone. It's not just
12 concrete.

13 Thank you for your time,
14 Commission.

15 MR. FREEMAN: And now, we'll have
16 Mr. Erwin Andres to just walk us through their
17 transportation analysis.

18 MR. ANDRES: Good afternoon ,
19 Chairman Hood, Members of the Commission.

20 My name is Erwin Andres with
21 Gorove/Slade Associates.

22 With respect to our role on the

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1 project, what we've done is we've identified
2 the different elements of the development plan
3 related to access management, loading and
4 parking.

5 With respect to access management,
6 as Mr. Freeman had identified earlier, we're
7 essentially reducing the number of curb cuts
8 that currently serve the site from three curb
9 cuts. There's one existing curb cut on
10 Georgia Avenue and two curb cuts on Morton
11 Street. What we're doing is we're eliminating
12 the Georgia Avenue access and eliminating the
13 Morton Street access closest to Georgia
14 Avenue.

15 And in essence by doing that,
16 we're actually picking up two additional
17 parking spaces that are restored to the
18 overall neighborhood supply by closing those
19 curb cuts. So, that's the benefit of closing
20 those curb cuts.

21 Given the existing alley system
22 that serves the site, it's fairly constrained.

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1 They're very narrow to the point where we've
2 actually done truck-turning analysis to show
3 that a 30-foot truck actually cannot maneuver
4 or navigate through the alley system.

5 So, in essence, in order to serve
6 the building, what we've done is we've
7 identified a loading system where we're
8 sharing the loading entrance with the garage
9 entrance on Morton Street which is a very
10 common practice in the District with respect
11 to sharing access to loading and sharing
12 access to the garage which we think works
13 well.

14 What we've also done is take
15 advantage of the location of the site which is
16 approximately a third of a mile -- which is
17 roughly a seven to eight-minute walk to the
18 Petworth Metro Station which is about a third
19 of a mile to the north and we're also taking
20 advantage of the fact that Georgia Avenue is
21 also a heavily used bus corridor.

22 With respect to the loading

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1 considerations, we're providing one 30-foot
2 truck berth and one 20-foot truck berth which
3 would be managed by a loading coordinator to
4 make sure that the retail deliveries and the
5 residential deliveries can be accommodated
6 onsite and without any conflict and as was
7 mentioned before, we're providing 50 parking
8 spaces which meets the zoning requirement of
9 49 spaces and also 31 bike parking spaces.

10 The following slides basically
11 show the existing transit slide that
12 identifies the transit service that currently
13 is provided for the site. What this does not
14 show is the proposed street-car service along
15 Georgia Avenue that would eventually run north
16 and south on Georgia Avenue.

17 The next slide which is the access
18 management slide gives you basically a quick
19 synopsis of the existing and the proposed
20 access management system.

21 The top figure basically shows
22 three distinct curb cuts and then the bottom

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1 figure basically shows that one curb cut
2 serving all the functions on site.

3 So, given that, we believe that
4 the traffic impacts as well as the loading
5 circulation impacts are accommodated onsite
6 and are both safe and efficient.

7 So, given that, we believe that
8 this project has no adverse impact.

9 I have additional slides relate d
10 to the truck turning diagrams if you'd like to
11 see them, but we've confirmed that the truck
12 loading operations do work.

13 Thank you.

14 MR. SHER: Mr. Chairman, Members
15 of the Commission, for the record, my name is
16 Steven E. Sher, the Director of Zoning and
17 Land-Use Services with the law firm of Holland
18 & Knight.

19 I want to just cover the
20 highlights of what I think are important for
21 the Commission to recognize with respect to
22 this PUD and map amendment.

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1 As has been discussed earlier,
2 we're on the Georgia Avenue Corridor roughly
3 between Howard University to the south and the
4 Petworth area to the north . It's a mixed
5 commercial and residential -use corridor at
6 varying heights and densities an d then o ff
7 Georgia Avenue, you've got single and
8 multifamily residential uses on the east/west
9 cross streets.

10 The existing zoning is C -2-A in
11 the Georgia Avenue or GA Overlay. We're
12 proposing to change that to C -2-B in the
13 Georgia Avenue Overlay. The PUD guidelines
14 for C-2-B are a maximum height of 90 feet and
15 a maximum FAR of 6.0 of which no more than 2.0
16 may be for nonresidential uses.

17 If you look at the zoning map
18 which is in the outline that you have before
19 you, after page 6, you can see the strip of
20 commercial zoning along Georgia Avenue and the
21 area outlined in red at the southwest corner
22 of Georgia Avenue and Lamont Street is the PUD

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1 that Mr. Washington referred to earlier which
2 was approved about two years ago by this
3 Commission.

4 Again, what we have here is a
5 mixed-use building, first floor retail and
6 service uses including a U.S. Post Office to
7 remain in the existing building in which it's
8 located. It has a lease that runs for awhile
9 and it's not going to go anywhere and then an
10 apartment house with 112 units above.

11 We would be at the maximum height
12 of 90 feet. Our FAR would be 5.37.

13 As Mr. Andres indicated, we'd have
14 50 parking spaces. One more than the minimum
15 number of 49 required and two loading berths.

16 We have gone through the analysis
17 of compliance with the PUD evaluation
18 standards of Section 2403 and on page 9,
19 addressed the public benefits and project
20 amenities which you've heard in some summary
21 fashion already and I will not repeat them.

22 The most significant offsite

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1 amenity as Mr. Washington indicated was the
2 addition or renovation of the vacant field
3 house in the Park View Recreation Center.

4 What does the Applicant get in
5 return for that? A 20-foot increase in height
6 over the proposed matter of right and an
7 increase in total density of approximately
8 25,000 square feet. All of which is going to
9 residential. Which is one of the key desired
10 outcomes of the PUD process.

11 In terms of the areas of
12 flexibility from the otherwise applicable
13 standards of the regulations, we are asking to
14 be relieved of the requirement to provide a
15 rear yard which would normally be 15 feet. We
16 do not have a rear yard that complies with the
17 regulations, but because we are retaining the
18 post office property on the south side of the
19 property, we have a substantially greater
20 volume of open space than would be if we had
21 provided a rear yard. It's about twice as big
22 as what the rear yard would be if we had one.

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1 With respect to the location of
2 compact parking spaces, they're required to be
3 in groups of no less than five. We have some
4 groups of one, two and three. It's a
5 relatively small garage. It's a little tight
6 because of the turning radius and whatever to
7 get down there and being able to group those
8 spaces in less than groups of five enables a
9 more efficient use the garage space.

10 This is not going to be a public
11 parking garage. This is going to be a garage
12 for the occupants of the building. So, people
13 are going to be familiar with the garage, know
14 where they can park and having those in less
15 than groups of five, I don't think would
16 create any problem.

17 With respect to loading, we're
18 required to have a 55-foot berth, a 30-foot
19 berth and a service delivery loading space.
20 We have one 30-foot berth and one 20-foot
21 berth. We believe that that's sufficient to
22 handle the loading needs of the building and

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1 as was indicated earlier, that will be
2 overseen by the building management company
3 and the shared use of those berths would be
4 sufficient.

5 With respect to roof structures,
6 the requirements are generally that there be a
7 single enclosure with walls of equal height
8 setback one-to-one from exterior walls. We
9 have three enclosures. They're at different
10 heights because we're trying to minimize the
11 bulk on the roof which is a situation I think
12 the Commission has come to understand and we
13 have one roof structure which does not meet
14 the one-to-one setback. It's not on any of
15 the court, I'm sorry, any of the street walls
16 or the side property line walls. It's on the
17 interior court wall at one corner. So, it's a
18 pretty minor deviation.

19 We've gone through the
20 comprehensive plan starting on page 11 and
21 going on for some time. Some number of pages.

22 The generalized policy map

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1 includes the property in a main street mixed-
2 use corridor and you can see the map for that
3 following page 13.

4 The future land-use map includes
5 the property in a mixed-use medium density
6 residential, moderate density commercial
7 category and the excerpt of the land-use map
8 is following page 14.

9 The Zoning Commission has approved
10 projects in that medium density residential
11 mixed-use category ranging from four FAR up to
12 eight FAR. We're kind of right smack in the
13 middle of that at 5.37.

14 There are a lot of comprehensive
15 plan policies that bear upon this particular
16 project and the things that will result from
17 it and they are listed in specific reference
18 on the pages in the report.

19 One of the things that is noted,
20 for example, is policy to promote mixed-use
21 development including housing on commercially-
22 zoned land particularly in neighborhood

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1 commercial centers along main street mixed-use
2 corridors and around appropriate Metro Rail
3 Stations. That's Section 503.5.

4 The area element that applies to
5 this is the mid-city area element and that's
6 discussed on page 27 and one of the specific
7 policies of that element is to stimulate high-
8 quality transit-oriented development along the
9 Georgia Avenue Corridor. Well, here we are.

10 With respect to my conclusions
11 then, I believe the project is not
12 inconsistent with the comprehensive plan.
13 It's within the applicable height standards of
14 the regulations, provides an appropriate
15 balance between the development proposed, the
16 flexibility requested and the benefits and
17 amenities provided and that the project
18 should, therefore, be approved.

19 Thank you.

20 MR. FREEMAN: Members of the
21 Commission, that concludes our direct
22 presentation. We're available to answer any

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1 questions you might have.

2 CHAIRMAN HOOD: Okay. Thank you
3 very much for your presentation and hitting
4 the highlights. We appreciate the way that
5 was done.

6 Let me start off. Mr. Andres, let
7 me ask you a question.

8 Can we put something up and show
9 me the circulation? I know Morton Street has
10 a cul-de-sac and it comes right back out.

11 Can you just show me how the
12 entrance is going to work to the garage and
13 the loading dock? Show me how that's going to
14 work. I saw the diagram. I saw that, but I
15 don't know if you have a pointer.

16 MR. ANDRES: Okay.

17 CHAIRMAN HOOD: Okay.

18 MR. ANDRES: What I can do is --
19 actually, I'll just do this.

20 CHAIRMAN HOOD: Because if it's
21 the Morton Street, which I'm sure it is, that
22 I remember by La mont Street, I can tell you

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1 that's a real tight. It's real tight u p in
2 there unless they've done some -- maybe
3 they've done some chan ges and widened the
4 street. I doubt it, but --

5 MR. ANDRES: Yes, well, with
6 respect to how we're a ccommodating the
7 loading, Chairman, you're actually right. The
8 cross section of Morton Street is fairly
9 constrained especially with parking o n both
10 sides of the street.

11 With respect to turning into an d
12 out of the proposed entrance as s hown in this
13 plan, what we've done is we've actually
14 shifted the parallel parking spac es a little
15 bit further to the west. What we've done is
16 we've actually shifted these spaces ov er a
17 little bit because we can do that because
18 we're actually closing the entrance, the
19 existing entrance, closest to Morton S treet.
20 So, we're allowed. In shi fting those spaces
21 over, we don't lose any spaces.

22 So, by doing that and rest ricting

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1 the parking closest to the entrance, you're
2 able to make the movement s safely and
3 efficiently both for passenger vehicl es as
4 well as your loading vehicles.

5 CHAIRMAN HOOD: What about -- let
6 me ask you this. What about when I'm leaving
7 out of the garage or I'm loading or whatever
8 I'm doing there with that entrance? When I'm
9 making that turn?

10 I know you've got two spaces on
11 the same side as the -- what about across the
12 street?

13 MR. ANDRES: Well, across the
14 street, what we've done is we've identified --
15 we've laid out parking so that even if there
16 are people -- if there are vehicles parked on
17 the opposite side of the s treet, by removing
18 that parking closest to the sout h side of the
19 entrance, what we've done is we've e nabled
20 ourselves to provide that turning radius that
21 we need for vehicles turning out.

22 CHAIRMAN HOOD: Is there a lot of

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1 traffic on Morton Street?

2 MR. ANDRES: It's fairly low. So,
3 the incidences with respect to any of the
4 residents or any of the roadways coming in and
5 out conflicting with the residents on Morton
6 Street will be fairly low. Especially during
7 the day.

8 CHAIRMAN HOOD: Okay. O kay. All
9 right. Well, thank you very much.

10 I kind of like the architecture,
11 but I'm not going to say a whole lot. I'm
12 going to wait and see what some of my other
13 colleagues say. So, what I'll do is open it
14 up for any comments, Commissioners. Who'd
15 like to go? I went first. Who would like to
16 go second? Commissioner Turnbull.

17 COMMISSIONER TURNBULL: Thank you,
18 Mr. Chair.

19 No, I want to compliment the team.

20 I think you've listened to a lot of our
21 comments and I think we've got a nice project
22 here and I like the changes that you've made

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1 architecturally.

2 I think I had concerns about the
3 east elevation and I think the changes that
4 you've come on with with the brick did make a
5 difference.

6 I was looking at A3.8 which sort
7 of shows the perspective of -- you know, I
8 know it's a facade that doesn't -- you don't
9 gain anything from it, but from the standpoint
10 of the neighborhood at least, it's a little
11 more upscale than just the efface that you had
12 proposed before. So, I think it blends in. I
13 think you've made a nice statement now with
14 the building.

15 I also like what you did on the
16 west elevation with the post office. I think
17 doing some very simple enhancemen ts with the
18 parapet wall going -- extending out. I think
19 that makes it blend in a lot more.

20 So, I think I have no real is sues
21 with the architecture of the building. I
22 think it works well. I think it's fine.

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1 I guess my -- the only question
2 that I have and I think it's -- I think it's a
3 wonderful thing that you're doing and that's
4 the Park View Recreation Center and I think
5 it's a wonderful opportunity.

6 I guess th e ANC letter goes
7 through and describes it and I guess my only
8 concern is that there's a lot of nice general
9 statements about what was to be done. You
10 know, whether it's leaking roof, d rafty
11 windows, renovation of exterior skin.

12 I would think that you might wan t
13 to have a little bit more meeting of the minds
14 between having -- what the neighborhood's
15 expecting and what you r actually going to
16 provide. Are they new windows? Are you going
17 back to the o ld look where there's brick on
18 the first floor? You know, and it's hard to
19 say from a do llar amount, I guess, what the
20 community really gets out of this. How far do
21 you really go? All right.

22 So, I think that's the only t hing

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1 I see that's a little up in the air an d I
2 would like to see that maybe pinned down a
3 little bit more.

4 MR. WASHINGTON: Okay.
5 Commissioner Turnbull, we certainly will try
6 to do that and we would -- I agree. We would
7 have liked to have had more specificity to the
8 scope of the work. However, we did -- I would
9 just point -- and so we will do that.

10 So, I j ust wanted to p oint out
11 though that, you know, that we are in this
12 neighborhood. We have past projects here,
13 future projects and I per sonally stood up
14 before the ANC and I said that it would b e a
15 first-class facility and we would work with
16 them in that we would, you kno w, commit to
17 doing the work whatever the dollar cost was
18 and that that was my personal commitment.

19 So, but I do hear you and we will
20 work with you to keep that up.

21 COMMISSIONER TURNBULL: I think
22 it's a wonderful opportunity. I think it's a

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1 great thing that you're doing on this
2 building.

3 I'm just trying to avoid some
4 misconceptions later on where somebody thinks
5 something's going to happen and I think a
6 little bit more clarity between you and the
7 neighborhood would be fine.

8 But, I think it's -- I compliment
9 you on it. I think it's a wonderful
10 opportunity that you're doing.

11 Those are my comments for right
12 now, Mr. Chair.

13 CHAIRMAN HOOD: Thank you very
14 much, Mr. Turnbull. I appreciate your comment
15 on the architecture.

16 Okay. Anybody else? Any other
17 questions? Commissioner May.

18 COMMISSIONER MAY: Sure. I got a
19 handful. The first question I have has to do
20 with the rear yard relief. I'm curious. Is
21 it possible, Mr. Sher, to interpret the post
22 office area actually as the rear yard?

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1 MR. SHER: Yes, it could be. It's
2 a corner lot. You can pick whichever street
3 you want to be the front. We could call
4 Morton Street the front and the area to the
5 south the rear yard. It technically has to be
6 open to the sky from the ground up. So,
7 because that space is occupied by the post
8 office, it wouldn't qualify as a literal rear
9 yard if we were trying to do this as a matter
10 of right.

11 COMMISSIONER MAY: I thought
12 anything above 20 feet.

13 MR. SHER: Not in a C-2-A district
14 where that piece of the property does not abut
15 an alley.

16 COMMISSIONER MAY: Oh, I see.

17 MR. SHER: In a C-2-A district, up
18 to 20 feet you can measure from the center
19 line of the alley. Above 20 feet, you got to
20 measure from the property line, but there's no
21 alley back there. So --

22 COMMISSIONER MAY: Right.

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1 MR. SHER: -- it would not be a
2 technically complying rear yard.

3 COMMISSIONER MAY: Because there's
4 no alley. Right.

5 MR. SHER: Right.

6 COMMISSIONER MAY: Because there's
7 no alley. Okay.

8 MR. SHER: But, that was my basis
9 for concluding that there's more volume of
10 space there over that post office than there
11 would be if you had shifted the rear yard to
12 the east of the property.

13 COMMISSIONER MAY: Okay. Thanks.

14 I also appreciate the changes that
15 have been made to the design of the building
16 to address some of the comments that we had at
17 setdown and I think that just the simple --
18 relatively simple efforts to add some
19 articulation to the facade of the post office
20 and in the vicinity of the garage door. I
21 think that was successful without going too
22 far.

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1 I do have some questions about the
2 -- what is the material, the high-density
3 masonry base? What actually -- what is that
4 and what's the module of it?

5 MR. FREEMAN: We have a material's
6 board, too.

7 COMMISSIONER MAY: Well, you know,
8 I want to have that in my hands. So, I'm
9 assuming you'll pass it up here at some point,
10 but I'm curious about what the module of it
11 is.

12 MR. THOMPSON: Commissioner, it
13 comes in large unit sizes, 12 by 24, 16 by 24.
14 So, it going to have a --

15 COMMISSIONER MAY: And so you're
16 going to use a large -- because it's -- the
17 way it's rendered, it kind of -- it has the
18 proportions of a regular CMU. I just want to
19 make sure it's not going to look like CMU.

20 MR. THOMPSON: Correct. We're
21 going to use the larger modules.

22 COMMISSIONER MAY: Okay. So, but

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1 you haven't figured out what yet?

2 MR. THOMPSON: Basically, 12 by
3 16s.

4 COMMISSIONER MAY: Twelve by 16 .
5 Okay.

6 MR. THOMPSON: Or 12 by 24s. We
7 may do both.

8 COMMISSIONER MAY: The 12 is the
9 key thing. I mean 12 by 24 ac tually kind of
10 makes more sense, but t here are going to be
11 some shorter lengths and stuff, too.

12 MR. THOMPSON: It won't be
13 standard CMU sizes. Correct.

14 COMMISSIONER MAY: Right. Okay .
15 And then the brick in the enlarged elevations
16 seems to imply that it's like a Roman brick,
17 elongated, flatter. Is that correct or is
18 that just the way it's rendered?

19 MR. THOMPSON: It's just the way
20 its rendered. It's hard to get the brick
21 modules in a rendering program the right size.
22 We're going to use a larger brick not a

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1 standard brick because it's an eight -story
2 building.

3 COMMISSIONER MAY: Um-hum.

4 MR. THOMPSON: But, it won't be
5 elongated.

6 COMMISSIONER MAY: So, it'll be a
7 taller brick?

8 MR. THOMPSON: Cor rect. It'll b e
9 a taller brick.

10 COMMISSIONER MAY: Okay. All
11 right. That can be very handsome, too, but it
12 just -- it looks like the Roman brick and I'm
13 thinking well, you know, it's the Roman brick
14 and it's got a standard joint. That's a
15 little odd, but that's obviously just the
16 rendering.

17 Okay. I'm looking at A2.1 and I'm
18 looking at the very large trees. So, your
19 green roof is partially extensive and
20 partially intensive and so, you've got some
21 area to plant trees, but they look like really
22 big trees and they're called out in the plan

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1 as ornamentals and they just don't look
2 ornamental. So, I mean is this really what
3 we're going to wind up seeing. Is it going to
4 be trees that are that tall or are going to be
5 more like shorter, you know, cherry trees or
6 something?

7 MR. THOMPSON: They're going to be
8 ornamental-size trees. Correct.

9 COMMISSIONER MAY: So, they're
10 going to be a little smaller than what we see
11 here?

12 MR. THOMPSON: That's correct.

13 COMMISSIONER MAY: Are they
14 actually going to be a flowering variety or is
15 going to be just a green? Is it going to be
16 evergreen?

17 MR. THOMPSON: We haven't chose a
18 species yet on what that would be.

19 COMMISSIONER MAY: Okay. Okay.
20 And then the last thing I have is the -- and
21 this is the area where I really -- the only
22 area where I have a real concern at this

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1 moment which is that the rooftop structures
2 seem to create their own skyline. There's
3 just -- there are too many different heights
4 of things. You have on -- where is it? Maybe
5 on L2.1. Is that the one? Somewhere there's
6 a rendering. No, not 2.1. No, there it is.
7 Sorry.

8 A3.6. That's what I'm looking
9 for. A3.6 where you're looking down on it and
10 we see a screen for mechanical elements and
11 then we see three different rooftop structures
12 and then there's another screen and another
13 portion and then you've got a rolling hill
14 side and trees.

15 It just seems rather chaotic and
16 one of the concerns I have about rooftop
17 structures when we allow the heights to vary
18 and we allow the structure to be broken into
19 pieces is we wind up with kind of too much
20 going on and I think one of the important
21 things about the zoning regulations when it
22 comes to rooftop elements is to create

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1 something that's simple and a backdrop and
2 just disappears into the sky rather than
3 creating something to look at.

4 This is one of the reasons why I'm
5 not a big fan of having too much sort of
6 embellishment -- architectural embellishment
7 at corner structures and things like that and
8 you don't have that here fortunately, but
9 you've got a rooftop where there's just a lot
10 going on and I think -- I would hope that
11 actually that could be simplified somewhat
12 from the outside at least so that it's just --
13 you know, there's just less going on.

14 I appreciate the fact that you
15 moved one of the stairs off of the outside of
16 the building, but nothing really happened with
17 the one that's in the courtyard and I'm
18 wondering if there's anything that you could
19 do to get that one maybe into the similar kind
20 of position as the other one where it's
21 actually set back.

22 Did you look at that one at all?

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1 MR. THOMPSON: Yes, we did. It
2 conflicted with things that are happening at
3 the retail level and in the garage, but we can
4 look at it again. It's a critical location
5 within the building. So.

6 COMMISSIONER MAY: Um-hum. I mean
7 it's -- you know, when you get the bottom
8 floors, it is possible for the stairways to
9 shift a bit. So, I mean I -- the -- the court
10 itself is a very tightly constrained space.
11 So, to have an element on it that's that much
12 taller is -- you know, I think it's not a
13 great thing to have. So.

14 MR. THOMPSON: Our goal also was
15 to keep it off as far as -- as far away as
16 possible off of the southern elevation so
17 you're not seeing it as you drive north on
18 Georgia. So, that was --

19 COMMISSIONER MAY: Yes, but it's
20 not as tall as the -- as the elevator overrun.
21 I'm not sure I would be that concerned about
22 it being a little bit further to the south. I

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1 don't know. Maybe if you could -- if you look
2 at it and actually did the, you know, sight-
3 line analysis, you could prove that point
4 where it makes sense. I just -- I'm thinking
5 about what it's going to be like in that
6 courtyard and having that extra tall element
7 in the courtyard is not so great. So.

8 I didn't see it. Maybe I just
9 missed it. Is there a value that's been
10 placed on the renovation of the recreation
11 structure for Kids Zone?

12 MR. WASHINGTON: Our initial
13 assessment is somewhere between \$75 and
14 \$100,000.

15 COMMISSIONER MAY: Okay. That's
16 it for my questions. Thanks.

17 CHAIRMAN HOOD: Okay. Any other
18 questions? You know one thing that I didn't
19 see and it may be in here. Normally, in Ward
20 1, usually see a letter from the
21 councilmembers. Do we have one in here?

22 MR. FREEMAN: We don't, but we can

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1 get one.

2 CHAIRMAN HOOD: Oh, no, I'm --
3 but, I mean Councilmember Graham's usually all
4 on these things.

5 MR. WASHINGTON: Of course, my
6 counsel is not speaking for the councilmember.

7 CHAIRMAN HOOD: Oh, okay.

8 MR. FREEMAN: But, we could get
9 one because --

10 CHAIRMAN HOOD: No. No. No.

11 MR. FREEMAN: -- Mr. Washington
12 has worked hard with the community and I'm
13 pretty sure he's familiar with this project
14 and the site. So.

15 CHAIRMAN HOOD: I was just
16 wondering because he usually weighs in on
17 stuff and especially with the redoing of the
18 playground. I know he will be enthusiastic,
19 but I was just wondering.

20 That's one thing I noticed with Mr. -- but,
21 I'm not saying you have to get one. That's
22 fine. What we have here is sufficient as far

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1 as I'm concerned.

2 Any other questions? Comments?

3 Okay. Okay. Commissioner Selfridge.

4 COMMISSIONER SELFRIDGE: Thank
5 you, Mr. Chairman. I just wanted to commented
6 on the -- I don't have it in front of me. The
7 -- I know we just talked about it. What's the
8 name of the facility you were doing for the
9 community? The Kids Zone.

10 MR. WASHINGTON: Yes, well, the
11 physical structure is the field house at Park
12 View Recreation and the organization that
13 resides there is the Kid's Zone.

14 COMMISSIONER SELFRIDGE: Okay. I
15 just wanted to comment and say I thought that
16 was a real nice addition to the package.
17 Something that's really going to have a
18 positive impact in the community and I think
19 it's probably going to go a long way in
20 providing a benefit to the people who are
21 there and have been there for a long time.
22 So, I just wanted to commend you on that.

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1 I think that's a real nice piece
2 and I know th at the Commission likes to see
3 tangible improvements made as opposed to just
4 money donated. So, I though t that was a big
5 plus for the project. So, thank you.

6 CHAIRMAN HOOD: Vice Chairman.

7 VICE CHAIRMAN SCHLATER: Thank
8 you, Mr. Chairman.

9 Well, I think the Applicant should
10 be commended for a great project on Georgia
11 Avenue. It's not your first on Georgia
12 Avenue. You're doin g great works there and
13 hope you keep it up.

14 I think this is a good looking
15 building. Certainly, raising the standard on
16 Georgia Avenue which needs to happen.

17 This is right n ext to the Park
18 Morton -- there was recently a Par k Morton
19 Plan. Correct? That the Office of Planning
20 went through.

21 MR. WASHINGTON: Yes.

22 VICE CHAIRMAN SCHLATER: Was this

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1 site part of the Park Morton Plan?

2 MR. WASHINGTON: No, the Park
3 Morton Plan I believe was conceived a few
4 years ago and approved I guess at least a year
5 or two ago. So, we certainly looked at the
6 Park Morton Plan and tried to coordinate them
7 and we have worked with OP. You know, not
8 specifically on that plan, but we're aware of
9 what they're doing. They're aware of what
10 we're doing. So, we think it will compliment
11 it.

12 VICE CHAIRMAN SCHLATER: So, this
13 project is in no way affiliated with the Park
14 Morton redevelopment?

15 MR. WASHINGTON: No, it's not.

16 VICE CHAIRMAN SCHLATER: Okay.
17 Very good. Well, I look forward to seeing
18 this project move forward. Thank you.

19 CHAIRMAN HOOD: This is a side
20 note, but, Mr. Freeman, you mentioned that you
21 all were here two years -- it was two years
22 ago since you all were here?

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1 MR. FREEMAN: Yes, sir.

2 CHAIRMAN HOOD: It seemed like you
3 all were just down here a couple of months
4 ago, but two years' time really goes by.

5 MR. FREEMAN: It does. I believe
6 it's 0826. I think the case number is very
7 similar.

8 CHAIRMAN HOOD: Oh. Okay. All
9 right. Okay. Do we have anybody here from
10 ANC 1A? ANC 1A? Cross examination from ANC
11 1A. Chairman Brown. Okay. I don't see
12 anyone and I'll mention their letter later.

13 Okay. Let's go to the Office of
14 Planning. Mr. Mordfin, and let me just first
15 of all commend you on a report and a well-done
16 report because I'm looking at how you talked
17 to each agency, how all these agencies
18 respond. It's always good for us to see it
19 and also, why don't we do this? Why don't we
20 hear from the Office of Planning and hear from
21 DDOT?

22 Now, typically, let me just say

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1 this for Mr. Jennings. I don't want to run
2 Mr. Jennings away again, but we're glad to
3 have Mr. Jennings back.

4 Let me just say that typically
5 when we get the Office of Planning's report, I
6 think we get it ten days prior and we probably
7 need to start trying -- hopefully do that
8 unless there's some last minute things you had
9 to work out with DDOT. So, we can kind of --
10 I mean get it the night of puts us at a
11 disadvantage and we appreciate your
12 conferencing -- mentioning with the -- DDOT is
13 mentioned. But, I'm sure Mr. Jennings will
14 get into that. But, if we can get that just
15 like we get the Office of Planning's report, I
16 think that would be very helpful to us.

17 Okay, Mr. Mordfin, and then we'll
18 hear from Mr. Jennings and then we'll ask our
19 questions.

20 MR. MORDFIN: Good evening,
21 Chairman and Members of the Commission.

22 I'm Stephen Mordfin with th e

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1 Office of the Planning and since this case was
2 set down by the Commission in November, the
3 Applicant has responded to the comments from
4 the Commission.

5 They removed the green wall from
6 the east wall of the building and approved the
7 facade of that side of the wall facing into
8 Park Morton.

9 The Commission had asked if the
10 post office could be incorporated into the
11 project. However, the Applicant's informed
12 the Office of Planning that there's a lease on
13 the property until 2033 and that it can't be
14 incorporated in. However, the Applicant did
15 better extend the architectural theme of the
16 building onto the front of the post office
17 building to make it appear as more a part of
18 that building.

19 The Commission also asked for a
20 more robust benefits and amenities package and
21 I think that was satisfied by the proposal to
22 renovate the Park View Recreation Center

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1 Building for the Park View Kids Zone for a
2 nonprofit providing for after-school music and
3 arts programs for community children.

4 The Commission also questioned
5 whether Morton Street was sufficient to
6 accommodate trucks entering the site. The
7 Applicant did submit diagrams documenting that
8 the trucks could enter and exit the site from
9 the two loading spaces within the building
10 from Morton Street.

11 Also, the Commission indicated
12 that the architecture needs work and since the
13 set down, the Applicant has as the Commission
14 has noted refined the architecture and
15 provided additional details.

16 However, OP does recommend that
17 the interior of the garage because it's going
18 to be a screen be painted a color similar to
19 the exterior of the building just to improve
20 the appearance for pedestrians and those
21 walking down the street or going down the
22 street and also that the roof of the existing

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1 postal facility be made into a cool roof which
2 it is not currently.

3 The Commission had also requested
4 that the Office of Planning include a column
5 within Table 1 which on page 5 of the report
6 comparing the different zoning districts to
7 also include one for the Georgia Avenue
8 Overlay District C-2-A PUD and that has been
9 included.

10 So, the Office of Planning,
11 therefore, finds the proposed development to
12 be in conformance with the PUD evaluation
13 standards and recommends that the Commission
14 approve the application subject to the two
15 conditions that the Applicant has agreed to
16 this evening and those are that the interior
17 walls of the garage be painted a color to
18 match the exterior brick and that a cool roof
19 be provided over the existing post office
20 building.

21 Thank you.

22 CHAIRMAN HOOD: Thank you. We'll

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1 go straight to Mr. Jennings.

2 MR. JENNINGS: Hi. Good even ing.

3 For the record, my name is Jeff Jennings. I
4 work for t he District Department of
5 Transportation. Good evening, Chairman Hood
6 and fellow Commissioners of the Zoning
7 Commission.

8 On behalf of the Agency, I
9 apologize for the late report. We did submit
10 our report two nights and again, my apologies
11 for the, you know, late submission.

12 For the mo st part, this project
13 has a l ot of benefits especially for the
14 transit-oriented development aspect of it.
15 That's how DDOT really regards a great
16 development like this. Being as close as it
17 is to fixed-rail transit, we also list another
18 point the fact tha t it is located as close
19 along the major bus co rridor on Georgia
20 Avenue. A significant bus corridor in the
21 entire region.

22 One of the more significant and

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1 quick access for Georgia Avenue with the
2 various 70s buses and the new express route
3 that has been installed within the last couple
4 of years by WMATA. That particular bus route
5 has been known to travel quickly -- much
6 quicker than in past years with the 70 series
7 buses.

8 We came to the conclusion the way
9 that we did with the Morton Street entrance
10 that seems to be the focus -- much of the
11 focus of our report after a number of
12 different site visits just to understand
13 what's happening out there whether it be today
14 or whether it be 15 to 20 years down the road
15 and I think we took the position that -- the
16 Agency took the position that it did knowing
17 that this corridor will continue to see a
18 number of new developments.

19 One of them being sited here today
20 is the Park Morton development which we expect
21 will have additional needs for transportation
22 whether it be through the alley or along

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1 Morton Street and, you k now, as far as
2 Chairman Hood making the notation that Morton
3 Street is especially narrow with parking on
4 both sides, that's something that we took into
5 serious consideration.

6 We don't usually submit
7 photographs with our reports because g etting
8 out to the various sites can ofte n times mean
9 a substantial amount of time being consumed
10 for the work day. This is one of those cases
11 where we really thought doing some photo
12 documentation so the Commission could
13 understand how things appear out there today
14 and matching those up or comparing those
15 against what's being proposed here would
16 certainly serve everyone on the Commission.

17 Our staff visited the site agai n
18 just this afternoon t o further understand
19 perhaps what happened. It was after 4:00
20 since our site visits hav e been performed
21 earlier in the day and there's a slight
22 increase in travel through the latter part of

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1 the day in this particular area especially on
2 Morton Street.

3 Mr. Freeman made note that the
4 DDOT report is not perhaps as accurate as it
5 should be and I completely agree and for that,
6 I also apologize.

7 As far as we are aware, the
8 Applicant is not seeking a parking reduction
9 and we did take note that there are some
10 aspects -- some other aspects.

11 The language we used as far as
12 proposing an additional 24-foot curb cut, I
13 think what we're trying to make note of there
14 in our report is, you know, this is an alley
15 for lack of a better term even though it's
16 technically a private driveway. However, the
17 way that we see it is the 24-foot curb cut
18 clearly extends more than what's out there
19 today. What's out there today is I think as
20 you've seen in the photographs we've provided
21 to the Commission a 16 or 17-foot wide alley
22 that can vary well in some way, shape or form

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1 perhaps serve this building.

2 However, it seems like the
3 Applicant for reasons perhaps that need to be
4 discussed a little more says no, we can't use
5 that existing private driveway even though on
6 the occasions of site visits that we performed
7 we saw vehicles from the general public using
8 this alley as though it was a neighborhood
9 alley. There's no signage stating otherwise.

10 There are dumpsters back there. It actually
11 looks like a real city alley.

12 So, that perhaps I think provides
13 some understanding of the way that we wanted
14 to take a look at this case and, you know,
15 please accept my apologies again for the
16 various inaccuracies in the report and the
17 late submission and I'll be happy to answer
18 any questions.

19 CHAIRMAN HOOD: Okay. Thank you ,
20 Mr. Jennings. I want to thank both Mr.
21 Mordfin and Mr. Jennings, Office of Planning
22 and DDOT.

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1 Let's open it up for questions o f
2 either one of those gentlemen. Any questions?

3 VICE CHAIRMAN SCHLATER: Mr .
4 Jennings, what is DDOT propos ing -- what
5 changes would you make to the pla n right now?
6 I mean so you're proposing to maintain that
7 alley. Where would the loading of the 30-foot
8 trucks be located?

9 MR. JENNINGS: Off what's regarded
10 as the private driveway.

11 VICE CHAIRMAN S CHLATER: The 16-
12 foot alley. Do you know t hat trucks can make
13 that turn? It seems l ike a pretty narrow
14 alley to be doing a lot of turning in.

15 MR. JENNINGS: I think when you
16 look at some of the va rious alley systems we
17 have in the city today and the trucks that are
18 able to make and navigate those turns where
19 the entrance could be located versus what's
20 being proposed here, yes, I do. Whether the
21 site -- well, I'll simply leave it at that.

22 The way that buildings are

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1 positioned, you know, as far as the front of
2 this building, most would see the front of
3 this building as facing Georgia Avenue.
4 Pulling in behind the building, I think could
5 very well be accomplished.

6 VICE CHAIRMAN SCHLATER: I think
7 it could be accomplished, too. Unfortunately,
8 I don't -- it is private land. They can't go
9 any higher and, therefore, if you were to put
10 an alley back there, you're essentially just
11 taking away density from the building and so,
12 I think when we look at it, we have to say
13 okay, is it worth, you know, taking away that
14 density from the building or do we want to
15 promote density and have more housing on
16 Georgia Avenue?

17 Then we're going to have to weigh
18 some of the -- it requires a trade off and I
19 guess the question is how important is it to
20 DDOT that the loading be located off the
21 alley. Is this something that's just really
22 important and you want to make a strong on or

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1 is it something that would just make it a
2 little bit better project from your
3 perspective?

4 MR. JENNINGS: May I respond?
5 Okay. Great. So, oh, there's discussions
6 with the Applicant. We've really tried to
7 understand what is the reason why the alley
8 that runs parallel with Lamont and Morton
9 could not be used and they responded with the
10 truck turning diagrams for a 30-foot truck.

11 We're not completely confident and
12 I think we tried to state this in our report.
13 We're not completely confident that the 30-
14 foot truck would take out private property in
15 the manner in which I think was being proposed
16 on these truck turning diagrams. That's not
17 to say that the truck turning diagrams are not
18 completely inaccurate.

19 The other item that we went to
20 great lengths about discussing was the
21 entrance -- looking at the entrance and why
22 isn't it positioned closer to where the post

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1 office is currently sitting and they informed
2 us we can't touch the post office. Which is
3 not entirely clear because I've pulled some
4 information presuming the accuracy of this
5 information that this post office may very
6 well be closed sometime in the relative near
7 future.

8 So, again, it's not necessarily
9 something that we thought -- you know, I don't
10 necessarily want to come here and consume your
11 time and go under this idea that DDOT wants to
12 come to the Zoning Commission hearings to kind
13 of just add on with, you know, we just want to
14 make it logistically that much more difficult
15 to access the interior of these buildings.

16 So, we do take it pretty
17 seriously. Thanks.

18 VICE CHAIRMAN SCHLATER: Thank
19 you, Mr. Jennings.

20 CHAIRMAN HOOD: Mr. Jennings, your
21 information, do you know when the post office
22 is going to close?

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1 MR. JENNINGS: I don't have an
2 accurate date, sir.

3 CHAIRMAN HOOD: In the next five
4 years? Two years? One year? I guess I'm
5 just trying to get a time frame. Because I've
6 been working with the post office and I don't
7 know whether it's even closing or not. So,
8 I'm just curious. I'm not going to ask you
9 where you got your information, but I was just
10 curious.

11 MR. JENNINGS: I don't have a
12 date.

13 CHAIRMAN HOOD: Okay. All right.
14 Thank you.

15 Okay. Any other questions?

16 COMMISSIONER TURNBULL: Mr. Chair,
17 I just have one question for Mr. Jennings.

18 On page 2 of your report, you talk
19 about the Applicant did not review an on-
20 street loading location. Are you actually
21 saying that that is an option, a situation?

22 MR. JENNINGS: Sure.

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1 COMMISSIONER TURNBULL: Isn't that
2 more of an issue for people, traffic in the
3 area to have an on-street loading location?

4 MR. JENNINGS: I guess it all
5 depends where it would be located.

6 COMMISSIONER TURNBULL: There's
7 only two streets. It's either Morton or
8 Georgia area. I mean if you put it on
9 Georgia, it's a major thoroughfare. That's
10 going to be a problem. Put it on Morton, it's
11 already -- it's a small street. It's a narrow
12 street right now. To me, I would think it
13 might be a non-starter commuter location,
14 but --

15 MR. JENNINGS: And, you know, with
16 response to would it be Morton or Georgia,
17 Georgia has a significant cartway. There's a
18 parking lane. Granted those meters would have
19 to be taken into consideration if something
20 like this were to happen, but, you know, those
21 are the kinds of things that we would
22 certainly consider.

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1 COMMISSIONER TURNBULL: But, then
2 you'd have to take all your trash through the
3 building and bring it out to the front on
4 Georgia and have a pick up. I just -- it just
5 seems like it might be causing more problems
6 than it's really worth.

7 MR. JENNINGS: As opposed to a
8 wheel off which couldn't be brought through on
9 the Morton side?

10 COMMISSIONER TURNBULL: Well, I
11 mean just not having -- having that inside the
12 building the way it's shown with a loading
13 dock and there's a trash room and it's very
14 convenient for a truck to come in and pick up
15 the trash and leave without being an
16 inconvenience to any of the neighborhood. It
17 just seems like it's a more practical
18 solution.

19 MR. JENNINGS: Well, it's not far
20 from the conditions that are out there today.
21 What we see out there today are dumpsters in
22 the private driveway that are being picked up

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1 on, who knows, a relatively routine basis.

2 So, if there was a roll -off
3 dumpster from this property, this pro posed
4 property, that could be rolle d onto Morton
5 while a trash truck is o n Morton, it happens
6 elsewhere.

7 COMMISSIONER TURNBULL: Okay.

8 CHAIRMAN HOOD: Commissioner May.

9 COMMISSIONER MAY: Yes, first, I
10 have a question for the Office of Planning.

11 You know, one of the things that
12 strikes me about this development is that the
13 sidewalk on the Georgia Avenue side is
14 extremely narrow, the sidewalk and the tree
15 area, and I'm sure that that just has to do
16 with the nature of the right away, but in the
17 past occasionally when the Office of Planning
18 has encountered such things, there's been some
19 effort to try to mitigate that with some kind
20 of a setback or whatever and I'm wondering if
21 you had any convers ations with the Applicant
22 about that.

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1 I know it could cost FAR and all
2 that, but I'm just curious about whether you
3 -- the narrowness of the sidewalk there and
4 trying to put in retail actually was a concern
5 for you or whether I'm worrying about nothing.

6 MR. MORDFIN: We are aware that
7 the sidewalks there are narrow. That part of
8 Georgia Avenue below New Hampshire, it's much
9 narrower.

10 COMMISSIONER MAY: Um-hum.

11 MR. MORDFIN: We also do want the
12 retail there because the Georgia Avenue plan
13 -- the lower Georgia Avenue plan recommends
14 the addition of retail fronting on Georgia
15 Avenue as a way to help to improve the
16 neighborhood with the residential above.

17 So, having the retail on Georgia
18 is something that we were looking for and also
19 one of the requirements in the overlay
20 district is that the building be built to the
21 street lines. All the street lines. So --
22 which is what they have done with the

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1 exception of where the entrances are which is
2 allowed by the overlay district.

3 So, this is in conforma nce with
4 the overlay district that was written for this
5 to build it t his way because we didn't want
6 like what's there today where you have the
7 parking in front and then you'll have a
8 shopping center and we didn't want. So, this
9 is trying to get around tha t and to force it
10 so that when the new dev elopment came in, it
11 would be in this manner so that we would have
12 buildings and create street wall.

13 COMMISSIONER MAY: Okay. All
14 right. Thanks.

15 Yes, I just wanted to understand a
16 little bit better and I can appreciate the
17 fact that sometimes, you know, we have what we
18 have and you want to g et the retail in and
19 there's really not much choice about it.

20 Now, with regard to the DDOT
21 report, I don't actually really have any
22 questions of DDOT, but I just have to say I'm

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1 -- I find the report generally speaking rather
2 confusing and maybe I'm just not -- I just
3 haven't figured out what's happen ing of late
4 in DDOT's guidance or what have you. But,
5 it's just very confusing.

6 I mean I understand the desire t o
7 want to have loading and garage access off of
8 alleys. I think that's the obvious first
9 place to start, but it's not a hard and fast
10 rule that needs to be pursued on every single
11 project particularly when you're talking about
12 introducing a lot of commercial ve hicle
13 traffic onto what is essentially a residential
14 alley.

15 I mean I know that if I had a lot
16 of truck traffic in my residential alley, I
17 might not be so keen on that and what we're
18 getting is we're -- you know, we're losing two
19 curb cuts and we're getti ng one slightly
20 enlarged. I don't think that's -- I think
21 that's a pretty good practical solution and I
22 think that it's just puzzling that DDOT in its

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1 study of the matter can't seem to break away
2 from the standards enough to see that actually
3 yes, this is a good practical solution.

4 The idea that they would keep open
5 when it's entirely private to me is just
6 astounding. I mean it's one thing to try to
7 squeeze a little private or squeeze a little
8 private space out of a downtown office
9 building so that you can get your 20-foot wide
10 alley that you really need to have for trucks
11 and there's another way to sort of push the
12 building mass around so that you can get the
13 density you want. But, you're talking about
14 lopping off, you know, 17 feet times, you
15 know, 90 feet of building height here.

16 It just does n't -- it's not a
17 practical suggestion that they should keep
18 this private alley open. I mean they might as
19 well just have a curb cut that goes into their
20 building. I mean not only the curb cut that
21 goes into their building to get enough room
22 for a real loading dock, but in the building

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1 so that they can, you know, they can get
2 vehicles turned around.

3 I mean it just -- it's -- it seems
4 like it's a very sensible solution to all of
5 it.

6 I also don't really understand the
7 issue with not enough bicycle parking. I mean
8 I'm a big fan of bicycle parking, but right
9 now with such a smaller -- it just doesn't
10 seem like having only 30-some spaces is that
11 big a deal.

12 Why is it -- you know, if you can
13 work it out with them to get it up to 50,
14 great. Do that. But, why bring it to us and
15 ask us to push it even farther? It just seems
16 to be a little bit silly.

17 And then the last thing is that I
18 would have expected -- well, never mind. I'm
19 not even going to go there.

20 I find it very puzzling and it's
21 just a little bit frustrating getting to this
22 point and I do appreciate that the District

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1 Department of Transportation is working very
2 hard on this and the staff works very hard and
3 you, Mr. Jennings, work very hard on these
4 things. But, I just feel like there's
5 something lacking in the evaluation of these
6 kinds of projects sometimes where there's an
7 element of common sense that just isn't there.

8 So, anyway, that's enough of my --

9 CHAIRMAN HOOD: But, I want Mr.
10 Jennings to know we really appreciate you
11 coming.

12 COMMISSIONER MAY: And we do. We
13 really do.

14 CHAIRMAN HOOD: Continue to come
15 and give us your insight and we appreciate
16 your analysis. So, we didn't say we were
17 going to always agree with it, but we're glad
18 that you come. So, continue to keep coming to
19 visit us.

20 Let me go to Commissioner
21 Selfridge.

22 COMMISSIONER SELFRIDGE: Thank

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1 you, Mr. Chairman. I just had a quick follow-
2 up question for the Applicant. I meant to ask
3 it earlier and I didn't.

4 I was just looking at A104 and it
5 talks about the unit legend and just the way
6 the affordable units are allocated and I think
7 in the past we've seen them a little bit more
8 spread out.

9 I was wondering if you could jus t
10 speak to the thought process. The way they're
11 kind of blocked over -- out of the number of
12 floor plans, I didn't d o the math, it looks
13 like there's 15, there's really only --
14 they're concentrated in three units. So, I
15 was just curious the thinking that goes
16 through that.

17 MR. FREEMAN: Patrick Cooper also
18 of Neighborhood Development Corporation who's
19 more familiar with the actual internal layout
20 will answer that.

21 MR. COOPER: Go od evening. We
22 attempted to do a mix of each unit type and

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1 spread it diversely throug hout the project.
2 The only unit type that's not repr esented I
3 believe is the one with den.

4 The tier 1B has what would be 40
5 percent of the affordable units.

6 MR. FREEMAN: I think,
7 Commissioner Selfridge, what the Applicant did
8 is they looked at the inclusionary zoning
9 requirements which say the ratio of studios,
10 efficiencies and one bedrooms has to be
11 proportionate to the ratio of studio --
12 affordable efficiency one -bedroom units and
13 efficiencies have to be proportio nate to the
14 ratio of market-rate efficiencies, studios and
15 one bedrooms.

16 So, they took that analysis and
17 applied it to the units and actually what --
18 if you look to the far right, we're actually a
19 little over in terms of the IZ requirement
20 just given how the units lay out and where
21 they're located.

22 The regs requirement is to be

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1 evenly dispersed throughout the building and
2 they are but for the top two floors which
3 we've been permitted to reserve for market
4 rate.

5 So, that's kind of how they laid
6 out the units trying to make sure the square
7 footage numbers worked out properly and that
8 they could get a nice distribution on the
9 floors.

10 COMMISSIONER SELFRIDGE: That's
11 fine. I know you've met your requirements.
12 I'm not trying to ask more than I'm really
13 asking. Just trying to understand more why
14 they're all there. I guess it's the math
15 computation here, but unit 1E and 1B is 601.
16 So, those add up and then 2D and 3C are both
17 831. So, you know, I just -- I've seen more
18 dispersed in the past. I was a little
19 surprised they were grouped is maybe how I'd
20 like to --

21 MR. FREEMAN: The challenge is
22 also the floor plate is smaller because we're

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1 smushed because of the post office and when
2 you change one unit, the gross floor area goes
3 up and then to make up for that, you've got to
4 do a smaller unit. It -- the proportions
5 actually just get out of whack.

6 COMMISSIONER SELFRIDGE: Okay.
7 Thank you.

8 VICE CHAIRMAN SCHLATER: Mr .
9 Freeman, I'd just like to make the comment
10 piggybacking on Commissione r Selfridge's
11 comment here. While it seems you are meeting
12 the letter of the law with respect to
13 affordable housing, I would in no way agree
14 that this is an added pr oject amenity. This
15 is a requirement and you have not exceeded
16 that requirement. So, I wouldn't expect to
17 see that in your order as an amenity.

18 CHAIRMAN HOOD: So, we won't see
19 that in the order then.

20 All right. Any other questions
21 for either the Applicant, Office of Planning
22 or DDOT? Okay.

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1 Let me also mention we have some
2 other government reports and I'm just going to
3 go again as I stated. Mr. Mordfin's report.
4 A fire emergency, it says this email was dated
5 -- Office of Planning dated December -- I
6 indicated it had no objections. DACD
7 indicated it would support this application.

8 Metropolitan -- and you know what?
9 This is one thing. According to this, the
10 Metropolitan Police Department recommended the
11 following -- that you do the following. I'm
12 not sure if you're aware of this. Hire
13 security for the building, install cameras at
14 all entrances and exits, install cameras in
15 elevators in parking areas and install
16 adequate lighting on the exterior of the
17 building.

18 Were you aware of that?

19 MR. FREEMAN: Yes, the Applicant
20 is aware of that and is fine with those
21 conditions.

22 CHAIRMAN HOOD: Okay. Okay.

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1 Okay. And then we've heard the DDOT report
2 and also let me go to the ANC. Again, let me
3 call for any member or the chairperson --
4 Chairman Brown of ANC 1A. Anyone here
5 representing ANC 1A. Not seeing it.

6 In their report, it basically says
7 they have a resolution and at the end of it,
8 it just simply says that Advisory Neighborhood
9 Commission 1A at its regularly scheduled
10 January 12th, 2011 public meeting at which a
11 quorum was present unanimously voted 9 to 0 to
12 recommend the Zoning Commission to approve
13 this proposed planned unit development and
14 zoning map amendment for Square 3040, Lot 130
15 being requested pursuant to Zoning Commission
16 Case Number 10-26.

17 Okay. Let me call for any
18 organizations and persons who would like to
19 testify in support. Organizations and persons
20 who would like to testify in opposition.

21 Okay. Mr. Freeman, if you have
22 any rebuttal or any closing comments.

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1 MR. FREEMAN: I don't have any
2 rebuttal I guess, but I guess so in closing,
3 I'd like to say I think the Applicant has --
4 as you've seen through our presentation
5 tonight and with respect to the material
6 submitted prior to tonight, we've demonstrated
7 that we meet all of the applicable standards
8 for the PUD approval.

9 We're looking forward to moving
10 forward with our project as quickly as
11 possible. As you know, Mr. Washington likes
12 to get in the ground. So, to the extent that
13 you're so inclined to approve the application,
14 we'd ask for that at your earliest
15 convenience. Thank you.

16 CHAIRMAN HOOD: Okay. I want to
17 thank you all for your participation tonight.
18 We appreciate your presentation.

19 Commissioners, are we ready to
20 move forward tonight? Okay. Because you know
21 Mr. Washington likes to get in the ground.
22 So, we're going to keep him above ground.

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1 So, with that, would somebody like
2 to make a motion? Mr. Turnbull.

3 COMMISSIONER TURNBULL: Yes, Mr .
4 Chair, I would like to move that we approve
5 Zoning Case 10-26 for a consolidated planned
6 unit development and Zoning Map a mendment for
7 3321 Georgia Avenue, N.W., a mixed-use
8 building with 112 apartment units and a
9 related PUD/map amendment to rezone the site
10 from GA/C-2-A to GA/ C-2-B and wait for a
11 second.

12 COMMISSIONER SELFRIDGE: Second.

13 CHAIRMAN HOOD: Okay. It's been
14 moved and properly seconded. Any further
15 discussion? Are you ready for the question?

16 All those in favor?

17 (Ayes.)

18 CHAIRMAN HOOD: Not hearing any
19 opposition, Ms. Schellin, would you please
20 record the vote?

21 MS. SCHELLIN: Yes, staff records
22 5 to 0 to 0 to approve proposed action on

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1 Zoning Commission Case Number 10 -26.
2 Commissioner Turnbull moving. Commis sioner
3 Selfridge seconding. Commissioners Hood,
4 Schlater and May in support.

5 There were a couple of issues that
6 were discussed. Are you guys not wanting that
7 before final action?

8 CHAIRMAN HOOD: What were they?
9 Tell us what the issues were.

10 MS. SCHELLIN: Mr. Turnbull talked
11 about more clarity as far as what exactly will
12 be done so th e neighborhood would know. Is
13 that just something you want them to work with
14 the neighborhood on or is tha t something you
15 actually want in the record?

16 COMMISSIONER TURNBULL: That's a
17 good question. I don't know how far we want
18 to go with that.

19 I think we value -- I think the
20 Applicant came back with a value of \$75 to
21 \$100,000 or something going to be invested in
22 this. We could ask fo r just a clarifying

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1 statement in the final report asking how -- I
2 was just looking for a meeting of the minds
3 between the ANC and the Applicant.

4 MS. SCHELLIN: Okay. And then Mr.
5 May had made mention, I may have this wrong,
6 to simplify the rooftop structure. Is that --
7 did I get that right?

8 COMMISSIONER MAY: Well, yes, I
9 mean I thought there was just too much going
10 on with the rooftop structures and too many
11 heights and so, I was looking for
12 simplification. I was also hoping that there
13 might be more done to get the one stairwell
14 moved --

15 MS. SCHELLIN: Right and that was
16 my next point.

17 COMMISSIONER MAY: -- away from
18 the --

19 MS. SCHELLIN: In the courtyard.

20 COMMISSIONER MAY: -- from the
21 courtyard, but, you know, I don't know how
22 interested the rest of the Commission is in

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1 seeing that.

2 Certainly, if the Applicant can do
3 anything in that regard, I'd be happy to look
4 -- you know, see that at final, but --

5 MS. SCHELLIN: Is that something
6 anybody else wanted to look at before final or
7 not? Are we asking --

8 CHAIRMAN HOOD: Anybody else?
9 Anybody else want to see that? We only have
10 two things so far. Why don't we just see all
11 those things?

12 MS. SCHELLIN: There's three.

13 CHAIRMAN HOOD: And I'll tell you
14 if we don't see if --

15 MS. SCHELLIN: And then the other
16 thing is --

17 CHAIRMAN HOOD: -- then we know
18 that they're silent on it. Okay.

19 MS. SCHELLIN: -- of course, to
20 make sure that since the affordable housing is
21 actually just meeting the required standards
22 that it's to be removed as an amenity from the

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1 amenity list.

2 CHAIRMAN HOOD: Not to show up in
3 the order. Okay. Mr. Freeman. Do we have
4 everything that you --

5 MS. SCHELLIN: Yes. So, the four
6 things.

7 CHAIRMAN HOOD: It's four?

8 MS. SCHELLIN: Well, Peter May's
9 were two. The rooftop structure and the
10 courtyard stairwell.

11 CHAIRMAN HOOD: Okay. Okay. Mr.
12 Freeman.

13 MR. FREEMAN: Just so I can make
14 sure I'm clear, what Mr. Washington has agreed
15 with the ANC is to actually do all of the
16 things listed in the ANC letter. So, he's
17 already agreed to do all of these things that
18 are listed. I don't have a page number.

19 COMMISSIONER TURNBULL: Well, I
20 guess looking at page 2 of the letter, discuss
21 leaking roof. Leaking roof can either be done
22 by either repairing the roof or are you

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1 replacing the roof?

2 MR. FREEMAN: So, he's going to
3 repair or replace the leaking roof.

4 COMMISSIONER TURNBULL: All right.

5 MR. FREEMAN: Whatever --

6 COMMISSIONER TURNBULL: Drafty
7 windows, are we getting new windows or
8 replacement windows or just caulking around
9 the windows?

10 MR. FREEMAN: He's either going to
11 repair or replace each of those and to the
12 right, he's either going to repair, replace or
13 updated. A lot of those decisions aren't
14 going to be confirmed until they actually get
15 out in the field to do the work.

16 So, they've committed to do these
17 things and we can referen ce this as a
18 condition and make sure our c ondition in the
19 actual order is very clear as to what they are
20 committing to with respect to this amenity.
21 But, this is what they've agreed to do.

22 COMMISSIONER TURNBULL: Yes, I

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1 guess I was just trying to avoid the confusion
2 that the ANC might be expecting a new windows
3 and we're simply patching them and caulking
4 around them to make sure they're air tight.

5 I just don't want you to be in the
6 situation when we get finished that you have
7 for the most part a happy ANC except that
8 they're a little bit unsure of what they
9 didn't get.

10 MR. FREEMAN: I guess our one
11 concern is that between now and final action
12 I'm not sure if they're going to be able to
13 say we're going to repair or we're going to
14 replace each of these particular windows. I
15 think a lot of these decisions are going to be
16 made in the field while doing the work with --

17 COMMISSIONER TURNBULL: Do you
18 want to commit to a dollar amount then or how
19 do you want to -- I mean I think you said 75
20 to 100,000. I mean --

21 MR. FREEMAN: We're happy to say ,
22 for example, the Applicant will commit to do

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1 and list these items which total cost shall --

2 COMMISSIONER TURNBULL: Not exceed
3 100,000 or something or I don't know.

4 MR. FREEMAN: Not e xceed 100,000
5 or be between 75 and 100,000. We're happy to
6 do the language and associate a cost with it.

7 COMMISSIONER TURNBULL: What do
8 the Commissioners think?

9 COMMISSIONER SELFRIDGE: I thin k
10 that sounds fine. I just wonder if it
11 wouldn't be possible to get somebody to do a
12 quick assessment on the buildi ng. I'm not
13 saying put a cost on i t, but, you k now, be
14 interesting to see does i t need a new roof.
15 It could have a leak today, but it could leak
16 again in two weeks or two months or two years.
17 Does it need to be replaced? We've all
18 patched a roof that could probably be
19 replaced.

20 MR. FREEMAN: They have site
21 photos showing the extent of the damage and I
22 don't know if we have them with us tonight,

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1 but they've actually done some preliminary
2 work and gone out and seen the site which is
3 how they came up with this list. But they --

4 MR. WASHINGTON: I mean I
5 certainly think we'd be prepared to just say
6 right now that we would replace the roof, that
7 we would replace the windows. I mean it's not
8 that many windows.

9 So, I mean I apologize for the
10 wishy-washiness of this, but certainly be
11 willing to replace the roof, you know, replace
12 the windows. Exterior skin, I don't know
13 about. New doors, new -- yes, I mean I --

14 COMMISSIONER TURNBULL: Okay.

15 MR. WASHINGTON: -- it should have
16 been said.

17 COMMISSIONER TURNBULL: That's all
18 right. I was just looking for a little bit
19 more finality on the language I guess. So, we
20 don't -- that everybody sort of -- some --
21 some kind of common ground.

22 MR. FREEMAN: So, we'll make that

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1 clear in the order.

2 COMMISSIONER TURNBULL: Okay.

3 MR. FREEMAN: Okay. So, the n I
4 guess the other thing was the roof plan to
5 make -- simplify and I think that's something
6 that Mr. Thompson has looked at and said
7 that's something they can easily do. To
8 simplify the design of the roof plan.

9 MR. THOMPSON: We can simplify the
10 design of the roof plan and reducing some of
11 the structures. There is some conflict in
12 reducing and/or relocating the stairwell. It
13 would change the density of the project the
14 way it is laid out today. It would also land
15 lock the retail space number 2. We put that
16 stair there so we could maneuver and get to
17 the loading berth for retail space number 2
18 and it would -- it would reduce the area of
19 retail space number 2 also.

20 COMMISSIONER MAY: Well, I'm just
21 asking for another look at it. That's all.
22 If you can find a better -- another way to do

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1 it and get it off the courtyard, great. If
2 you really can't, you know, it's not the
3 biggest issue.

4 MR. THOMPSON: Well, take a look
5 at it.

6 MS. SCHELLIN: We just need to set
7 the dates for this. If we can have those
8 additional documents if you're submit them by
9 3/21 and then responses from the ANC if they
10 choose to respond and draft findings, facts,
11 conclusions of law by 3/28 and we'll take this
12 up at our 4/11 meeting for final action.

13 CHAIRMAN HOOD: Okay. Is t here
14 anything else? You know, 4/12 since we know
15 Mr. Washington likes to get right in the
16 ground, we'll all be out to see you get
17 started.

18 MS. SCHELLIN: We don't have an
19 order that fast.

20 CHAIRMAN HOOD: Well, when it
21 comes out, we'll be right out to see you.

22 Okay. Anything else tonight, Ms.

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1 Schellin?

2 MS. SCHELLIN: No, that's it.

3 CHAIRMAN HOOD: Okay. I want to
4 thank everyone for their participation in this
5 hearing tonight and this hearing is adjourned.

6 (Whereupon, at 8:21 p.m., t he
7 hearing was adjourned.)

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