

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

MONDAY

March 2, 2009

+ + + + +

The Public Hearing convened in
Room 220 South, 441 4th Street, N.W.,
Washington, D.C., 20001, pursuant to notice
at 6:30 p.m., Anthony J. Hood, Chairperson,
presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD	CHAIRPERSON
GREGORY JEFFRIES	VICE-CHAIRPERSON
WILLIAM W. KEATING	COMMISSIONER
MICHAEL TURNBULL, FAIA	COMMISSIONER (OAC)
PETER MAY	COMMISSIONER (NPS)

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN Secretary

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OFFICE OF PLANNING STAFF PRESENT:

JOEL LAWSON
ARLOVA JACKSON

The transcript constitutes the minutes
from the Public Hearing held on March 2,
2009.

TABLE OF CONTENTS

Z.C. Case No. 08-04A
 Request for Review and Approval of
 SE Federal Center Overlay, Square 771
 Lots 801 and 802

Phil Feola 9
 Alex Nyhan 15
 Rick Parisi 18
 James Carpenter 22
 Jordan Goldstein 32

OFFICE OF PLANNING 103
 Arlova Jackson

DEPUTY MAYOR'S OFFICE 113
 Jennifer Iwu

REBUTTAL AND CLOSING - APPLICANT 116
 Phil Feola

VOTE TO APPROVE FINAL ACTION 120
 Five to zero to zero - approved

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
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21
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P-R-O-C-E-E-D-I-N-G-S

6:32 p.m.

CHAIRPERSON HOOD: Good evening, ladies and gentlemen. This is a Public Hearing of the Zoning Commission of the District of Columbia for Monday, March 2nd, 2009.

My name is Anthony Hood. Joining me shortly will be Vice Chairman, Jeffries. Also joined by Commissioner Keating, Turnbull and May. The Office of Zoning Staff, Ms. Schellin, Office of Planning to my right, Mr. Lawson.

Let's keep in mind we're being recorded by Court Reporter.

The subject of this evening's hearing is Zoning Commission Case No. 08-04A.

This is a request for Forest City Washington for review and approval under the Southeast Federal Center Overlay of Phase II for the property that is a portion of the Southeast

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1 Federal Center at Square 771, Lots 801 and 802
2 and known as Parcel P.

3 Notice of today's hearing was
4 published in the D.C. Register August 22nd,
5 2008. The hearing will be conducted in
6 accordance of the provisions of 11 DCMR 3032
7 as follows. Preliminary matters, the
8 Applicant's case, Report of the Office of
9 Planning, Report of other Government agencies,
10 report of ANC-6D, organizations and persons in
11 support, organization and persons in
12 opposition, rebuttal and closing by the
13 Applicant.

14 The following time constraints will
15 be maintained. The Applicant roughly 50 to 60
16 minutes, organizations, five minutes,
17 individuals three minutes. We intend to
18 stick to that as strictly as possible.

19 All persons appearing before the
20 Commission are to fill out two witness cards
21 and those cards are located by the door to my
22 left.

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1 Upon coming forward, you know, if
2 you could turn your microphone on, identify
3 yourself and when you're finished speaking
4 please turn your microphone off, not to have
5 any background noise.

6 The decision of the Commission in
7 this case must be based exclusively on the
8 public record. The staff will be available
9 throughout the hearing for any procedural
10 questions.

11 Would all persons wishing to
12 testify please rise and take the oath.

13 (Witnesses sworn.)

14 CHAIRPERSON HOOD: Thank you, Ms.
15 Schellin, for administering the oath.

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

18 Does the staff have any preliminary
19 matters?

20 SECRETARY SCHELLIN: Just to advise
21 that we did receive the affidavit of
22 maintenance and it is in order and I believe

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1 the Applicant has three proffered expert
2 witnesses.

3 CHAIRPERSON HOOD: Okay. Also,
4 we're joined by the Office of Planning, Ms.
5 Jackson.

6 Mr. Feola, let's do the -- you only
7 have three. You have three witnesses that you
8 want as experts?

9 MR. FEOLA: That's correct, Mr.
10 Chairman.

11 For the record, Phil Feola with
12 Pillsbury, Winthrop, Shaw, Pittman.

13 CHAIRPERSON HOOD: Okay. Let's run
14 through them.

15 I have and I hope I don't mess up
16 his name.

17 Mr. Parisi?

18 MR. FEOLA: Yes.

19 CHAIRPERSON HOOD: Mr. Parisi. Mr.
20 Goldstein --

21 MR. FEOLA: Yes.

22 CHAIRPERSON HOOD: And Mr.

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1 Carpenter.

2 MR. FEOLA: Carpenter. Yes.

3 CHAIRPERSON HOOD: Okay.

4 MR. FEOLA: Mr. Parisi and Mr.
5 Goldstein have both appeared as experts before
6 this Commission in the past. Mr. Carpenter
7 has not.

8 CHAIRPERSON HOOD: Okay. Okay.

9 So, colleagues, we have that have
10 already been here so I think I should go
11 unless there are some questions or comments on
12 that.

13 Hearing none, Mr. Carpenter? Any
14 problems with Mr. Carpenter and his resume is
15 behind one of the tabs? I'm sure we always
16 look at the resumes.

17 MR. FEOLA: Tab C.

18 CHAIRPERSON HOOD: Tab C, thank
19 you.

20 Does anyone have any issues for Mr.
21 Carpenter?

22 Mr. Carpenters, you're lucky, no

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1 issues.

2 Okay. Oh, I was asked, was there a
3 reason that -- yes. So, all of the experts --
4 you all don't need to know our names, do you?

5 I think most of you know us.

6 SECRETARY SCHELLIN: Sorry, I
7 thought my staff already took care of them.

8 CHAIRPERSON HOOD: It's all right.
9 You can leave my off, Ms. Schellin.

10 Okay. Mr. Feola, if you want to
11 go ahead. I didn't even notice they weren't
12 there.

13 Mr. Feola, if you want to go ahead
14 and get started?

15 MR. FEOLA: Yes, Mr. Chairman.

16 I'm going to ask Mr. David Avitable
17 of our office to lead us through the
18 presentation.

19 MR. AVITABLE: Thank you.

20 For the record, my name is David
21 Avitable with Pillsbury, Winthrop, Shaw,
22 Pittman.

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1 We're here tonight with the Forest
2 City Washington on behalf of the U.S. General
3 Services Administration to present Phase II of
4 our proposed waterfront park along the
5 Anacostia River.

6 Before we begin with our witnesses,
7 I'd like to briefly orient us all to the site.

8
9 The proposed waterfront park is
10 located within the Southeast Federal Center.
11 It is right here.

12 It's a 42-acre parcel of land
13 located in the southeast quadrant of the city.

14 It's roughly bordered by the new National's
15 ballpark on the west. It's bordered by the
16 Navy Yard on the east.

17 CHAIRPERSON HOOD: Let me just say,
18 Mr. Feola. It may not be plugged up. That
19 may be your problem with that light. I know
20 sometime they unplug it.

21 MR. FEOLA: I'm fine. My eyes will
22 be okay.

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1 CHAIRPERSON HOOD: Okay.

2 MR. FEOLA: So, the site -- the
3 Southeast Federal Center is located right here
4 on the Anacostia River with the Nationals
5 Ballpark to the west, the Navy Yard to the
6 East, the Anacostia to the south and then you
7 have M Street to the north.

8 As you all know, the Southeast
9 Federal Center is being redeveloped into a
10 mixed use neighborhood location known as the
11 Yards pursuant to the public/private
12 partnership between the GSA and Forest City.

13 The Commission approved a master
14 plan and overlay for the Yards in 2004 which
15 requires certain parcels within the Overlay to
16 come back to the Zoning Commission for design
17 review and the waterfront park is one of those
18 parcels.

19 The park is located in the W-O Zone
20 District and as mentioned also within the
21 Southeast Federal Center Overlay.

22 Last May we presented the park's

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1 design and layout to the Commission for your
2 review. These open space improvements were
3 approved as Phase I of the park and we are
4 here tonight for design review of Phase II of
5 the park pursuant to Section 1805.11 of the
6 Zoning Regulations.

7 Phase II consists of three retail
8 pavilions. That, you will hear tonight will
9 bring active pedestrian oriented retail and
10 service uses to the waterfront park. It also
11 consists of a posed piece of public art that
12 will serve as a unique visual marker along the
13 Anacostia River.

14 As a part of this application, we
15 have also requested relief from the Zoning
16 Regulations if that's necessary for the
17 creation of this active and vibrant park.

18 We have provided a detailed
19 description of each area of relief and our
20 satisfaction of the burden of proof and a
21 prehearing statement which is, I believe, is
22 at 14 of the record.

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1 And the Office of Planning's
2 detailed report also provides a comprehensive
3 analysis of each area of relief. So, I will
4 just briefly recap them.

5 First, we request special exception
6 approval under Section 925 for the retail and
7 service uses within the proposed retail
8 pavilions that are before you tonight. We
9 also request approval under Section 1805.6 for
10 retail and service uses within the lower level
11 of the Overlook feature that was approved in
12 Phase I.

13 Second, we request relief under
14 Section 411 for the roof structures on the new
15 retail pavilions.

16 Third, we request variance relief
17 from the parking requirements for this site.

18 As we explained in our written
19 submission, there is technically a parking
20 requirement for the new retail pavilions.
21 However, we believe that providing such
22 parking is neither necessary nor appropriate

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1 given the park setting and the availability of
2 near by public transportation.

3 Fourth, we are going to relief from
4 the heightened set back requirements of the W-
5 O Zone District for the visual marker. The
6 relief is required in order to accomplish the
7 design intent and purpose of this piece of
8 public art.

9 And with that I would like to
10 introduce our witnesses this evening.

11 First, Alex Nyhan from Forest City
12 will give us an overview of the Yards and the
13 extensive planning and outreach process behind
14 the design of Phase II.

15 Second, Rick Parisi from N. Paul
16 Friedberg and partners will briefly summarize
17 the planning and design principles behind the
18 waterfront park.

19 Third, James Carpenter from James
20 Carpenter Design Associates will describe the
21 concept behind his proposed visual marker as
22 well as the specific design and materials of

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1 this piece of public art.

2

3 And, finally, Jordan Goldstein from
4 Gensler will present the design of the retail
5 pavilions.

6 if there are no questions at this
7 time I'd like to ask Alex Nyhan to start us
8 off please.

9 MR. NYHAN: Thank you.

10 For the record, my name is Alex
11 Nyhan from Forest City Washington. I'll be
12 very brief.

13 It's great to be back from May of
14 last year to -- are you okay?

15 CHAIRPERSON HOOD: Well, yes. He's
16 very concerned. He wanted to make sure we had
17 lights down there so you could see. All of
18 them are young. They're not like we are.

19 MR. NYHAN: My remarks are very
20 simple.

21 VICE CHAIRPERSON JEFFRIES: Okay.
22 I just wanted to make sure and if you had

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1 prepared text, since you had --

2 MR. NYHAN: I might appreciate
3 having a light. So, it looks like you guys
4 are okay.

5 VICE CHAIRPERSON JEFFRIES: Okay.

6 MR. NYHAN: Briefly, we were here
7 in late May of last year to present Phase I of
8 the park as Mr. Avitable noted. And I just
9 wanted to take a moment to update you
10 Commissioners on some of the outreach that
11 we've done in this design effort.

12 We've been through about eight
13 months of working with a variety of different
14 stakeholders including the Office of Planning,
15 NCPC CFA, State Historic Preservation Officer,
16 ANC-6D. We got the mayor's office as well as
17 a variety of different stakeholders that
18 receive the 35 percent submission pursuant to
19 the GSA's various memoranda with NCPC, CFA and
20 their Section 106 related responsibilities.

21 So, we've had a good chance, I
22 think, to receive a lot of great feedback and

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1 I'm pleased that we're able to have some
2 additional feedback here this evening.

3 The other thing I wanted to mention
4 was just to remind us all of the unique status
5 of this project. It's really the only
6 public/private partnership of its kind in the
7 entire country wherein the GSA is letting a
8 private sector company develop the land and
9 the city has purchased Benning as well.

10 In terms of our partners, I wanted
11 to mention my colleague at the Deputy Mayor's
12 Office, Ms. Jenny Iwu who is here tonight and
13 can answer any questions that may come up.

14 The Deputy Mayor's Office has been
15 an excellent partner with us throughout this
16 process and I think Ms. Iwu deserves special
17 merit for coming out this evening, even though
18 her little baby is sick at home and there was
19 just a big snowstorm.

20 So, with that I'd like to pass it
21 over to Mr. Parisi to start the overview of
22 the parking and we look forward to answer any

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1 questions or concerns you may have later.

2 Thank you.

3 CHAIRPERSON HOOD: Let me -- let me
4 interrupt and I hate to have all these
5 interruptions. But, the young lady and I
6 forgot. What's your name. I know she's in
7 the Deputy Mayor's Office but if she wants to
8 speak or comment we can do that now so she can
9 get home and take care of the young one who is
10 sick. If she wanted to do that, I think we
11 could go out of order for that.

12 Okay. Okay. She said she's being
13 taken care of. Okay.

14 MR. PARISI: Thank you. Good
15 evening.

16 We're very excited. As the leader
17 of the design team we're very excited to be
18 back here.

19 Rick Parisi, managing partner of
20 Paul Friedberg and partners. I was here last
21 may and last may we spoke -- we spoke of a
22 necessary dialogue in the park. We spoke in

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1 depth with all of you about the necessary
2 dialogue between our bridge which is quite
3 active and very interactive and our Overlook
4 structure and the future pavilions which were
5 not yet designed at that time. And the
6 vertical marker which was a vision in our
7 original design concept.

8 And today we're very excited to be
9 back to kind of close the book and give you
10 our vision in full. And we did an exhaustive
11 artist search and we selected Jamie Carpenter
12 and for his previous work with glass and, you
13 know, markers and very interactive work that
14 he's done with structures before.

15 So, I'll just take you quickly.
16 Probably two minutes I'll take of my five.
17 I'll take you quickly through the park because
18 I know there is a new member. And take you
19 through some of the designs that we showed you
20 last time in the renderings.

21 This is an enlargement here of the
22 Overlook structure, the bridge which is now a

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1 bit lighter, much more airy. We've taken a
2 lot of the struts out of it. And we really
3 kept it back to our original concept, very
4 clear and clean.

5 The canal area here, still the
6 same. A little bit of a modification here and
7 now you start to see the pavilions.

8 Next slide.

9 Just to go back to what we're here
10 today for. Everything in this zone was
11 previously approved. What's Phase II are
12 these buildings and that marker right there.

13 Next slide.

14 So, again, the enlargement of the
15 canal and then I'll show you a view from the
16 entrance plaza from this point right here
17 looking out this way.

18 That's the view out. Now you see
19 the visual marker as it is designed today.
20 Last time we were here we had a couple of
21 white lines there to symbolize something.

22 VICE CHAIRPERSON JEFFRIES: Can you

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1 go through the previous slide?

2 MR. PARISI: Yes.

3 VICE CHAIRPERSON JEFFRIES:

4 Previous to that one. Yes. There.

5 That intersection that is on the--
6 what -- what is that?

7 MR. PARISI: This is Third.

8 VICE CHAIRPERSON JEFFRIES: Third.

9 Okay.

10 MR. PARISI: Next.

11 This is the Great Lawn area. Minor
12 modification here. We added a dog run there
13 which was part of our approval process that
14 we're going through and some of the things
15 that came up that was necessary.

16 And I'll show you a view from this
17 point looking this way and another view from
18 that point looking that way.

19 And that's looking back towards
20 Third Street.

21 This is looking out towards the
22 Anacostia.

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1 And this view is looking from the
2 Grass Garden towards the vertical marker.

3 And one more.

4 The River Street Gardens. And then
5 I'll show you a view inside the River Street
6 Gardens.

7 And then I'll show you the overview
8 of what you saw last May. Not much change.
9 Just some improvements.

10 With that, I'd like to turn it over
11 to Jamie to discuss the vertical marker.

12 MR. CARPENTER: Thank you very
13 much.

14 This is the first time I've
15 presented before you and I came on board the
16 design team about six or eight months ago.
17 And we thought it was appropriate, perhaps,
18 just to show you a few earlier projects so you
19 can get an idea of the type of work that I do,
20 I have done in the past.

21 Up above here is a project for the
22 City of Chattanooga, a series of lighting mass

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1 and columns that sort of align and connect the
2 main street of downtown Chattanooga to the
3 Tennessee River. And then simultaneously
4 illuminate a very, very large outdoor
5 performance area which is used for music
6 festivals in the summer.

7 This is a small glass band shell
8 done for a music society in St. Paul,
9 Minnesota, on an island in the middle of the
10 Mississippi River where they get very large
11 audiences down to this -- what had been
12 actually previously. It's sort of an
13 abandoned island in the river.

14 VICE CHAIRPERSON JEFFRIES: How old
15 is that project in St. Paul?

16 MR. CARPENTER: St. Paul, I'd say
17 about six to seven years.

18 VICE CHAIRPERSON JEFFRIES: Oh,
19 okay.

20 MR. CARPENTER: Something like
21 that. Yes.

22 And then these are some other

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1 projects, small chapel building done in
2 Indianapolis, the spurt of light. How light
3 is projected into the building from the
4 outside of the space.

5 And a project in Manhattan on
6 Columbus Avenue up near Lincoln Center.
7 Again, just taking a wall and animating the
8 wall through light and glass.

9 And then two other projects. This
10 is the Jazz at Lincoln Center performance
11 space in New York and the entry to the water
12 towers and we designed this whole glass wall
13 enclosure for the Jazz space.

14 And then down below here a new
15 building which is World Trade Center Tower 7
16 where we were involving in designing basically
17 the skin or the outside of the building which
18 is made out of metal and reflects light and
19 sort of carries along with it the sense of the
20 quality of light that's very unique about
21 downtown Manhattan and how it sort of
22 activates the street.

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1 So, this is a little bit of a
2 background of things. A park project in New
3 York, Battery Park City. These very simple
4 glass canopies that are illuminated at night
5 and then these illuminated benches that help
6 people sort of find the waterfront and sort of
7 the park areas within the Battery Park City.

8 So, I just thought it was important
9 to show you a few things. A reference of what
10 work I do.

11 And then coming back to the overall
12 project site, Rick just gave you this
13 orientation of the site on the Anacostia River
14 and then specifically down below here, the
15 location of the marker and the access along
16 the avenue of trees that connect right back to
17 Fourth Street.

18 And then this diagram which shows
19 where the marker is at the end of the pier and
20 then identifying these points or position
21 viewpoint. So, if you look down below here,
22 this is the view of seeing the marker from

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1 basically Second Street here. Then the view
2 from all the way back. I think that's M
3 Street back there where you see -- see the
4 scale of the marker in relation to that long
5 vista into the site. And then again the
6 Fourth Street, sort of this angle view back
7 towards the marker here.

8 So, we did quite a few studies of
9 the scale of the marker and it's importance in
10 terms of orienting people to the site.

11 And then we also just did a little
12 bit of research in terms of what -- you know,
13 what had been on the site historically and, of
14 course, the early Navy ships that were here in
15 the bay. These are these sort of interesting
16 communications towers that used to be used on
17 top of the ships. They're very similar in
18 some respects to what we have today. A little
19 more modern or contemporary ships. But sort
20 of very influenced by these idea.

21 And then, of course, the
22 verticality of elements that exist in the area

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1 already.

2 And one of the concerns was, what
3 is the appropriate scale for the marker within
4 the context so that it wouldn't dominate or
5 sort of overwhelm other elements of the site.

6 And we did some studies. -- this is from
7 Poplar Point across the Anacostia River from
8 the size. And that's actually -- you can see
9 it here, that is the marker at its 60 foot
10 height. And we're well below obviously the
11 height of the bigger buildings. And we are
12 approximately a little bit higher than the
13 Lumbershed Building which you'll be seeing in
14 just a few moments.

15 And then this is the view from --
16 seeing the marker looking from the Capitol --
17 South Capitol Street Bridge. And from the I-
18 295 Bridge looking back.

19 And then this is for the marker as
20 we've been developing it. It's made up of
21 these very finely extruded stainless prisms
22 that are welded together and the overall tower

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1 or visual marker is triangular in plan so it
2 has sort of this faceted form to it.

3 And it needs to actually operate
4 two different times of the day. It has to
5 operate during the daytime with no sort of
6 artificial lighting and then again it needs to
7 operate in the evening when it does have
8 artificial light.

9 And what we're trying to show in
10 these two views is that working with the
11 stainless steel when it has a certain finish
12 on it, it basically just reflects the
13 qualities of light that exist on the site.
14 So, you'll see reflected images of the clouds
15 overhead or the color blue from the sky.
16 You'll see qualities of the water reflected in
17 the tower.

18 In the evening, you know, as the
19 sky color changes, the tower itself or the
20 visual marker actually takes on some of those
21 characteristics of the environment as the
22 climate changes and the lighting changes.

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1 And the way its built actually is
2 it's fairly dense at the bottom. The bottom
3 part of the piece will be -- the prisms are
4 fairly close together so it present almost a
5 more solid surface area. A bit of light
6 spills out at the base in the evening so that
7 you have a little bit of light that will
8 project out at base.

9 But as the visual marker sort of
10 grows in height, and we tried to sort of show
11 that here. It won't be quite as abrupt as
12 shown here. But the idea is, it becomes more
13 and more transparent the taller it gets. So,
14 fairly dense down low and then progressively
15 getting more and more open as it rises.

16 And then you can see a little
17 section through the whole site here. A visual
18 marker down on the waterfront which is lower,
19 of course. You can see the whole site sort of
20 sloping down to the water. So, a 60-foot
21 height actually starts at a lower elevation
22 from the actual buildings. And the building

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1 heights sort of move up from there.

2 This is a little model or a visual
3 imagine that we tried to do that shows how as
4 people move around the base of the tower. You
5 start to see reflective images of people in it
6 and the same. It will sort of reflect
7 qualities of light around it.

8 And then as it would appear more in
9 the evening. So, it has a quality of color
10 and light coming from within it and reflected
11 in it.

12 And then as I'd said earlier, the
13 idea is a small amount of light will spill out
14 on the wood esplanade surface surrounding it.

15 So, you'll have a bit of activity here. And
16 then it will be lit internally.

17 These are actually a little sample
18 of the material here. Just so you can sort of
19 see it a little bit. It's actually -- this
20 would represent basically about half way up
21 the surface of the visual marker. They're
22 made up of very fine stainless steel prisms

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1 that are welded back to a frame and the
2 density of these would increase and decrease
3 based on the height of the visual marker.

4 So, here's a little model of it and
5 I think what we're trying to communicate in
6 the model here is the intent that this looks
7 very open the higher it gets. So, as you get
8 towards the top of it, the idea is you can
9 really see through it and you can see the sky
10 behind it.

11 So, we wanted to have a more
12 definitive presence down low to the ground and
13 then have it almost feel like it's tapering
14 away as it meets the sky.

15 Inside the tower, I mean, all the
16 lights are actually at the base of the visual
17 marker and the light is basically project up
18 through its full height and then inside --
19 built inside this visual marker is a series of
20 reflectors. So, the light is actually coming
21 all from the bottom and it hits the reflectors
22 as it comes up. And that light is then

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1 projected back out through the -- through the
2 visual -- through the stainless steel prisms.

3 Okay.

4 MR. GOLDSTEIN: Good evening.

5 Jordan Goldstein, Managing Director
6 of Gensler in Washington, D.C.

7 And I wanted to take this
8 opportunity to follow after Jamie and walk
9 through our overview for two new small retail
10 pavilions and the renovation and reads of an
11 existing historic structure in the park.

12 So, just to acclimate everybody the
13 park that Rick talked about here kind of
14 encompasses this whole area. This is the
15 Lumbershed which is an historic structure on
16 the waterfront that we're going to talk about
17 how we're proposing to renovate that. And
18 then adjacent to that is a building we're
19 calling P2A and another building called P2B.
20 These are two new retail pavilions that help
21 frame a retail court and overlook the
22 waterfront.

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1 So, I wanted to put this slide up
2 here. This is showing the proposed Parcel P
3 and it an allowable development area. And one
4 thing we did here is it's allowed here for
5 close to 400,000 square feet of space within
6 this area within the park.

7 We made a deliberate design
8 decision early in the process to note maximize
9 that to renovate the Lumbershed, to add these
10 two new building to be less than that square
11 footage allowance so that we could create a
12 retail court that was part of the park and
13 also to preserve the multiple access points
14 and visibility through and around these
15 buildings.

16 So, to make a statement about three
17 distinct buildings in a park, one proposing
18 new use for an old historic structure and two
19 new buildings that play off of the existing
20 building lines and work together to frame that
21 courtyard area right here that is part of the
22 park. So, the total square footage that we're

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1 doing, the closed space is 57,246 square feet
2 instead of the allowable 397,000 square feet.

3 Just to acclimate everyone with
4 some visual images to put a context. These
5 are some site photos and starting at the
6 bottom left here. This is a view looking
7 east. The smokestacks that Jamie mentioned
8 earlier are right here towards the east in the
9 Navy Yard. This is the Lumbershed Building
10 and I have some photos of it zoomed in
11 afterwards. The canal piece that Rick talked
12 about would be coming over here towards the
13 left on this image.

14 And then the existing bulkhead and
15 the park foreground is here towards the right.

16 The Lumbershed here. This is being
17 over towards the Great Lawn area on the left
18 side. And then one of the things I think
19 that's interesting is the setback that you get
20 from the Lumbershed, southern facade to the
21 waterfront just the amount of distance that's
22 there that's being captured and made part of

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1 the park.

2 So, if you zoom in a bit you get
3 the Lumbershed and the Lumbershed going about
4 -- you know, if you did a walk about now and
5 you walked around it you don't realize the
6 historic structure and the real value of this.

7 This is trust me, the corrugated salmon
8 colored skin is not historic and we can remove
9 that.

10 What is historic is these floating
11 concrete slabs and inboard columns that you
12 see here for a two-story structure that really
13 in a sense creates kind of a west and an east
14 wing with a large central volume that goes
15 through north to south between it.

16 This building was used as an open-
17 air structure for the natural drawing of
18 lumber that was used for the ships. There
19 actually used to be a rail track that actually
20 went through here and they used that for
21 loading. So, it was an open-air structure
22 which obviously presents a challenge for us

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1 when we're proposing an architectural solution
2 is creating a habitable year-round space from
3 a structure that historically was open air.
4 So, I'll talk a little bit about that.

5 The central volume here. It's hard
6 to see in this photo has some great wood
7 trusses that we're proposes to keep along with
8 the existing roof structure that is -- you
9 know, this whole building in a sense is
10 something you really don't find around D.C.
11 that kind of native or indigenous industrial-
12 type building. You just don't see it around.

13 And this concrete slab that you see
14 here when you pull away that corrugated skin,
15 you kind of get this floating feeling.

16 So, that led us to look at not only
17 the strategy for the Lumbershed but also these
18 two new buildings. And our design vision that
19 we worked through with Rick and Forest City
20 and Jamie was one of simplicity and that's
21 that the Lumbershed itself is a simple
22 structure with a simple pallet of materials.

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1 The new buildings would be as such. They
2 should be simple structures with a simple and
3 clean pallet of materials.

4 A contemporary language we believe
5 is right and kind of mixes in a little bit of
6 the industrial with some contemporary
7 materials but also a human scale of these
8 buildings.

9 The proposed buildings to the
10 north, the historic building that is also
11 immediately to the north. Even the Boiler
12 Banker Building which is immediately south of
13 the Department of Transportation are all
14 taller in height than the Lumbershed.

15 The zoning envelope here is 40
16 feet. The Lumbershed is just shy of that,
17 about 38, 35 feet, depending on where you
18 measure. So, we're proposing that these new
19 buildings also follow suit.

20 So, the plan that you see here is
21 shown with color coding for two reasons. One
22 is to indicate potential retail tenants and I

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1 show demising lines on this plan for
2 illustrative purposes only since we don't know
3 what the retail tenants may be.

4 But the other thing I wanted to
5 point out --

6 VICE CHAIRPERSON JEFFRIES: Excuse
7 me.

8 MR. GOLDSTEIN: Yes.

9 VICE CHAIRPERSON JEFFRIES: Could
10 you just move back from the mic just a little
11 bit.

12 MR. GOLDSTEIN: Sorry.

13 VICE CHAIRPERSON JEFFRIES: Because
14 it's just right over my head.

15 MR. GOLDSTEIN: Sorry.

16 VICE CHAIRPERSON JEFFRIES: Great
17 voice though.

18 MR. GOLDSTEIN: Okay. I'll do a
19 request and dedications later.

20 The gray area that you see here is
21 the core and service areas of all three
22 buildings and the reason I point this out is

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1 in designing buildings that have four visible
2 facades and renovating another that has four
3 visible facades, it presents a challenge. How
4 do you service a building like this for retail
5 and restaurant, potential uses? How do you
6 minimize the core so that it doesn't start to
7 occupy so much of the exterior skin? So, that
8 led us to create for the Lumbershed the tight
9 core of the center area that service all
10 potential tenants.

11 For this new building here, a small
12 core to the west which aligns with the core in
13 service area of the Lumbershed Building. So,
14 these would potentially be serviced right
15 here.

16 And then being serviced through
17 Fourth Street here would be a small service
18 area that addresses all these tenants on this
19 side here.

20 Just to note. We're proposing that
21 P2A, the center building, is one single retail
22 tenant that occupies both levels. So,

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1 potentially, you know, a double level
2 restaurant, you know, down on the water
3 whereas the other two buildings would have
4 multiple retail tenants.

5 One of the things we tried to do is
6 also in all these buildings is present
7 carrying from the Lumbershed a clean facade or
8 diagonal facade on the north side to help
9 frame out Water Street which is up here and
10 also to frame out Fourth Street over here and
11 then have that facade soften a bit as you come
12 in towards the retail court.

13 This is the upper level and one of
14 the things that we're doing is that the retail
15 tenants, two of them in the Lumbershed were
16 thinking -- allow you to have double height
17 space on the upper level so preserving that
18 central volume. And then for the P2A building
19 and P2B building that there's upper level
20 space but there's also a large amount of roof
21 terrace space that provide overlook to Water
22 Street to the north, the retail court to the

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1 south and because of the fact that the park is
2 stepping down in elevation, great views
3 towards the water and over the landscape.

4 I wanted to point out the roof plan
5 that presents another challenge for us.

6 One, the historic roof of the
7 Lumbershed. How do you kid of bring that up
8 to stuff and also integrate the serviceability
9 from a mechanical standpoint of multiple
10 tenants inside of it.

11 The other is the fact that there's
12 two new buildings and knowing that all three
13 buildings work together but all of them are
14 presenting kind of the fifth elevation in that
15 roof view because all the buildings around it
16 will be taller. So, they would be looking
17 down on it. So, how do we do this mechanical
18 and keep it pretty clean and tight?

19 So, what we're proposing on the
20 Lumbershed is taking a small area here of the
21 roof out above the trusses -- above the bottom
22 core of the trusses and having a small zone

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1 for all mechanical units to be clustered
2 together in a screen area.

3 And then for P2A and P2B is that
4 the stairwell. We're proposing that the roofs
5 don't have parapets, that there's a clean,
6 like the Lumbershed, kind of that floating
7 slab effect that because we know we have to
8 have mechanical, the stair towers of both P2A
9 and P2B have a parapet. So, they extend up a
10 little bit. The mechanical units are tucked
11 in above that. That's what you see here. So,
12 they would not be visible from the street and
13 they would also be screened from the majority
14 of the levels of the adjacent buildings.

15 To talk about the elevations, this
16 is the south elevation and you're seeing
17 basically from the water's edge looking back.

18 This is the Lumbershed here. This is P2A and
19 P2B. So, these are the two new buildings and
20 this is the north elevation from Water Street
21 looking south. P2B, P2A and the Lumbershed.

22 So, a couple of things that we

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1 wanted to do. Low height, since the
2 Lumbershed itself is below 40 feet. To take
3 some of those lines that you see such as a
4 second floor slab line which is so strong in
5 the Lumbershed that you saw from that earlier
6 photo. Kind of carry that through.

7 The roof line, same thing, carrying
8 that through as well. And then to get some
9 additional height, still within our zoning
10 envelope for the upper level to get some
11 clerestory glazing that actual aligns with the
12 roof monitors for the top of the Lumbershed,
13 carry that across here. Same thing is true
14 with P2B.

15 The other thing we're looking at
16 since this is the south is that when you saw
17 that photo of the Lumbershed one thing that
18 was kind of nice about that was that the
19 columns were inboard so you had this kind of
20 cantilevered edge of the slab.

21 We're proposing the same thing for
22 P2A here and for P2B such that that access

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1 some sun control. Because since there's no
2 buildings immediately to the south, and some
3 of the landscaping in terms of the trees are
4 concentrated for the retail court, to be able
5 to get some natural sun control from the
6 cantilever and of the upper level slab towards
7 the lower level.

8 The other thing that we looked is
9 an extensive use of clear glass throughout
10 these buildings, not only for the Lumbershed
11 but also for the new buildings to maintain
12 openness. So, there's a strong visual
13 connection inside and out. So, inside is out
14 towards the water and back to the street. And
15 then from outside kind of use as much as
16 possible through the buildings.

17 A simple pallet of materials as
18 well so you're seeing a mixture of glass. We
19 also have wood siding which we are proposing
20 some areas of wood cladding for some periods
21 of opaque fenestration and that is Ipe wood
22 which is similar to -- which is the exact

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1 material that Rick, is using on the decking
2 down at the water's edge on the park front.

3 And then some areas of concrete and
4 metal panel which we'll show.

5 I wanted to kind of take you
6 through a little bit of an evolution here.
7 This is a bay study for the Lumbershed. So,
8 this is looking at kind of one span between
9 columns and what you're seeing here is the
10 existing historic slab, the ground floor. The
11 inboard columns, the historic roof. They have
12 tapered beams that come out to the edge here
13 and the historic renovated original roof that
14 we're proposing up here with the louvers that
15 you're seeing here.

16 This is a glass -- proposed glass
17 facade that immediately -- sits immediately
18 outside of the slab edge. So, we would
19 restore the concrete in this concept and we
20 would envelope the building basically with a
21 clear glass wrap-around skin so the historic
22 structure is preserved, clearly visible. And

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1 then has a kind of clean line that doesn't
2 leave any exposed concrete on the outside for
3 the issues of maintenance and weathering.

4 This is our original design. Going
5 through to the multiple folks that had a
6 chance to look at this with SHPO as an example
7 and NPS, there was concern that they wanted to
8 see more of the slab edge exposed. So, at the
9 35 percent submission we actually included
10 this elevation and kind of 3-D shot of the bay
11 which is showing that the concrete edge is
12 exposed here on this level and also the roof
13 level there. And the glass sits slightly in
14 versus the previous slide.

15 One thing that is -- that we would
16 like for our design studies that we feel like
17 should weave into any of these alternatives
18 that I'm showing you is the idea of openness.

19 That in D.c. you don't have too many
20 opportunities near the water's edge to really
21 open up and have dining that could kind of
22 spill out or cafe seating that could spill out

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1 and allow the outside and the inside to kind
2 of merge.

3 So, we're proposing a garage door
4 concept on the lower level that basically is
5 an overhead door made out of glass and metal
6 that would actually open up and allow the
7 inside and outside to blend in in favorable
8 weather.

9 And on the upper level above the
10 sill line, the same thing. Stacking windows
11 that would allow it to open up.

12 So, in descent weather in the
13 Lumbershed you actually would have that kind
14 of historic openness kind revealed now albeit
15 in a contemporary version.

16 So, that dialogue kind of evolved
17 to two different bay type studies. This one
18 here and I show these because this is part of
19 the concept where we are now. Kind of looking
20 at what's the pros and cons of each of these
21 options.

22 This one here brings the glass line

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1 on the Lumbershed out to the upper level edge
2 and then sets its inboard to the columns on
3 the ground floor. So, you get a look, an
4 esthetic, that looks like you're seeing here.

5 And in this idea you potentially
6 could do that on all four elevations and pull
7 it in on the ground level to the column lines
8 again on all four elevations.

9 And this is the last of the
10 alternatives which pulls the glass line in
11 which creates kind of a balcony effect as it's
12 issues as to maintenance, the concrete and
13 durability and so forth. But, again, with
14 discussions with two of the agencies, this
15 would happen on two of the facades.

16 So, the Lumbershed idea is largely
17 the same of kind of creating a habitable
18 retail restaurant spaces that better the whole
19 experience in and around the area in terms of
20 how the fenestration works.

21 There's been a couple of
22 discussions recently.

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1 This is a section through the first
2 alternative which brings that glass line to
3 the upper level out here and then in on the
4 ground floor and this is showing the idea of a
5 balcony that I just showed in the previous
6 slide.

7 I'm just going to quickly flip
8 through these. These are the resulting
9 elevations if we play with that scheme.

10 So, just to touch on the two new
11 buildings and how those faces work. I brought
12 this back up so we talked about the
13 Lumbershed. Now I'm going to jump into P2A
14 and P2B briefly.

15 This is a cross-cut section through
16 one of the bays of P2A. So, this is actually
17 towards the northern side towards Water
18 Street. And what we have here is the first
19 floor, second floor slab and roof line that
20 align with the adjacent Lumbershed
21 floor to floor heights. And then on the
22 lower level we have slightly set back glass

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1 store front with an adjacent Ipe wood
2 cladding. The glass comes out on the upper
3 level. You kind of have that overhang effect
4 and then that clerestory that I showed in that
5 earlier elevation, occurs on the top level and
6 that aligns with the top of the Lumbershed.

7 The P2B. This is one of the
8 studies here and P2B has some great roof
9 terrace opportunities to the west, north and
10 south. This is on the ground level you have
11 store front glazing for retail and restaurant
12 set into Ipe wood framed element. A glass
13 rail atop of that and set back from that you
14 have the glass of the upper level area also
15 set into an Ipe wood cladding area.

16 Quickly just to highlight the
17 sections.

18 This is the Lumbershed here, P2A
19 and P2B. And you can see sort of the
20 alignment. The floor is the alignment of the
21 upper level heights and then also the
22 relationship of the street section, just

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1 making sure that there's not with these new
2 buildings, the Lumbershed itself already has a
3 generous set back from the street that also
4 the new buildings take that into effect. So,
5 we're not creating kind of a tight condition
6 on the sidewalk.

7 To touch on the materials, I
8 mentioned the Ipe wood cladding that we're
9 proposing in some select areas. For the
10 majority we're proposing a clear insulated Low
11 E glass and I have a sample of that here that
12 I can pass around to the Commissioners if
13 you'd like to see it. And no reflectivity in
14 this glass. We deliberately wanted to make
15 sure that there is transparency from inside
16 and outside so we deliberately stayed away
17 from reflective glass.

18 There's a couple of instances of
19 some spandrel glass which is slightly darker
20 color of the same clear glass that basically
21 have an opaque film on the back. And then
22 there's some areas of which metal panel

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1 cladding that are kind of mixed in with some
2 of those smaller opaque areas.

3 And then the roof itself, the flat
4 roof, would have a white roof ballast, which
5 stone that you see here. Kind of that clean--
6 clean look that we were talking about for both
7 P2A and P2B. The roof of the Lumbershed would
8 be restored and it would maintain its existing
9 shape.

10 So, just to conclude with the
11 buildings. These are some renderings that
12 pull it all together. So, this is standing at
13 the intersection that Rick talked about
14 earlier at Third looking towards the east.
15 So, you're looking down Water Street. This is
16 the Lumbershed itself. You can see the
17 glazing that we talked about there. This is
18 that central volume area with the trusses and
19 because of that setback in the mechanical area
20 that's set back and in, you don't have that
21 visibility of that on the Water Street side at
22 all or even from the lower levels of these

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1 buildings.

2 This is from the intersection of
3 Water Street and Fourth looking to the west.
4 So, this is that P2B building that grabs the
5 corner has a setback on the upper level, has
6 some of those cantilevered roofs that I
7 mentioned. And then here is P2A with the
8 space between the two for circulation into the
9 park and same thing between this building and
10 the Lumbershed.

11 The view that I think you probably
12 wouldn't get unless you're on the master top
13 of the ship looking north, this is the
14 waterfront edge here. The stepping of the
15 park lawn that's near the overlook. The
16 retail court that I mentioned over here. The
17 back of P2A with the roof terrace. That's
18 P2B. P2A with its overhang and roof terrace
19 over here and the Lumbershed with its glazing
20 and then those trusses that I mentioned
21 visible through the glass over here.

22 This is a view from the roof

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1 terrace of P2B looking to the west. So,
2 you're seeing the overlook here, the terracing
3 of the lawn here, the retail court, the
4 visible marker that Jamie went through
5 earlier, the bridge piece and then this is
6 that framed area. This is the Lumbershed.
7 It's hard to see in this view but you have
8 these overhead doors that are opened up. This
9 is a balmy night so people are eating outside.

10 Cantilever upper level, roof
11 terrace looking down. The lower level dining
12 here and the treatment that has already been
13 discussed for the park plaza area.

14 Zoomed view to kind of tie it
15 altogether as well so here's the provision
16 marker, the overlook piece and then the
17 Lumbershed itself. The P2A, P2B and then that
18 retail court and this is that terrace piece --
19 the larger terrace is to the south allowing
20 that overlook towards the water. Same is true
21 over on P2A.

22 And that concludes it.

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1 MR. FEOLA: Thank you, Mr.
2 Chairman. That actually concludes our direct
3 presentation. Save a few minutes for
4 concluding remarks after questions.

5 CHAIRPERSON HOOD: Okay. From
6 Phase I to Phase II I would just have to say
7 and I haven't -- I would have to yield to my
8 more designer colleagues. But I will tell
9 you. I think this is well thought out and now
10 that the other pieces have come into play, I
11 really think this is well thought out and well
12 done.

13 It's very attractive to me. You
14 know, pictures are worth a thousand words and
15 I like what I see.

16 But I'll give a caveat. I have not
17 been to school for design. but I've been here
18 long enough to know that when I know something
19 looks good. Now, you might hear a few more
20 comments but I will tell you from this
21 Commissioner's standpoint I like what I see.
22 I really do.

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1 Okay. Let me open it up.

2 Commissioner May.

3 COMMISSIONER MAY: Yes. I've
4 always got questions.

5 You mentioned when you were talking
6 about the design of the Lumbershed that in
7 going through the particulars of the facade
8 design that you talked about, the SHPO and
9 then you also talked to NPS? Is that right?

10 MR. NYHAN: Yes, sir.

11 COMMISSIONER MAY: Who did you talk
12 to at -- the National Park Service?

13 MR. NYHAN: Yes, sir. Ms. Audrey
14 Tepper in the pursuit of the potentially a
15 start tax credit.

16 COMMISSIONER MAY: I got it. Okay.

17
18 Nobody in my office I don't think.

19 Did you do any other coordination
20 with the Park Service with regard to this
21 project? In particular, I'm thinking ahead to
22 Phase III and what might happen on the water?

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1 MR. NYHAN: Phase III I imagine
2 will require an extensive amount of
3 collaboration that's much beyond -- Phase II
4 of the in-water improvements.

5 COMMISSIONER MAY: That's in-water.
6 Right. And you know that the Park Service
7 controls Bed of Barrera. Right? Okay.

8 MR. NYHAN: Yes, sir.

9 COMMISSIONER MAY: The -- jumping
10 back to the Lumbershed for a second.

11 What is the material of the roof of
12 the Lumbershed?

13 MR. GOLDSTEIN: The existing
14 material? It's concrete and then there's a
15 membrane roof on top of that that is -- we
16 would have to repair down to the concrete.

17 COMMISSIONER MAY: And what kind of
18 a roof would you put back over the top?
19 You're saying this similar kind of membrane?

20 MR. GOLDSTEIN: We would do a
21 similar one. We would love to look at
22 potentially like a sarnifill type of roof that

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1 allows us to have the membrane effect but also
2 potentially almost a feel of -- what do you
3 call it, the standing scene.

4 COMMISSIONER MAY: Okay. And the
5 actual profile of the roof at the Lumbershed,
6 it's that same sort of triple tripartite room
7 with clear stories and --

8 MR. GOLDSTEIN: Yes. But it's a
9 very, very subtle pitch. It is almost --

10 COMMISSIONER MAY: Was there
11 actually three sections to it and --

12 MR. GOLDSTEIN: Yes.

13 COMMISSIONER MAY: -- and there are
14 three separate clear stories on both sides?

15 MR. GOLDSTEIN: Yes. So, basically
16 you have the shallow pitch right here -- right
17 here, and then mimicked at a higher level
18 above the truss line there. And then the same
19 thing is true for the roof registers.

20 COMMISSIONER MAY: And there are
21 three stories on both sides of all three of
22 those?

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1 MR. GOLDSTEIN: Yes. Yes. There's
2 louvers and actually there's a louver space
3 between here and the line of the trusses.

4 COMMISSIONER MAY: And the only
5 part that's -- where you're actually changing
6 the profile of the roof is what we see in the
7 darker color there?

8 MR. GOLDSTEIN: Right. And I mean
9 the ideal would be, we were talking about
10 obviously leaving the truss marching through
11 the space and then when you get to the area of
12 mechanical to leave the bottom core of the
13 truss set a platform basically right on top of
14 that so that we get some of that height
15 contained within the height of the truss for
16 the mechanical units.

17 COMMISSIONER MAY: All right.

18 And you talk about two different
19 designs of the facade?

20 MR. GOLDSTEIN: yes.

21 COMMISSIONER MAY: Which one is it?

22 MR. GOLDSTEIN: Well, I can tell

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1 you which one you would love to be with.

2 MR. FEOLA: Mr. May, I think one of
3 -- one of the challenges of going through
4 multiple series of juries, we've gotten
5 different direction from each jury. And as
6 Mr. Nyhan said Forest City is contemplating or
7 is at least exploring the opportunity to do a
8 tax credit deal. And two options that Mr.
9 Goldstein has shown. One of them is preferred
10 right now by the state preservation officer
11 and the National Park Service tax credit
12 people. And another is preferred by the
13 Commission of Fine Arts.

14 We are in the process of convening
15 a meeting with the bodies to try to bring it
16 to closure so let Mr. Goldstein speak to which
17 one he would prefer as a designer, but we're
18 trying to find a middle ground between these
19 different bodies.

20 MR. GOLDSTEIN: The image that's on
21 the screen now is the preferred scheme for all
22 bay treatments on Lumbershed so that you would

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1 actually have the glass immediately outboard
2 of the slab.

3 The beauty for us of this is that
4 you actually don't have to go in and serious
5 affect the construction of the Lumbershed to
6 make this work. It's a curtain wall that just
7 literally sits right outside of the edge. Any
8 of the other solutions would involved a
9 significant amount of intervention to the
10 historic structure.

11 MR. NYHAN: And whereas the fact
12 you say from Forest City's perspective we
13 prefer the original design which is the one
14 that Mr. Goldstein is showing right now.

15 COMMISSIONER MAY: Right.

16 MR. NYHAN: I think it's better for
17 the building and that's where CFA ended up.

18 COMMISSIONER MAY: And, I'm sorry.
19 So, CFA is with you? And it's SHPO that's
20 pushing you in this other direction?

21 MR. GOLDSTEIN: You're correct.

22 COMMISSIONER MAY: Well, I think

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1 you're right, so keep fighting.

2 MR. FEOLA: Thank you. We are
3 going to ask the Commission if the Commission
4 is inclined to approve this for flexibility on
5 this to meet the approved plan at the end of
6 the day. But we're happy to take your
7 recommendation to the bodies.

8 Thank you.

9 COMMISSIONER MAY: Okay. I'm not
10 sure how far we'll weight in on a
11 recommendation between the two but I think
12 that the -- I'm certainly open to the idea of
13 flexibility.

14 MR. FEOLA: I think we have it on
15 the transcript so --

16 COMMISSIONER MAY: Oh, well,
17 there's that. Yes.

18 For what it's worth, you know, they
19 never listen to me when it's my project so why
20 would they --

21 All right. I did have another
22 question.

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1 Hopefully it will come back to me.

2 All right. That's it for me.

3 Thanks.

4 CHAIRPERSON HOOD: Okay. Mr.
5 Turnbull?

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

8 I think it's a very interesting
9 project. I didn't hear anything about
10 sustainable design at all.

11 Is there anything?

12 MR. GOLDSTEIN: Yes. There's
13 several things we're doing and I didn't know
14 if you wanted to touch on the park side. But
15 from the architecture side of it, two things
16 we were looking at from governing us for the
17 material selection for any new materials that
18 are brought onto the sight.

19 One is looking at local, within 500
20 miles, material selection to limit the
21 transport. But the glazing that we're
22 proposing is highly efficient glazing system.

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1 And then also using passive architectural
2 features to provide -- basically minimize the
3 load on the building. So, using cantilevered
4 elements on the second floor to the first
5 floor of the roof line to the second floor
6 such that we get some natural sun control for
7 that.

8 In addition, the materials that
9 some of which we're passing around, the metal
10 panel that we are proposing for some of the
11 cladding and some of the opaque areas and the
12 aluminum that would be woven into the curtain
13 wall, both recycled materials and recyclable
14 materials. The other one is the Ipe that we
15 were looking at if possible to use reclaimed
16 wood.

17 One of the reasons I forgot to
18 mention earlier that we were using the Ipe
19 wood or a wood cladding in general is (1) to
20 see if had the opportunity to do reclad. The
21 other is to be able to kind of hark back to
22 the story of the Lumbershed itself.

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1 COMMISSIONER TURNBULL: Are you
2 going for any kind of LEED certification?

3 MR. NYHAN: Right now, I think it's
4 too early for us to commit to any specific
5 LEED level certification. I will say, I guess
6 by way of background, our attempts to get our
7 boilermaker building. The other historic
8 adaptive reuse certified. We ran into the
9 challenge that the LEED prerequisite of energy
10 modeling has been very difficult for us to
11 achieve in an historic building.

12 So, if we continue with that with
13 USGBC, I'm optimistic on that building but I
14 think it's too early for us to say whether
15 that's achievable on these buildings.

16 I would note that by not doing any
17 parking and increasing the level of
18 permeability of the whole five acres by 65
19 percent, I feel like we're, you know, making a
20 reasonable contribution to sustainability.

21 COMMISSIONER TURNBULL: Yes. I
22 guess, you know, I understand the program from

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1 the amount of glass that you want to put on
2 these buildings. And it's an interest concept
3 it being near the shore. Btu the only -- you
4 know, Washington is a southern city. It gets
5 hotter than hell here. You know, Congress
6 left in August because it was hotter than
7 hell. And I just see the amount of glass and
8 the heat. You know, it's like going in some
9 of our airports that have all these glass
10 roofs and if they don't have the striping on
11 it it gets hotter than hell.

12 And I'm just wondering, you
13 mentioned overhangs and cantilevers and I
14 don't -- I see it articulated partially but I
15 don't see it articulated in such a way that it
16 makes me feel comfortable that, indeed, you
17 are doing what you say. I guess I'm a little
18 bit awkward when I see some of these
19 overhangs. But, again, the glass is right out
20 front.

21 So, I'm concerned that the amount
22 of heat. You're going to have a very hot box

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1 in a lot of these areas and I think -- I would
2 have you take a good look again about
3 overhangs and cantilevers and if to keep your
4 program for the idea of open glass, the
5 ability to see through, I'm just a little bit
6 concerned that you're going to build a very
7 hot thing here. I mean, hot. I mean,
8 hopefully it's going to be hot. The people
9 are going to want to come down and want to see
10 it. But I'm afraid that people -- I'm just
11 concerned that at the other end -- on the
12 other hand you're going to build something
13 that, you know, opening -- you know, I've been
14 to places where they've had the garage doors.
15 You open it up, it's very nice. But I would
16 like to see you pay a little bit more
17 attention to the sustainable feature as far as
18 overhangs and cantilvers as far as keeping
19 those buildings a little bit cool, even though
20 you've got low energy glass and all the other
21 things. It just seems -- I -- I -- I get
22 bothered by the fact that, you know, we're

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1 getting away from modern skyscrapers that are
2 all glass. And when I see this, it's like just
3 what you said. You need to have those
4 overhangs. You need to have that protection
5 because this gets really hot.

6 VICE CHAIRPERSON JEFFRIES: Are
7 some of the overhangs that I mean --

8 MR. GOLDSTEIN: Yes.

9 VICE CHAIRPERSON JEFFRIES: I see
10 there's some cantilevering out and some
11 overhangs. I don't know if they're
12 sufficient.

13 COMMISSIONER TURNBULL: You know,
14 that's my concern. I think it could be a
15 wonderful project. I just don't want this to
16 be a hot house down there.

17 MR. GOLDSTEIN: Yes. And I would
18 add, we agree. And we don't want to -- as we
19 get further into the design we want to make
20 sure that we can minimize the loading on the
21 building from, you know, a solar gain
22 standpoint. I think that the other thing, you

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1 know, that we may look to consider is that
2 where we do have glass. Like for instance,
3 Lumbershed on the south. If we have to have
4 glass, you know, going close to the perimeter,
5 you know, there are some ideas of frit that we
6 can bring in that --

7 VICE CHAIRPERSON JEFFRIES: Right.

8 MR. GOLDSTEIN: -- can minimize the
9 glazing. So, if we did a think line frit, we
10 potentially could reduce the sun to about 50
11 percent and still get the visibility out.

12 COMMISSIONER TURNBULL: Okay.
13 Well, I'm glad you're thinking about that.

14 I guess the other thing that I was
15 concerned about is again servicing the
16 buildings.

17 MR. GOLDSTEIN: Yes.

18 COMMISSIONER TURNBULL: There's not
19 really a street. I see you're serving the one
20 building at the east end off of the street,
21 but then you've got -- is there like an
22 internal street that serving the Lumbershed

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1 and the other building next to it?

2 MR. GOLDSTEIN: Yes. What we're
3 proposing. Let me see if I can get to the
4 plan here. Bear with me.

5 Yes. Is that --

6 COMMISSIONER TURNBULL: Right.

7 MR. GOLDSTEIN: -- right here that
8 there would be an access for, you know, a
9 controller point as to when it would come in
10 during the day that you'd be able to pull up a
11 vehicle for servicing here.

12 COMMISSIONER TURNBULL: But is that
13 also a pedestrian route?

14 MR. GOLDSTEIN: It is. Yes. And
15 it would be landscaped all the way --
16 hardscaped all the way through. So, whatever
17 pavers that we're doing here, I think actually
18 shows up in the renderings, that strategy
19 would continue through here, continue through
20 here, you know. So, we anticipate that there
21 would be some points for -- let's say it's
22 early morning deliveries or pick up from here

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1 that could also be done from the street. And
2 then basically because these points are
3 parallel to one another, to be brought out
4 here. And then this one would get from --
5 pulled up on Fourth Street.

6 COMMISSIONER TURNBULL: Okay. I
7 was just concerned upon the two buildings by
8 the Lumbershed that controlling that with some
9 kind of vehicle use and pedestrians and maybe
10 it's a timing issue you're having those in
11 control.

12 MR. GOLDSTEIN: Timing and I think
13 we're looking also at how we treat that edge.
14 You know, that's something we talked about
15 obviously. We have to get further into the
16 design. But, you know, so that it's not a
17 pull-off area for the person looking for the
18 best, you know, parking space.

19 COMMISSIONER TURNBULL: Right.

20 I guess my other question is the
21 prism. It's a wonderful concept. I like the
22 design idea. The only thing that sort of just

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1 -- I'm looking at those wonderful, tall
2 graceful and it slams straight down on the
3 deck and that's it.

4 is that -- I just feel it's like--
5 it's like you -- it's like you took it, you
6 know, we can put it here. Is there a drama
7 when you get to the site? I want to come up
8 to this thing and have something -- it just
9 seems like it's sitting on top of the wood
10 deck and --

11 MR. CARPENTER: It actually is a--
12 we didn't show a detail of it but it does come
13 down and actually floats above the wood deck
14 five or six inches. So, the light would
15 actually escape out from underneath it and
16 it's not meant to actually, you know, sit down
17 and set into the wood. It actually sits
18 slightly above the wood.

19 COMMISSIONER TURNBULL: It's like a
20 little reveal.

21 MR. CARPENTER: Yes. A little
22 reveal. It's about five or six inches so it

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1 sort of floats above the deck.

2 COMMISSIONER TURNBULL: I just --
3 I'm expecting more at the bottom. I don't
4 know, I just want --

5 MR. CARPENTER: Well, I think
6 what's happening at the bottom as well is that
7 it's denser. I mean, the sides of it are
8 denser. Inside --

9 COMMISSIONER TURNBULL: But there's
10 still openings. Is there still an opening?

11 MR. CARPENTER: Openings and then
12 inside that is actually another stainless
13 steel surface that houses the light and one
14 reason we're trying to make it denser is so
15 you won't see the light itself from the big
16 light. It's shining straight up.

17 COMMISSIONER TURNBULL: Well, what
18 kind of a light? LEEDs or --

19 MR. CARPENTER: We're going to have
20 some LED lights that produce color at the very
21 bottom of it and illuminate that bottom
22 section of it. And some of that light will

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1 spill out at the base.

2 COMMISSIONER TURNBULL: You don't
3 have to get back inside it to relamp or
4 anything?

5 MR. CARPENTER: You will be able to
6 open one side.

7 COMMISSIONER TURNBULL: Oh, you
8 will?

9 MR. CARPENTER: You will be able to
10 get inside of it.

11 COMMISSIONER TURNBULL: Okay.

12 MR. CARPENTER: But the idea was it
13 gets denser, you sort of see light from inside
14 bouncing out at the bottom of it and then as
15 you look further up the column or up the
16 visual marker, it opens up more and you'll see
17 the light that's concealed inside shining
18 straight up the core or the interior of it.
19 So, it's sort of two types of light basically.

20 COMMISSIONER TURNBULL: Okay.

21 Yes. For some reason I thought
22 there might be some kind of pattern or

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1 something different at the base that --

2 MR. CARPENTER: Just the detail. I
3 guess it gets a little bit denser. I mean,
4 there's a little -- I guess we had this as a
5 slide, but I guess I could bring this up
6 there. Do we have the slide?

7 COMMISSIONER TURNBULL: Yes. We
8 got the book.

9 MR. CARPENTER: Page 15. Yes. I
10 guess it's seen a little bit better on the --
11 I mean, it's a little bit hard to see there
12 but I'm just --

13 COMMISSIONER TURNBULL: Okay.

14 MR. CARPENTER: There's actually a
15 solid form inside that houses the main light
16 that goes shooting straight up, but this whole
17 surface would be washed with an LED light.

18 So, down low, there is sort of a
19 figure inside it. I mean, you sort of see a
20 form that's inside behind that outer skin.

21 MR. FEOLA: Mr. Carpenter is
22 referring to Exhibit 14 in the record.

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1 COMMISSIONER TURNBULL: Yes.

2 Okay. Thank you.

3 VICE CHAIRPERSON JEFFRIES: I just
4 have a statement.

5 I really like the project quite a
6 bit. I mean, I really love the contemporary
7 vocabulary of the architecture and of the art
8 -- the public art piece. I think it's a
9 wonderful relief to so much of what we see
10 here in the District. And I'm sort of
11 different from my colleague here. I actually
12 like how it falls. It doesn't have a base
13 because it's just so traditional. The thing
14 sort of is clean and sleek and it just comes
15 down to the nice reveal.

16 The only question I have is the
17 skill. It's like -- I feel like I want to be
18 taller and I sort of understand why it isn't.

19 Looking at that section it just
20 looks so small. And so I'm just trying to get
21 my arms around. It's really art work. That's
22 effectively what it is.

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1 I can't look at this as like some
2 sort of -- it's art work.

3 MR. CARPENTER: Right. Right.

4 I think you bring up a point. It's
5 been an interesting sort of discussion between
6 us. I mean, trying to find out what that
7 appropriate scale is because we had the
8 activity of the bridge. We're really looking
9 at these three things working together. It's
10 the bridge and then there's sort of the upper
11 overlook area with the canopy and then there's
12 this visual markers. These three elements are
13 working together in the landscape.

14 I think on the one hand from the
15 water side, I think it does have substantial
16 scale. You know, if you see it from --

17 VICE CHAIRPERSON JEFFRIES: A
18 proper--

19 MR. CARPENTER: -- a proper point
20 there. If you're on the water in a boat I
21 think it has a substantial scale. I think the
22 one reason we think of it as being lower is

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1 that the land itself is sort of coming down to
2 it.

3 VICE CHAIRPERSON JEFFRIES: Yes.

4 MR. CARPENTER: There is also an
5 element that is virtually impossible to
6 describe, but it's shown a bit here on the
7 upper left here. I don't know if you can see
8 some yellow inside here. The light is at the
9 base and it's shining up. And inside the
10 tower or inside the visual marker is this
11 reflecting element.

12 So, there is sort of this element
13 that's a little brighter and a little more
14 articulated at the top it would reflect light.

15 VICE CHAIRPERSON JEFFRIES: What
16 does it look like? Would you show us the
17 slide of what it looks like at night from --

18 MR. CARPENTER: We just have --
19 well, we have that at the base and then the
20 overall rendering shows it, I guess. Right?
21 In one way. That would be the -- I guess --

22 VICE CHAIRPERSON JEFFRIES: Well,

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1 that's not quite the view I was looking for.

2 MR. CARPENTER: Yes. I know --

3 VICE CHAIRPERSON JEFFRIES: I'm
4 just trying to get a sense of --

5 MR. CARPENTER: -- down looking
6 over.

7 VICE CHAIRPERSON JEFFRIES: Right.

8 And then also looking across from
9 Poplar Point just --

10 MR. CARPENTER: Right.

11 VICE CHAIRPERSON JEFFRIES: Just
12 getting a sense of at night, you now, just how
13 light this -- I mean, it's not going to be --
14 just trying to get a sense of the illumination
15 of it at night.

16 MR. CARPENTER: We're trying to get
17 the illumination, I guess, you know, in our
18 discussions to keep -- to not have it so
19 bright. I mean, it will be this beautiful --

20 VICE CHAIRPERSON JEFFRIES: Right.

21 MR. CARPENTER: -- sort of quiet
22 color to it. And I guess, you know, in terms

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1 of the scale of it, this area where the
2 walkway comes down into this little landing,
3 we were concerned a little bit about how big
4 the base of it would get and still allow for
5 sort of a comfortable amount of movement
6 around it.

7 And I think when you're here and
8 you're standing next to it, I sort of felt the
9 scale was about -- it was about right. It
10 wasn't so dominating if you were down at that
11 lower area. But it still had substantial
12 height when you're back here to clearly it
13 goes well above the bridge and you sort of see
14 it.

15 VICE CHAIRPERSON JEFFRIES: Yes. I
16 guess --

17 MR. CARPENTER: I understand what
18 you mean. You could see it taller, I guess.

19 VICE CHAIRPERSON JEFFRIES: Yes.
20 If I look at it in the complex or the compound
21 of this development, I mean it works. I guess
22 when I look at it from a distance I want to

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1 make it be larger and part of a, you know--

2 MR. CARPENTER: A bigger vision of
3 it. Right.

4 VICE CHAIRPERSON JEFFRIES: So,
5 from this angle, you know, I'm fine.

6 But, you know, I like it. I mean,
7 I just love the simplicity of it and the
8 cleanness of it. And the subtly of it and
9 particularly the base and the middle and the
10 top and so forth.

11 The other question I have is -- I
12 mean, there's so few adaptive reuse projects
13 in the District so when you get one you just
14 want to -- and I don't know if I saw an
15 interior shot. I mean, once you enter into
16 this thing whether you really get a sense of
17 what used to be in Jeff's position to what is
18 new. I was just trying to get a sense of
19 that.

20 MR. GOLDSTEIN: Yes. It's a good
21 question. I think -- I'll use this one I
22 guess is probably the best, you know, shot we

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1 have right now. Again, because, you know, we
2 don't know the tenant --

3 VICE CHAIRPERSON JEFFRIES: Right.

4 MR. GOLDSTEIN: -- breakdown yet.
5 But one of the things we're trying to achieve
6 is that you actually -- let's say you walked
7 into this -- say this is a restaurant tenant
8 here. You would walk in and you would look up
9 and you would get the full height -- a double
10 height volume and that would go as far back as
11 where the core -- that core plan. So, you'd
12 look up and you'd see those trusses repeating
13 and then you'd look up and you'd see that in a
14 sense what would be the mezzanine almost --

15 VICE CHAIRPERSON JEFFRIES: Right.

16 MR. GOLDSTEIN: -- of that dining
17 environment. So, the people up here looking
18 down to there, you know, we envision that,
19 let's say if the restaurant tenant, that would
20 put their own kind of grand stair in that
21 would lead you up.

22 And then the same thing is true

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1 here. Let's say that you're going into a
2 restaurant or a cafe that's on this corner and
3 it may not continue all the way into that
4 area.

5 VICE CHAIRPERSON JEFFRIES: Right.

6 MR. GOLDSTEIN: The amazing thing
7 about this structure is that, you know, it's
8 form and function like right there. You walk
9 in, you look up. You see the concrete beams,
10 you know, framing out this, you know, this --
11 you know, this bay. And, you know, we would
12 keep that.

13 And then the tenant criteria that
14 we would work with Forest City to write we
15 would ask that there's preserved open
16 ceilings, that you'd get the views through to
17 see the raw concrete which we would seal, but
18 you would still have exposed concrete.

19 And then when you get to the upper
20 level what is awesome is that you have this
21 area here that --

22 VICE CHAIRPERSON JEFFRIES: Third

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1 stories --

2 MR. GOLDSTEIN: Yes. It actually
3 feels like a story and a half because it pops
4 up and you see the beams continuing to cross.

5 VICE CHAIRPERSON JEFFRIES: Okay.
6 Okay.

7 MR. GOLDSTEIN: We would keep that
8 character.

9 VICE CHAIRPERSON JEFFRIES: Okay.
10 And my last question. I guess I'm
11 going with sort of the vista.

12 If I'm on Third Street and I'm
13 traveling south, what am I seeing? I just
14 want to see that.

15 MR. GOLDSTEIN: That, you're seeing
16 looking down, you're seeing the bridge
17 straight across, the vertical marker on the
18 end, the water feature here but then falls
19 down --

20 VICE CHAIRPERSON JEFFRIES: Am I
21 right at the intersection here?

22 MR. GOLDSTEIN: Yes. You are.

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1 VICE CHAIRPERSON JEFFRIES: Okay.

2 Okay.

3 MR. GOLDSTEIN: Yes. We didn't
4 pull back all the way up towards M.

5 VICE CHAIRPERSON JEFFRIES: Okay.

6 Okay.

7 Okay. Okay. Thank you very much.

8 COMMISSIONER KEATING: Thank you
9 for that presentation. It's fantastic. I
10 love the appearance of the project. I think
11 it's beautiful and very light and airy and
12 just something you would love to have on the
13 water.

14 I do struggle a little bit with the
15 tower feature. I struggle with it. I'm not
16 sure -- I just have this feeling that I wish
17 it was a little bit more majestic and I'm
18 saying that the artistry is not majestic. But
19 just it doesn't have the presence I'd love to
20 see and maybe it's the renderings. Maybe it's
21 just I haven't got a chance to really digest
22 it more. But it just -- in looking at it on

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1 page 30, looking at it from building -- second
2 floor of Building P2B, it gets lost in the
3 visual there as I'm looking out over the
4 water. You don't really want to distract it's
5 view, I guess, of the water because that is
6 the most attractive feature there. But I do
7 feel like it looks very small and in that shot
8 from not a very great distance away.

9 And do have to drill on my
10 Commissioner's comments about its base. When I
11 look at the photo of it sitting on the pier
12 and it looks like there's a person trying to
13 walk around the inside of it against the
14 railing, they look like they're getting --
15 you're kind of squeezed there. It's not
16 centered in between those two railings. It's
17 off too --

18 MR. GOLDSTEIN: It is closer to one
19 side there.

20 COMMISSIONER KEATING: It's closer
21 to one side and so now you got a -- I do
22 struggle with it a little bit. That's on page

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1 13 where you get a close up shot of it sitting
2 on the deck.

3 I see the elevation at the bottom.
4 The light coming out. The five or six
5 inches, I see that and I like the light coming
6 out. It's a little bit like it's in no-man's
7 land but maybe that's part of the artistry of
8 it.

9 MR. CARPENTER: Well, it is sort of
10 the last element on the project and I think
11 the idea is that eventually there would be,
12 you know, in this Phase III is shown in this
13 map where you have additional docks and people
14 coming up to the water that it has this other
15 role to play eventually in terms of announcing
16 the site from the water.

17 COMMISSIONER KEATING: Okay.

18 MR. GOLDSTEIN: We've scaled it at
19 the moment, you know --

20 COMMISSIONER KEATING: I mean, at
21 this height we should look at it and see if it
22 might -- go up in scale. A slightly missed

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1 opportunity.

2 My other question centers around
3 really more the pavilion. Is that what it's
4 called, the pavilion area there? That kind of
5 circular piece.

6 MR. GOLDSTEIN: This piece here?

7 COMMISSIONER KEATING: Yes. The
8 pavilion?

9 MR. GOLDSTEIN: We're calling it
10 the overlook.

11 VICE CHAIRPERSON JEFFRIES: The
12 overlook.

13 The pavilions are the new
14 buildings?

15 MR. GOLDSTEIN: Correct.

16 COMMISSIONER KEATING: Okay. The
17 overlook. No. I'm talking about the overlook.

18

19 VICE CHAIRPERSON JEFFRIES: Oh,
20 okay.

21 COMMISSIONER KEATING: The round
22 piece there.

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1 Now, I look at the park space in
2 the pictures and I see all the folks here and
3 moving around but one thing I would ask about
4 and it actually makes me think about your
5 project in Chattanooga where they -- what
6 draws the people to the open space? Like what
7 brings them there?

8 The Chattanooga piece if I heard
9 what you said was that outdoor concert area.
10 Right?

11 MR. CARPENTER: Yes. This big
12 Tennessee or Chattanooga Music Festival that
13 takes place in this large field. But the
14 light mass, I supposed not similar to this in
15 some respects. It's a pier that goes out into
16 the river and they just serve the purpose of
17 marking that pier from a distance.

18 COMMISSIONER KEATING: Okay.

19 MR. CARPENTER: And it brings
20 people out there.

21 COMMISSIONER KEATING: Out to the
22 water. Okay.

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1 MR. CARPENTER: And I supposed the
2 same would happen here. People would sort of
3 come down to that lower point to sit or look
4 out at the river at that time. And then this
5 vertical marker would sort of spread some
6 light out around the base.

7 COMMISSIONER KEATING: Okay. Maybe
8 the St. Paul piece also. It just got me
9 thinking like. Would it be interesting if
10 there was the ability to have outdoor concerts
11 here or, you know, some thinking to set it up
12 in a way where the folks on the lawn are
13 angled towards an area where you could see--

14 MR. PARISI: There is.

15 COMMISSIONER KEATING: Okay. Okay.

16 MR. PARISI: I know we didn't show
17 the other renderings. We actually had a
18 rendering with a concert.

19 I don't know if you recall from
20 last May?

21 COMMISSIONER KEATING: No.

22 MR. PARISI: If we go back through

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1 -- we have two concert area.

2 COMMISSIONER KEATING: Okay.

3 MR. PARISI: The Great Lawn is one
4 of them.

5 COMMISSIONER KEATING: Okay.

6 MR. PARISI: And we can -- we can
7 get, you know, well over 3,000 people sitting
8 on that lawn for a concert.

9 And then if this area here which we
10 call the Step Lawn, we can get about 2,200
11 people on that lawn area. And we have a
12 rendering that we shoed you last time where
13 there was a stage here. So, we have a stage
14 set up and we have actual electrical and all
15 the equipment built in --

16 COMMISSIONER KEATING: Okay.

17 MR. PARISI: -- in this location
18 here for a stage here going that way. And
19 then another stage here viewing this way.

20 So, we've activated it quite a bit
21 with all these outdoor rooms. You know, I
22 didn't want to go through all that again

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1 because I think, you know, they wouldn't have
2 enough time to do what they had to do today.

3 COMMISSIONER KEATING: Okay. Okay.
4 Okay.

5 Yes. It seems like, you know, that
6 area there, you know, offer a great
7 opportunity for, you know, a band up there.
8 It looks like I see in this one here you've
9 got, you know, that plant laid out.

10 MR. PARISI: That's it. Okay.

11 COMMISSIONER KEATING: Okay. Other
12 than that, I thought it was fantastic.

13 That's it. Thank you.

14 VICE CHAIRPERSON JEFFRIES: Let me
15 just add. I mean, it's slightly different, I
16 think. Commissioner Keating and I have the
17 same issue about height and, you know, he used
18 the word "majestic" and so forth and I'm going
19 on the fact that this public art really
20 belongs to this area and not to a larger, you
21 know, streetscape.

22 Do you follow what I'm saying? I

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1 mean, if it belongs to this area, I'm sort of
2 fine with the scale. But the moment I get
3 very far from it, I just -- across the water I
4 just want it to be -- I want it to be taller
5 and, you know --

6 MR. CARPENTER: You're quite right.

7 So, I think that's actually I guess where
8 we're coming from. It's not scaled to this
9 other elements that are around it there.

10 VICE CHAIRPERSON JEFFRIES: Right.

11 MR. CARPENTER: Without dominating
12 it.

13 VICE CHAIRPERSON JEFFRIES: Yes.

14 CHAIRPERSON HOOD: Okay.

15 Commissioner May?

16 COMMISSIONER MAY: Yes. I think
17 I'd like to speak up actually on that topic
18 which, you know, I think that this is quite
19 tall enough.

20 One of the worries I actually had
21 about this was that it would be too prominent
22 from across the river or too prominent from a

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1 distance. I'm, you know, really want to make
2 sure that we keep the appropriate deference to
3 the Washington Monument and to even things
4 like the Air Force Memorial and that. Those
5 are the things that are really absolute
6 prominent national kind of significance in
7 this -- in the overall city scape.

8 So, I'm -- and I'm actually worried
9 that with something like this that we don't
10 create something that is too visually
11 reminiscent of things like the Washington
12 Monument and this is not. And I think that
13 the lighting is going to be different enough
14 that it won't be sort of seen as, you know,
15 mini me or something.

16 But that was a worry when I first
17 started thinking about this as a real piece as
18 opposed to the placeholder that we had seen in
19 the past.

20 I would say that it would be really
21 good if you came up with another name for it
22 because, you know, the vertical marker, the

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1 visual marker, you know, you need to go back
2 into the old, you know, Greek, you know, books
3 about, you know, just find a really good sort
4 of romantic name for it.

5 MR. CARPENTER: Okay. It will be
6 our task.

7 COMMISSIONER MAY: Give it
8 something --

9 MR. CARPENTER: In the coming
10 weeks.

11 COMMISSIONER MAY: Don't need it
12 for us but maybe it will help you to --

13 MR. CARPENTER: Could you it
14 vertical marker, you're quite right. We're
15 just sort of dancing around that.

16 COMMISSIONER MAY: Well, yes. And
17 the P2A, P2B thing. I mean, you know, you got
18 to work on the name, I think.

19 MR. FEOLA: You're not advocating
20 though that we try naming rights and sell
21 naming rights.

22 COMMISSIONER MAY: Absolutely not.

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1 It's still on Federal land so then
2 you'd kick in the commemorative work SAC and
3 you've be in real trouble.

4 The question though that I had
5 forgotten before -- but wait. More on the
6 subject of marker.

7 I really do appreciate seeing the
8 sample of the material and I just had a
9 question about that.

10 Is that supposed to be the lowest
11 level -- that spacing?

12 MR. CARPENTER: It's actually
13 probably up a little bit.

14 COMMISSIONER MAY: It's the mid-
15 range?

16 MR. CARPENTER: Closer to the
17 middle. Yes.

18 COMMISSIONER MAY: Okay.

19 MR. CARPENTER: Which way did it
20 go?

21 And stainless obviously because
22 it's near the water?

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1 COMMISSIONER MAY: Right. I mean,
2 it was nice to see it.

3 But the real question I had was the
4 variance test for that piece. And that's the
5 one area where I just had the biggest question
6 because this special exceptions make perfect
7 sense.

8 The variance for the parking I
9 think, you know, can make sense. But the --
10 the justification or the -- you know, the
11 first prong of the test is a self-imposed
12 condition. You know, it wants to be this. It
13 wants to look like this or we want it to look
14 like this and so, therefore, we can't do it
15 without getting a variance. And it's hard for
16 me to make that leap.

17 So, I'd like you to try to talk to
18 that.

19 MR. FEOLA: It's not self-imposed
20 in that it is part of the Memorandum of
21 Understanding between the General Services
22 Administration, Forest City and the City as to

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1 what this park needs to be and what it needs
2 to look like.

3 And as the Master Plan was approved
4 by NCPC, and through a whole range of reviews,
5 you know, the execution of that Master Plan
6 makes this unique.

7 There are constraints on the
8 Applicant here in order to follow the Master
9 Plan. Now, of course, the Master Plan could
10 be amended and changed. But this was the
11 Master Plan that was the basis for those MOUs.

12 And in that sense, this -- the treatment of
13 this park is unique. As Mr. Nyhan said in his
14 testimony, there's not another piece like this
15 in the city certainly and maybe not the
16 country where there is Federal land, Federal
17 ownership of land which is given to a private
18 developer to develop which is going to turn
19 into a public park.

20 And so there are all these layers
21 of review and approval which sets forth what
22 we believe that unique circumstance that

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1 allows the variance to be granted.

2 COMMISSIONER MAY: Is there some
3 other way that this could actually be
4 considered or approved? I mean, is there
5 something else that it could be called that
6 takes it out of the realm of a variance? I
7 mean, because again, you know, I'm just going
8 back to what you wrote in the latest
9 submission which is, with regard to the
10 marker's height and setback elements, the
11 difficulty is created by the design intent and
12 purpose of the marker itself.

13 I mean, you don't talk about what -
14 - where that design intent comes from and
15 maybe it would be more a stronger case if you
16 did that. But, I guess, I'm just wondering if
17 there was another way to skin this cat?

18 MR. FEOLA: Unfortunately, the W
19 Zones and W-O Zone, in particular, calls for
20 all buildings and structures and clearly this
21 is a structure. It's going to be anchored to
22 the ground and with a foundation and so forth.

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1 So, I don't know if there's another
2 way to skin the cat unless we went back and
3 tried to amend the W-O Zone which I don't
4 think this Commission wants to do. Or change
5 the concept through the master planning
6 process which is what I gather is not what the
7 Commission -- it sounds like the Commission
8 likes the marker but it's just a question of
9 how to get there legally. Is that --

10 COMMISSIONER MAY: Right.

11 MR. NYHAN: And we should say for
12 the record that the master planning process is
13 -- that's a GSA directed matter that Forest
14 City wouldn't go to unilaterally.

15 COMMISSIONER MAY: Right. I
16 understand that.

17 But I think at the very least the
18 argument for it ought to rely more heavily on
19 how the Master Plan led directly to this.

20 MR. FEOLA: We can draft part of
21 that in such a way.

22 COMMISSIONER MAY: Yes. I think

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1 I'm going to ask the Office of Planning the
2 same question so we'll see their view.

3 VICE CHAIRPERSON JEFFRIES: Because
4 we -- well, this one Commissioner does not
5 want the marker to go away. So, just, you
6 know, whatever you need to do.

7 I understand the whole argument
8 around, you know, making certain that there's
9 purity with our tests and so forth but, you
10 know, do whatever you need to.

11 COMMISSIONER MAY: Right. Well and
12 I guess because we want to make sure that
13 we're able to achieve the right results and
14 not simply open the door for, you know,
15 anything to be stuck on the water and then
16 they point to this one and say. Hey, it was
17 okay over there.

18 MR. NYHAN: Could I just add for
19 the record. We've had extensive discussion
20 with NCPC staff about this and they've been
21 really helpful to us in terms of coaching us
22 and guiding us in terms of kind of the

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1 relationship of this part element to the
2 overall Master Plan. So, I think they'll be
3 helpful in our ability to deepen our message
4 here on the design intent.

5 COMMISSIONER MAY: You've just kind
6 of made that legal test.

7 Thanks.

8 VICE CHAIRPERSON JEFFRIES: It's a
9 pure test. I mean, you know, it's one of the
10 problems -- not problems, but that whole
11 variance test is just very pure and simple.
12 And, you know, and you know, we don't want to
13 get on the slippery slope here. So --

14 MR. NYHAN: Zoning law and
15 regulations.

16 VICE CHAIRPERSON JEFFRIES: Isn't
17 it just terrible.

18 CHAIRPERSON HOOD: Any other
19 comments? Any other questions?

20 Okay. Let's go to the Office of
21 Planning.

22 Ms. Jackson.

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1 MS. JACKSON: Good evening, Chair,
2 and fellow Commissioners.

3 For the record, my name is Arlova
4 Jackson and I'm a Development Review
5 Specialist with the D.C. Office of Planning.

6 Zoning Commission Case 08-04-A is
7 for Phase II of the Southeast Federal Center
8 development now called the Yards.

9 The proposed project is located in
10 the SCFC/W-O District. And also located
11 within the near Southeast target area of the
12 Anacostia Waterfront Initiative.

13 Briefly, the project has been --
14 has received several approvals by the Zoning
15 Commission including a comprehensive zoning
16 package for the entire site in 2004, map and
17 test amendments to the SEFC Overlay and
18 approval of temporary parking lots in 2007.
19 And most recently, approval of Phase I of the
20 project in May 2008 which included the
21 waterfront park features, a pedestrian bridge,
22 an overlook feature and promenade.

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1 Now the Applicant is proposing to
2 restore and renovate the historic Lumbershed
3 building and construct two new retail
4 buildings within the SEFC/W-O development area
5 as well as establish retail uses within the
6 waterfront kiosks and install a visual marker
7 within the open space area.

8 The project is here because all new
9 structure and exterior change within the
10 SEFC/W-O District requires Zoning Commission
11 review.

12 The project requires the following
13 zoning reliefs.

14 Special exception approval to allow
15 multiple retail and service uses in the
16 development area and to allow certain uses in
17 the open space area. And relief from the roof
18 structure relations requiring a 1:1 ratio for
19 the setback of structures from the exterior
20 wall.

21 The project also requires a
22 variance relief from the parking requirements

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1 and from the height and waterfront setback
2 requirements for the visual marker.

3 The Office of Planning has no
4 objection to the requested zoning relief and
5 finds that the project meets the SEFC Overlay
6 and W-O objectives and standards.

7 The proposed development will
8 restore and will utilize an existing story
9 structure, bring retail uses to the
10 waterfront, maintain use of the river and
11 attract visitors to the waterfront via the
12 creation of a public art feature.

13 The site design would enhance
14 pedestrian access by including ground floor
15 retail uses along the street edges at Water
16 and Fourth Streets and eliminating off street
17 parking requirements on the site as well as
18 the continuation of the proposed Anacostia
19 River bike trail.

20 The proposed buildings have been
21 designed to be of bulk and scale that serves
22 as a transition from higher density mixed uses

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1 to the north, to the park immediately to the
2 south.

3 Buildings have been sided and
4 designed to allow use of the river and include
5 features like roof top decks and consolidated
6 service core elements in locations least
7 likely to impact view sheds.

8 The project is subject to a variety
9 of zoning standards and regulations including
10 the design review objectives and standards for
11 the SEFC Overlay found in Section 1802.
12 General review criteria for special
13 exceptions, special exception criteria
14 specific to the W-O Zone as well as specific
15 to roof structures and general review criteria
16 for variances.

17 An analysis of the project against
18 each is provided in detail in our staff
19 report.

20 Overall, the Office of Planning
21 recommends support of the requested zoning
22 relief for the retail buildings and uses as

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1 well as the public art tower.

2 The project is generally consistent
3 with the standards and design objectives found
4 in the Comprehensive Plan. Zoning Ordinance
5 including bulkhead regulations for the W-O and
6 SCFC Overlay as well as the Anacostia
7 Waterfront Initiative framework plan.

8 The Office of Planning believes the
9 request meets the test for special exceptions
10 and variances and recommends approval of the
11 project.

12 Regarding the variance criteria
13 which I expect -- I'll just address that
14 first.

15 Basically, we found the site to be
16 affected by exceptional conditions and
17 physical characteristics. The Applicant talks
18 about the history of the site and its
19 constraints for the Master Plan.

20 We also noted that the site is
21 unique in that it has direct access to the
22 river. It's located in the middle of a

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1 planned riverfront bicycle trail and has a
2 slight elevation change between the waterfront
3 and the street level and is located almost
4 entirely within a 100-year flood plain.

5 This impacts the development of the
6 site.

7 Did you want me to talk about the
8 parking or only the -- okay.

9 Well, the point is it's designed to
10 encourage and accommodate alternative forms of
11 access with an emphasis on making it
12 attractive to pedestrians and bicycles.

13 The Master Plan anticipated
14 pedestrian-oriented retail and service uses
15 along the street edges to attract park
16 visitors and both the W-O Zone and the SEFC
17 Overlay allow retail and commercial uses.
18 However, both also contain a stated aversion
19 of off-street parking requirements.

20 The W-O District discourages
21 parking in its Purpose Statement and the SEFC
22 Overlay prohibits visible off-street parking

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1 making it difficult to provide the parking to
2 support the desired retail and service uses.

3 In this case, conflicting zoning
4 requirements create a practical difficulty for
5 the owner to eliminate the required parking
6 for the retail service uses needed to make the
7 waterfront park viable.

8 Regarding the marker, there's a
9 nine-foot difference in elevation between the
10 street and the promenade where the tower is
11 proposed. The marker is located close to the
12 waterfront where the site has its lowest
13 elevation and its height would be least
14 objectionable to neighboring uses and
15 buildings.

16 Were the feature located farther
17 from the water's edge or less than the 100-
18 foot setback which is required, it will be
19 closer to neighboring residences and has less
20 providence when viewed from the water and less
21 relevance in terms of drawing people to the
22 water.

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1 Alternatively, limiting the height
2 of the visual marker to 40 feet would result
3 in a structure that appears shorter than the
4 proposed retail buildings when viewed from the
5 street and is less apt to visually attract
6 people to the site or provide the waterfront
7 focus desired by the Applicant.

8 With regard to the third test, the
9 requested variance from off-street parking is
10 consistent with the purpose and integrity of
11 the zone plan clearly expressed in the W-O
12 District Purpose Statement which discourages
13 parking and within the SCFC Overlay which
14 limits off-street parking in areas visible
15 from the street.

16 The proposed retail uses that
17 trigger the parking requirement are located
18 within walking distance from the Metro stop
19 and several bus routes on M Street and a large
20 quantity of service parking currently exists
21 in the area and is anticipated to continue
22 after future development of the adjacent lots.

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1 Granting this variance should not
2 substantially detriment the public good as it
3 will support safer pedestrian and bicycle
4 access to the site and parking within future
5 buildings on the SEFC site is expected to be
6 developable as those buildings develop.

7 The proposed location and height
8 of the visual marker should not result in a
9 substantial detriment to the public good or
10 the zoning plan as well. A visual marker with
11 anticipated for this site and it has been
12 cited to be as far as possible from adjacent
13 residences and office buildings and in such a
14 way that should not impact viewsheds on the
15 river.

16 And I'll take questions.

17 CHAIRPERSON HOOD: Okay. Thank
18 you, Ms. Jackson.

19 Any questions for the Office of
20 Planning?

21 Okay. Does the -- okay. Not
22 hearing any, does the Applicant have any

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1 questions for the Office of Planning?

2 MR. FEOLA: No, sir.

3 CHAIRPERSON HOOD: Okay.

4 Thank you very much, Ms. Jackson
5 and Mr. Lawson.

6 Okay. Report of any government
7 agencies? Oh, okay.

8 The representative from the Deputy
9 Mayor's Office.

10 Turn your microphone on and
11 identify yourself.

12 MS. IWU: Good evening. My name is
13 Jennifer Iwu with the Office of the Deputy
14 Mayor for Planning and Economic Development.

15 Just here, I have four main points
16 really to address and in testimony in support
17 of the project.

18 First, just wanted to reiterate
19 that we are a member of the public private
20 partnership between GSA, Forest City and
21 Washington, D.C. We along with Forest City
22 and GSA have been involved in the design,

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1 construction and financing portion for this
2 park. We've also been involved in the process
3 and the design process for the retail portions
4 of the park.

5 Thirdly, the Administration
6 supports the development of the park including
7 the vertical markers, the retail portions of
8 the site and the ability for this park to
9 really create a world class amenity in
10 Washington, D.C. not only for that area of
11 Washington, D.C., but for the city as a whole.

12 And finally, I just wanted to
13 indicate that given the current economic
14 condition, we're very pleased that this
15 project is moving forward. It's definitely
16 one that is going to have an impact in the
17 long term and we're hopeful for, you know, the
18 ability to continue to move forward.

19 Thank you.

20 CHAIRPERSON HOOD: Okay. Thank you
21 very much.

22 Any questions? Okay.

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1 Well, thank you very much for your
2 testimony.

3 Let me see, does the Applicant have
4 any questions?

5 MR. FEOLA: No, sir.

6 CHAIRPERSON HOOD: Okay. I've
7 noticed, nobody never has questions when
8 somebody is in support, I've noticed that.
9 Twelve years there's hardly -- maybe two times
10 I've seen that.

11 MR. FEOLA: You have to quit when
12 you're ahead.

13 CHAIRPERSON HOOD: I got you.

14 Okay. The report of -- is anyone
15 here representing ANC-6D? They do have an
16 Exhibit 15 in our file. It does say that ANC-
17 6D voted six to zero to one to support the
18 application for the Zoning Commission design
19 review for various special exceptions and
20 variances for Phase II of the Waterfront Park
21 at the Yards.

22 So, this is signed from Chairman,

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1 Andy Litsky who we know is very, very involved
2 at the ANC and what's going on down there in
3 that area.

4 Okay. Do we have any organizations
5 or persons here in support?

6 Organizations or persons here in
7 opposition?

8 Rebuttal and closing by the
9 Applicant, Mr. Feola.

10 MR. FEOLA: Thank you, Mr.
11 Chairman.

12 I'll just take 30 seconds if that.

13 We obviously would like you to
14 approve this application. We think it's a big
15 step to deliver this public park to the city,
16 to deliver a vibrant streetscape on the north
17 side of the park at the same time and activate
18 the park and drawing people to this completely
19 underutilized natural resource which is the
20 Anacostia River.

21 And we think that the project as
22 you've heard from the Office of Planning is

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1 consistent with the Anacostia Waterfront
2 Initiative and the District of Columbia -- and
3 the goals and policies of the District of
4 Columbia Comprehensive Plan and we urge your
5 support.

6 And if you are so inclined we would
7 love to have a bench decision.

8 Thank you.

9 CHAIRPERSON HOOD: Okay. Thank
10 you, Mr. Feola.

11 Colleagues, I think this is very
12 straightforward. I'm not sure if anyone asked
13 for anything and that's one thing I'm having a
14 problem trying to remember.

15 Ms. Schellin, did anyone ask for
16 anything?

17 SECRETARY SCHELLIN: No, sir.

18 CHAIRPERSON HOOD: Okay. With
19 that, colleagues, I will recommend that we
20 move forward tonight. No sense in holding up
21 a great project as this and I think most of
22 our questions have been answered.

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1 And if everyone is -- if no one has
2 any opposition to move forward?

3 I would move approval of Zoning
4 Commission Case No. 08-04-A. I think that the
5 tests have been resolved. The special
6 exception, the variances and I would just
7 basically incorporate the excellent report
8 that Ms. Jackson has as our meaning for
9 approval and ask for a second.

10 VICE CHAIRPERSON JEFFRIES: Second.

11 CHAIRPERSON HOOD: Moved and
12 properly seconded. Any further discussion?

13 COMMISSIONER MAY: Yes, Mr.
14 Chairman.

15 CHAIRPERSON HOOD: Sure.

16 COMMISSIONER MAY: With regard to
17 the variance for the visual marker, I just
18 want to make sure that the -- that what gets
19 written into the order makes it very clear
20 that what's -- you know, what's driving the
21 design intent and the need for the marker is
22 the, you know, is the master planning process

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1 for the Southeast Federal Center and the
2 complex kind of regulatory environment that
3 they're in, rather than the very simple
4 statement that the design intent makes it
5 necessary because that I don't think passes
6 the test.

7 CHAIRPERSON HOOD: Okay. That's
8 relatively easy and so noted. We'll make sure
9 that that's incorporated into the order.

10 Anything else? Any further
11 discussion?

12 All those in favor?

13 (AYES)

14 CHAIRPERSON HOOD: Ms. Schellin,
15 not hearing any -- nothing called for
16 opposition because there's five people voting.
17 There's only five of us.

18 Could you record the vote?

19 SECRETARY SCHELLIN: Yes, sir.

20 Staff records the vote five to zero
21 to zero to approve final action in Zoning
22 Commission Case No. 08-04A.

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1 Commissioner Hood moving,
2 Commissioner Jeffries seconding, Commissioners
3 Keating, May and Turnbull in support. None
4 opposed.

5 CHAIRPERSON HOOD: Okay. Thank you
6 very much, Ms. Schellin.

7 Do we have anything else tonight?

8 SECRETARY SCHELLIN: No, sir.

9 COMMISSIONER MAY: Mr. Chairman,
10 can I ask one question of the Applicant which
11 is whether we have any idea when Phase III
12 might come in?

13 MR. NYHAN: We're in the design and
14 sort of planning process for that right now.
15 I would say we'd like to try to construct
16 Phase II somewhere 2012, 2013. And we
17 anticipate it will take us a few years to get
18 through approvals.

19 COMMISSIONER MAY: Okay. Thanks.

20 MR. NYHAN: Sure.

21 CHAIRPERSON HOOD: I'll be gone and
22 back by then.

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1 Okay. With that, anything else?

2 Okay. I want to thank everyone for
3 their participation tonight and everyone have
4 a safe trip home.

5 This hearing is adjourned.

6 (Whereupon, the above matter was
7 concluded at 8:12 p.m.)