

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

+ + + + +

PUBLIC HEARING

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-----:  
 IN THE MATTER OF: :  
 :  
 Application of Florida Rock : Case No.  
 Properties Inc., together : 04-14B  
 with MRP Realty, to Modify :  
 Approved Planned Unit :  
 Development (Square 708, Lot :  
 14) :  
 -----:

Thursday,  
 September 20, 2012  
 Hearing Room 220 South  
 441 4<sup>th</sup> Street, N.W.  
 Washington, D.C.

The Public Hearing of Case No. 04-14B by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Jerrily R. Kress Memorial Hearing Room at 441 4<sup>th</sup> Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

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

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OFFICE OF ZONING STAFF PRESENT:

DONNA HANOUSEK, Zoning Specialist  
ESTHER BUSHMAN, General Counsel

OFFICE OF PLANNING STAFF PRESENT:

JOEL LAWSON  
KAREN THOMAS

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF  
PRESENT:

JAMIE HENSON  
RICHARD STAUDINGER

The transcript constitutes the  
minutes from the Public Hearing held on  
September 20, 2012.

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

2 (6:36 p.m.)

3 CHAIRMAN HOOD: Ladies and  
4 gentlemen, this is the public hearing of the  
5 Zoning Commission for Thursday, September 20,  
6 2012. My name is Anthony Hood. Joining me this  
7 evening are Vice Chairman Marcie Cohen and  
8 Commissioner Mike Turnbull. The Commissioner  
9 Peter May will be reading the record, and  
10 possibly our new commissioner also will be  
11 reading the record and participate in this case.

12 We're also joined by the Office of  
13 Zoning, Ms. Donna Hanousek and Ms. Esther  
14 Bushman, Office of Planning, Ms. Karen Thomas,  
15 Mr. Henson and Mr. -- I'm getting ready to really  
16 butcher your names -- Staudinger. Is that it?

17 Okay, good. I got something right then.

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

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

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1           The subject of this evening's  
2 hearing is Zoning Commission Case No. 04-14B.

3           This is a request by Florida Rock Properties  
4 for approval of the PUD modification for  
5 property located in Square 708, Lot 14.

6           Notice of today's hearing was posted  
7 in the DC Register on June 1st, 2012, and copies  
8 of that announcement are to my left on the wall  
9 near the door. The hearing will be conducted  
10 in accordance with provisions of 11 DCMR 3022  
11 as follows.

12           Preliminary matters, the  
13 applicant's case, report of the Office of  
14 Planning, report of other government agencies.

15           Report of ANC 6D in this case, organizations  
16 and persons in support, organizations and  
17 persons in opposition, and rebuttal and closing  
18 by the applicant.

19           The following time constraints will  
20 be maintained in this meeting. The applicant,  
21 45 minutes, if needed. We'd like for you to  
22 hit the highlights. Organizations, five

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1 minutes. Individuals, three minutes.

2 The Commission intends to adhere to  
3 the time limits as strictly as possible in order  
4 to hear the case in a reasonable period of time.

5 The Commission reserves the right to change  
6 the time limits for presentations, if necessary,  
7 so no times shall be ceded.

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

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

15 The decision of the Commission in  
16 this case must be based exclusively on the public  
17 record. So to avoid any appearance of the  
18 contrary, the Commission requests persons  
19 present not engage the members of the Commission  
20 in conversation during any recess or at any time.

21 Please turn off all beepers and cell phones  
22 at this time so as not to disrupt these

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1 proceedings.

2 Would all individuals wishing to  
3 testify please rise to take the oath. Ms.  
4 Hanousek, will you please administer the oath?

5 MS. HANOUSEK: Do you promise or  
6 affirm that the testimony you will be giving  
7 in tonight's proceedings will be the truth, the  
8 whole truth and nothing but the truth?

9 (Multiple affirmation)

10 MS. HANOUSEK: You may be seated.  
11 Thank you.

12 CHAIRMAN HOOD: At this time, the  
13 Commission will take any preliminary matters.

14 Does the staff have any preliminary matters?

15 MS. HANOUSEK: Yes. We have the  
16 affidavit of maintenance and it appears to be  
17 in order, and the applicant has some expert  
18 witnesses to proffer.

19 CHAIRMAN HOOD: Okay. Let me first  
20 say good evening to the applicant. Also I do  
21 want to acknowledge, I think this is Mr.  
22 Staudinger's first time. We want to welcome

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1 you to the Zoning Commission. So that's  
2 typically our, we welcome you and then we beat  
3 up on you. All right.

4 So Ms. Prince -- also let me just  
5 say we've been joined by the Office of Planning,  
6 also Mr. Lawson.

7 Okay, Ms. Prince, you may begin.  
8 Let's go over the experts.

9 MS. PRINCE: Expert witnesses.  
10 This evening we have a few experts for you.  
11 Don Hoover, who is an expert in landscape  
12 architecture, he's been qualified as an expert  
13 by this Commission many times in the past. We  
14 submitted his resume in connection with our  
15 recent submission.

16 Are there any specific questions  
17 about Mr. Hoover?

18 CHAIRMAN HOOD: Okay, I think, have  
19 all of your experts, I have it noted here that  
20 all of your experts have been qualified  
21 previously unless something changed.

22 MS. PRINCE: I believe the

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1 architect, Marius Radulescu, has not been  
2 qualified as an expert by this Commission. Or  
3 have you?

4 (Off microphone comments)

5 CHAIRMAN HOOD: Oh, I believe he has.

6 CHAIRMAN HOOD: Okay, so we can just  
7 cut to the chase. All of them have been  
8 qualified.

9 MS. PRINCE: Exactly.

10 CHAIRMAN HOOD: Okay, do we have  
11 anything else?

12 MS. PRINCE: No preliminary  
13 matters, just my opening statement.

14 CHAIRMAN HOOD: Okay, so we may  
15 begin. You may begin, thank you.

16 MS. PRINCE: Good evening, Chairman  
17 Hood and members of the Commission. My name  
18 is Allison Prince. I'm an attorney with  
19 Goulston & Storrs. We're here tonight to  
20 present the Florida Rock's and MRP's vision for  
21 the community located in Square 708, Lot 14.  
22 The property is located just south of the

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1 National Stadium and just north of the Anacostia  
2 River.

3 As you know, the site was formerly  
4 used as a concrete plant, but those operations  
5 have ceased and the site is ready for  
6 development. The site has a very unique  
7 position given its adjacency to both the water  
8 and the stadium, and this context presented the  
9 architects with a challenge to design a building  
10 that responds appropriately to these varying  
11 contexts.

12 Some of you are very familiar with  
13 this project as it has had a lengthy history  
14 before the Commission. I won't belabor that  
15 history here, but we appreciate, we greatly  
16 appreciate the time the Commission has dedicated  
17 to this matter, and we also appreciate your  
18 careful consideration of tonight's proposal.

19 Throughout all of the previous  
20 hearings on this site, Florida Rock heard how  
21 very important this site is and they recognize  
22 it as important. That's why Florida Rock has

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1 taken the time to repeatedly evaluate if the  
2 proffered project was the best it had to offer.

3 Florida Rock heard all of the  
4 comments at the Commission during its 2008  
5 deliberations on the PUD. Even though the  
6 Commission ultimately approved the PUD, its  
7 comments reverberated in Florida Rock's mind  
8 as it moved forward with this extension request.

9 One of the primary wishes the  
10 Commission voiced at that time, this is back  
11 in 2008, was that it desired an increased amount  
12 of residential use in the PUD. Market dynamics  
13 have shifted since that previous PUD proposal,  
14 and Florida Rock is very happy to present its  
15 modification to the Commission this evening,  
16 which includes 213,000 square feet of  
17 residential beyond what was improved in the  
18 original PUD four years ago.

19 The PUD also includes an additional  
20 14,000 square feet of affordable housing beyond  
21 what was originally approved in this PUD. We'll  
22 outline the other changes during the course of

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1 the presentation tonight, but I thought these  
2 were worth highlighting at the outset.

3 Florida Rock and MRP are also  
4 proposing a significant procedural change to  
5 the PUD. The PUD as you know currently has a  
6 second stage approval for the entirety of the  
7 project, all four phases. We are now proposing  
8 to step back from most of the project to our  
9 first stage approval, and seek only consolidated  
10 approval on Phase 1, this important new  
11 residential building.

12 This is a big project, and while the  
13 success of each phase contemplates and rests  
14 on the completion of the project as proposed,  
15 we recognize that some of the details have not  
16 yet been fully ironed out, and we want to give  
17 the Commission the opportunity for further  
18 review of more detailed plans for Phases 2, 3  
19 and 4.

20 Accordingly, we're proceeding this  
21 evening with a modification to seek consolidated  
22 approval on Phase 1 only, and to revert to first

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1 stage on Phases 2, 3 and 4. By the same token,  
2 we filed an application to extend the PUD given  
3 its expiration date of June 27, 2012.

4 The design of the first phase in the  
5 overall site plan rely on the construction of  
6 the remaining three phases, and reverting the  
7 final three phases to a first-stage PUD should  
8 provide some assurance to this Commission as  
9 you will have an opportunity to review these  
10 phases again in the future.

11 The project this evening captures  
12 many of the comments the Commission made on  
13 previous proposals for this site. It is also  
14 largely consistent with the zoning regulations,  
15 although we are seeking some minor relief  
16 regarding loading and penthouse setback.

17 We've made some very minor  
18 modifications since our last submission on  
19 August 31. Since reviewing DDOT's report we've  
20 gone back to the parking plans and tried to  
21 refine the proposal to reduce the total amount  
22 of parking. We've eliminated an additional 120

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1 parking spaces, and we're prepared tonight to  
2 submit those revised parking numbers.

3 This proposal has earned the support  
4 of the ANC, of the Office of Planning and of  
5 DDOT. And I think it really is an important  
6 project in that it reflects the genesis that  
7 this neighborhood has gone through, and it is  
8 responsive to what is in the neighborhood and  
9 what this neighborhood needs at this point.

10 I think it's exciting that Florida  
11 Rock and MRP were willing to go forward with  
12 a residential project at this location at this  
13 time.

14 At the close of the hearing, we'd  
15 appreciate the Commission keeping the record  
16 open for the limited purpose of submitting a  
17 full set of plans and any post hearing  
18 information. We have five witnesses tonight,  
19 but our presentation will be very tight and brief  
20 to allow plenty of time for questioning.

21 Our first witness is Mr. David deVilliers,  
22 the president of Florida Rock. He will testify

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1 on behalf of Florida Rock. And I think this  
2 might be your fourth or fifth visit to this  
3 Commission, so we're happy for continuity's sake  
4 that he's able to join us tonight.

5 MR. DEVILLIERS: Excuse me, it's  
6 actually been more than that, but good evening,  
7 Commissioners. My name is David deVilliers.  
8 I'm here tonight on behalf of Florida Rock  
9 Properties, the property owner. Some of you  
10 may remember me from years past when this project  
11 was before the Commission and the PUD was  
12 ultimately approved in June of 2008.

13 Given Florida Rock's long ownership  
14 of the site and my history with the project,  
15 I wanted to take this opportunity to say a few  
16 words at the outset of the presentation.

17 We are very excited about the  
18 project we are presently and presenting jointly  
19 with MRP this evening. We chose MRP because  
20 they have a strong record of completing  
21 significant and successful projects. They have  
22 a strong financial base and the aptitude for

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1 this type of project.

2 Together we have built on the  
3 positive aspects of the currently approved PUD,  
4 particularly the public areas, as they now  
5 provide that quote, "sense of place" the  
6 Commission was seeking during its previous  
7 evaluation of the PUD this past spring.

8 I don't need to tell you that this  
9 project has a long and complicated history.  
10 Nevertheless, we have always had faith in this  
11 site and the area that surrounds it. The  
12 incredible level of development in the immediate  
13 neighborhood over the last ten years only  
14 reinforces that faith.

15 We have taken an extraordinary  
16 amount of care to ensure the details for this  
17 development are representative of the quality  
18 and timelessness this project and its location  
19 deserve. We recognize that this is an extremely  
20 important site for the ballpark neighborhood  
21 and to the District as a whole.

22 It has taken some time, but as you will see

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1 tonight we believe that we've arrived.

2 Over the last few years, in an effort  
3 to show our faith in the project and our  
4 commitment to the community, we moved forward  
5 with significant amenities even though we did  
6 not proceed with the construction of the first  
7 building on the site.

8 We are proud to have played a role  
9 in the design and ultimately the development  
10 of Diamond Teague Park. We firmly agreed with  
11 others in the District that this amenity would  
12 play a crucial role in improving the waterfront.

13 So much was our commitment, we contributed  
14 \$800,000 to its development and ultimately its  
15 reality.

16 Tonight you will hear about  
17 additional enhancements to the project that  
18 include the increase in the amount of affordable  
19 housing by nearly 14,000 square feet beyond what  
20 was included in the previously approved PUD.  
21 In addition, the green benefits of this project  
22 have been enhanced significantly as you will

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1 see in the landscaping presentation.

2 All together, the PUD we are  
3 presenting this evening has evolved in a  
4 positive way since we were before you last.  
5 We have reached the point in the design of this  
6 exciting project where we are ready to move  
7 forward with its implementation and are  
8 confident the investments we have already made  
9 in the community will help to make this project  
10 a success.

11 Thank you for the time, your  
12 consideration, and now I'd like to introduce  
13 Fred Rothmeijer who's a principal with MRP.

14 MR. ROTHMEIJER: Chairman, members  
15 of the Zoning Commission, my name is Frederick  
16 Rothmeijer. I'm one of the founding principals  
17 at MRP Realty, here today representing MRP  
18 Realty and FRP through a joint venture. With  
19 me today are Don Hoover from the design team,  
20 Marius Radulescu from SK&I and Rob Schiesel with  
21 Gorove/Slade.

22 MRP Realty was founded in 2005 by

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1 three Trammell Crow Company principals. We  
2 have many years of development experience and  
3 involvement in the city. We've been involved  
4 in projects like 1625 Eye Street, Columbia  
5 Women's Hospital, 8th and G Street, 77 6th  
6 Street, Washington Gateway and Washington  
7 Harbour.

8 We're very excited about the Florida  
9 Rock opportunity and our project as we have  
10 evolved it, and we are very focused on making  
11 this happen.

12 When we started our plans basically  
13 it was on the heels of a 2008 financial meltdown,  
14 and we worked with retail brokers who had advised  
15 us that if we provided retail we couldn't hand  
16 it away to retailers, they wouldn't make the  
17 investment coming to the site.

18 At the sit-down, Zoning Commission  
19 assessed that our plans had too little retail,  
20 it lacked vision and the architecture needed  
21 work. We reassessed and realized that there  
22 was merit to those comments.

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1           We went back to the drawing board  
2           and we met with Forest City, and we were happily  
3           surprised that they actually were able to get  
4           a name chef out of New York. And we asked them  
5           what brought that name chef to the riverfront,  
6           and the answer was its unique location.

7           We also understood that adjacent to  
8           the site there is going to be a big anchor tenant,  
9           most likely. It might not be in the near future,  
10          but we believe that over the next several years  
11          progress will be made where that could further  
12          enhance the attraction to the public. We  
13          further discussed our projects with a couple  
14          of other DC restaurateurs and got good feedback.

15          We also met with Potomac River Boat  
16          to talk about bringing commercial boating to  
17          our project. We hired a marina design and  
18          entitlement consultant to underwrite and  
19          understand the ability for us to provide an  
20          enlivened waterfront through a marina. We  
21          hired a surveyor to survey the depths of the  
22          water to make sure that a marina would be

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1 accessible.

2 So we recognize the unique nature  
3 and the prominence of this waterfront property  
4 located at the Frederick Douglass Bridge.  
5 There's only a few prominent sites like this  
6 that are mixed use environments on the water  
7 and sit at a prominent entrance into the city.

8 One such site actually is Washington  
9 Harbour which we have owned and operated now  
10 a little bit over a year. We've repositioned  
11 this property including a new Bellagio-style  
12 fountain, and we introduced an ice skating rink  
13 during the wintertime because we knew that we  
14 needed to enliven and attract more people to  
15 Washington Harbour in order to sustain the  
16 restaurants. We did that all in concert with  
17 the restaurateurs that were there.

18 Although Washington Harbour has an  
19 important and direct access to the waterfront  
20 and the main restaurants are oriented inward  
21 to a lower level plaza, the esplanade on the  
22 waterfront is monotone and fairly uniform and

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1 the boating activity is limited to a direct  
2 mooring at the edge.

3 So after the feedback at sit-down,  
4 we really undertook a deep dive and did our due  
5 diligence, and worked very hard to significantly  
6 amp up the retail, the open space and the  
7 architecture, and we're very proud and excited  
8 with the results.

9 As you can see in this slide, we  
10 really looked at the different places where we  
11 could add retail. And what we were looking for  
12 is creating not only the retail box inside but  
13 expand that to the outside and create a very  
14 unique environment.

15 COMMISSIONER TURNBULL: We're  
16 going to turn the lights out for you. There  
17 are little lights on the tables which you can  
18 turn on.

19 MR. ROTHMEIJER: So as you can see  
20 in this sketch, the red and the yellow are all  
21 the restaurants and different functions that  
22 spill out to sort of the light lime-green color

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1 on the outside.

2 One of the interesting things that  
3 Washington Harbour, as you might know, there's  
4 outdoor bars, there's outdoor seating that  
5 really enhances and attracts the people to that  
6 area. We have that unique environment that we  
7 want to create and want to be able to offer that  
8 to our restaurant clientele.

9 We have had also significant  
10 interaction with the retool of our plans with  
11 Office of Planning, Department of  
12 Transportation, the Riverfront BID and the  
13 community. We are providing an exciting,  
14 unique and iconic environment that we believe  
15 will become DC's premier waterfront destination  
16 dining area. It will therefore be very focused  
17 on dining activity. That is, we believe, the  
18 key to this site in order to populate it and  
19 create the destination.

20 We are providing a multitude of  
21 opportunities to the restaurants to have truly  
22 one-of-a-kind unique waterfront environments.

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1 We're providing expansion of the waterfront  
2 experience, activity and excitement by adding  
3 a marina through which the public can further  
4 engage with the water.

5 We've amped up the architecture as  
6 well, providing edgier design, significantly  
7 more glass and depth to the facades, and  
8 enlivened the ground floor experience.

9 One of the big focus on the street  
10 front restaurants, retail is not only the  
11 promenade, it's the alley, it's Potomac Avenue.

12 So it's all around the site except perhaps for  
13 South Capitol Street.

14 The development will form a hub  
15 between Nat Stadium and the waterfront, and will  
16 form a progression from Yards Park and Diamond  
17 Teague Park, extending the string of high  
18 quality waterfront parks.

19 Again, we're very proud and excited  
20 about this project and we are very focused to  
21 start construction of Phase 1 by the end of 2013.

22 I thank you for the opportunity, and I would

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1 like to ask Don Hoover to present the open space.

2 MR. HOOVER: Good evening, Mr.  
3 Chairman. Good evening, Commissioners. My  
4 name is Don Hoover with Oculus. We're the  
5 landscape architects on the project, and I'm  
6 going to be walking you through the site design  
7 tonight with a focus on the public realm.

8 Much of what you're going to be  
9 seeing is what would be considered Stage 1 PUD.

10 In other words, we're going to be showing you  
11 full build-out. It's how we approach the  
12 project is looking at it holistically, and so  
13 we're wanting to share that with you tonight.

14 Towards the end of the presentation I'll be  
15 focusing in on what will be built, exactly what  
16 will be built in Stage 1.

17 Just a quick review of the context.

18 As you know this is our site here. The existing  
19 pier with the water taxi here, Diamond Teague  
20 Park, the relatively new footbridge, the Yards,  
21 Potomac Avenue, 1st Street and the stadium.

22 Again, just to get oriented, this

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1 is the site plan. This is Potomac Avenue here.  
2 1st Street is on this alignment. A bit of a  
3 gap through the park to allow for the views.  
4 The water taxi location is here.

5 The building program for the site,  
6 residential tower, retail at the base, lobby  
7 at the corner. The second building is a  
8 residential tower, retail at the tip next to  
9 the water, residential lobby at the Potomac  
10 Avenue side.

11 Office building, retail at the  
12 corner, retail here, office lobby located at  
13 this right here. And then the hotel, which is  
14 this building, retail again against the water,  
15 hotel lobby located here.

16 In response to the Zoning  
17 Commission's comments at sit-down we have made  
18 a number of changes of the site design. Perhaps  
19 the biggest move, which Fred already talked  
20 about a bit, is the addition of the marina.  
21 We think this is going to add a lot of activity  
22 to the waterfront. It also serves as a what

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1 I would call an interim terminus to the  
2 waterfront trail system, at least until the  
3 trail system extent is extended to the  
4 southwest.

5 What we've developed in terms of the  
6 open space is a collection of spaces that offer  
7 different experiences, and I'm just going to  
8 walk through the framework of those and then  
9 later on in the presentation we're going to zoom  
10 in on each space to allow you to see what they're  
11 all about.

12 Riverfront Plaza, perhaps the key  
13 open space for the project and an important piece  
14 to the chain of open spaces on the Anacostia  
15 waterfront, is located here. We're introducing  
16 what we're calling the River Garden, which is  
17 located here. Florida Rock Alley, we're  
18 considering that to be a heavily pedestrian  
19 space and amenity space. And then the open park  
20 spaces that come in the future phases.

21 And then of course the main event  
22 is the esplanade. And we've developed the

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1 esplanade to give variety to the waterfront.  
2 Through this zone we've pushed the esplanade  
3 up close to the retail with the intention of  
4 intensifying the pedestrian activity through  
5 that zone, and then as you move to the west it  
6 opens up more at the River Garden where there's  
7 access along the retail as well as along the  
8 water's edge.

9 This is just a quick indication of  
10 what's included in Phase 1, or the Stage 2 PUD,  
11 so everything east of the orange line is Phase  
12 1. And I should point out also, in terms of  
13 open space you can see by this drawing that about  
14 50 percent of the proposed open space will be  
15 constructed in the Phase 1. Fifty percent of  
16 the open space for the entire project, I guess.

17 Site lighting, we viewed that as  
18 important. As Fred said, this is a destination  
19 dining/retail that we're hoping to have where  
20 night lighting is important. We have given it  
21 some thought. Lighting is an important element  
22 in animating the site at night time,

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1 opportunity.

2 A couple diagrams. This one is the  
3 pedestrian circulation diagram. Of course  
4 you've got the esplanade as the main circulation  
5 route as well as circulation to the stadium.  
6 But I think the diagram also illustrates how  
7 porous the site is. There are many ways to get  
8 from Potomac Avenue across the site to the  
9 waterfront.

10 Vehicular circulation. Florida  
11 Rock Alley, which is what we're calling this  
12 space, that is vehicular circulation for the  
13 first two buildings both service and parking.

14 And then the Phase 3 and 4, the office building  
15 and hotel, vehicular circulation comes through  
16 here, and the service and parking access here  
17 with the hotel drop-off and fire access on this  
18 loop.

19 The bike trail, of course that's an  
20 important part to this. The dark red line shows  
21 the main trail, but it's also a split point in  
22 the trail that gives access for a on-street trail

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1 that would take you across the Douglass Bridge.

2 We've worked with DDOT as well in terms of  
3 providing integrating trail markings into the  
4 paving designs and boardwalk designs.

5 As Fred said, destination dining is  
6 the big deal here. I'm going to walk you through  
7 where the restaurant locations are. Each of  
8 these has a unique outdoor experience. They're  
9 all very different.

10 The first restaurant that I'm  
11 showing you is associated with the hotel. It  
12 has an elevated platform that overlooks the  
13 marina. Another dining or restaurant  
14 opportunity at the tip of this building, it would  
15 be heavy advantage of the River Garden as well  
16 as the open spaces in 3 and 4.

17 Another restaurant located here.  
18 Another one at the corner that engages both the  
19 plaza and the esplanade. And then the fifth  
20 restaurant would be at this corner on Potomac  
21 Avenue and the plaza.

22 The Riverfront Plaza is a collection

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1 of subspaces that collectively create a variety  
2 of experiences and places to sit and to rest.

3 The first one that I'm showing you is the bosque  
4 of trees located here. We're proposing that  
5 it have stone dust paving, shaded seating and  
6 string lights in the trees to help animate the  
7 space.

8 Also in the plaza there's a water  
9 feature that's located here. It is just off  
10 alignment with the grand stairs from the  
11 stadium, the south stairs. So when viewing it  
12 from the stadium stairs you'll be seeing it at  
13 an angle something like that.

14 We see this as an interactive  
15 element, an opportunity for kids to engage in  
16 the water. And it's also going to provide  
17 movement and sound to help animate the plaza  
18 space.

19 In addition to traditional park  
20 seating and seating associated with the dining,  
21 we've introduced incidental, what we're calling  
22 incidental seating, stairs that wrap the

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1 fountain podium, a place to hang out. There's  
2 also a wall here, a place to hang out, and a  
3 lawn space for lounging.

4 We believe there's an opportunity  
5 for unique dining experience given that the  
6 plaza is right at the corner here. And what  
7 we're proposing here, the possibility of a  
8 sculptural element that could potentially house  
9 an outdoor bar. We believe this could help  
10 animate the space as well as really provide a  
11 unique dining experience for that corner  
12 restaurant. And this is just an above view of  
13 what that piece might be.

14 This is a section through the  
15 esplanade. The width of the esplanade from the  
16 wall that I'm pointing at to the face of the  
17 building is 36 feet wide. It includes a small  
18 amount of space for busy outdoor dining, the  
19 bike trail. There's also seating elements.  
20 And then between the esplanade and the river  
21 is a biofiltration garden that I'll show you  
22 here in, I think, the next slide.

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1           So the idea for storm water on the  
2 project is to collect all the roof water and  
3 water from pavement, and channel it to two very  
4 large biofiltration gardens. One located here,  
5 and one located here. And the images at the  
6 bottom give you an idea of what that might look  
7 like.

8           This is a view looking west down the  
9 esplanade. The plaza and fountain piece is to  
10 the right, and the biofiltration is shown to  
11 the left.

12           There's also a private courtyard  
13 associated with the first residential building  
14 which is this central courtyard. The buildings  
15 have been gapped to allow for views from the  
16 courtyard out to the water, but it's all just  
17 as important, I think, is the views from the  
18 esplanade, sort of peek-a-boo views into that  
19 courtyard where there will be activities  
20 happening.

21           On the roof, on the top floor will  
22 be a public amenity space for a private amenity

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1 space for the residents of the building. The  
2 second floor of this piece of the building is  
3 an opportunity that perhaps the restaurant that  
4 may occupy the space below could have a roof  
5 terrace restaurant space.

6 Some of the elements that define the  
7 character of the public space, the esplanade  
8 wall, we're seeing that as gabions. We're also  
9 looking to use the recycled concrete blocks from  
10 the Florida Rock concrete plant, paying homage  
11 to the history of the site.

12 There's also materials from the  
13 Yards Park and Diamond Teague Park that will  
14 be carried through this project. We do see our  
15 piece as being something completely different  
16 than the other parks along the river, but there  
17 are threads that we'd like to pull into the park  
18 and some of those are the materiality of the  
19 project. In this case we're showing the wood  
20 planking as well as railings.

21 This is a section through, further  
22 down the esplanade at the River Garden. Again

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1 the main esplanade is up close to the retail.

2 There's a secondary esplanade down at the  
3 water, and in between is an occupiable terraced  
4 garden space. That garden space, we see it as  
5 being both develop a soft scape and a hard scape.

6 We're also including a beach element  
7 to the River Garden similar to the image in the  
8 lower right, and it will also have permanent  
9 lounge seating along this zone similar to what  
10 you're seeing here. And we see this as very  
11 much a fun space for both adults and for kids.

12 And that's just a view looking to the east  
13 through the River Garden.

14 Florida Rock Alley, which is this  
15 space here, we believe that is an important and  
16 could be a very fun space. It is a space that  
17 shares both vehicles and pedestrians. We  
18 developed it as one piece, one visual piece in  
19 terms of paving materials and all the  
20 treatments, but there is a safety zone that's  
21 along the east side so that pedestrians are  
22 protected by bollards and planters. But we

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1 really want that space to feel as one continuous  
2 space and not a broken walkway, similar to the  
3 center image that you see there.

4 To the north, we think that the  
5 Florida Rock Alley will be activated by the two  
6 residential entries which access out onto the  
7 Florida Rock Alley.

8 And then to the south, vehicles  
9 don't go beyond this point so it's all pedestrian  
10 from this point down to the river. And we're  
11 imagining that the dining, the restaurants that  
12 flank this space will spill out into that space  
13 to help activate it.

14 It's also a lighting opportunity.  
15 We're thinking of the wire lighting that was  
16 used, similar to what was used on Half Street,  
17 across the other side of the stadium. And this  
18 is a view from Potomac Avenue down Florida Rock  
19 Alley with the special lighting and the other  
20 treatments.

21 The future phases, we believe that  
22 this space will be developed both as hard scape

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1 and soft scape. In response to the ANC we've  
2 incorporated a sculptural play piece similar  
3 to what you see in the center image. And that's  
4 to be located somewhere in that zone.

5 So this is now showing what we intend  
6 to build in the Phase 1. And I'll zoom in here.

7 So everything from this point to the east is  
8 all permanent, so everything over here is all  
9 permanent construction. Everything to the left  
10 of that line or to the west, these are all interim  
11 uses that we're proposing until that space is  
12 developed.

13 The interim uses include a large  
14 sand space that could be used for sand  
15 volleyball. We're also thinking of  
16 incorporating more of the salvaged concrete  
17 cubes from the Florida Rock plant as interim  
18 seating, and then there's also lawn spaces.

19 MR. RADULESCU: Good evening. My  
20 name is Marius Radulescu, and I will be  
21 presenting the architecture of the Phase 1  
22 building.

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1           The main inspiration for the site  
2 was really the dynamic that this offers in this  
3 environment. On one hand we have the strong  
4 city grade that terminates somehow abruptly into  
5 the riverfront, and on the other hand, we have  
6 the large scale of the stadium. And then also  
7 we have a post-industrial side that you see  
8 reflected in this building.

9           So those were the main elements that  
10 formed, really, the inspiration of the site.  
11 Then of course the river, obvious probably the  
12 main feature that represent its own  
13 opportunities with an openness, unique views  
14 and things like that.

15           These somehow competing elements  
16 led us to our two-step solution to the  
17 architecture. First, we developed a building  
18 that has a U-shape open to the water that allows  
19 that most of the units will have this opportunity  
20 to enjoy the Anacostia riverfront.

21           The second component of our solution  
22 was to develop the building, to develop two

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1 languages for the building. On facing the  
2 esplanade, the south facade and the courtyard  
3 achieve an open, playful, and a feel that is  
4 more relaxed. It has extensive views of grass  
5 like in these examples, and we have also a lot  
6 of balconies. So again, most of the units can  
7 take advantage of the view.

8 On the other hand, the three  
9 remaining facades facing the urban core have  
10 a more grounded and a more structured feel.  
11 We use a lot of masonry units. We also have  
12 a doubling reeding of the glass to recollect  
13 the industrial past of the site. We also have  
14 more articulations in metal detailings and  
15 railings.

16 But beyond integrating to the site,  
17 the role of the building is to create its own  
18 environment, its own set of experiences and to  
19 really become a benchmark for the rest of the  
20 development. The design response to this  
21 opportunity or this context was to develop two  
22 dissimilar architectural elements at the

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1 corner.

2 The first one on the northeast  
3 corner is going to announce the building as one  
4 rounds the corner from the stadium or also comes  
5 from the east from Diamond Teague Park. It  
6 forms the anchor for the whole development and  
7 for the Riverfront Plaza.

8 On the other side, on the northeast,  
9 we have also a stronger element that forms the  
10 entrance of the building, so it keeps the  
11 identity to the building.

12 We also responded to the comments  
13 that the Commission had at the last meeting which  
14 was at the sit-down, so we incorporated a lot  
15 of different elements to boost the design. One  
16 was the integration of more innovative materials  
17 for the folding plane fenestration that  
18 progressively opens towards the corner, a lot  
19 more balconies.

20 What we also did in recognizing the  
21 importance of the detailing is to detach the  
22 masonry masses from the retail so create a buffer

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1 zone in each detail that this can provide.

2 Those are some of the architectural  
3 elements that we incorporated since the last  
4 time. We have more brick accents, again a lot  
5 of fenestrations and more balconies towards the  
6 corner, and on the south facade we improved the  
7 number of balconies.

8 One distinguishable feature of the  
9 site is the visibility that it offers from the  
10 other side both from the Anacostia Park, but  
11 most importantly from the southern approach to  
12 downtown from the Frederick Douglass Bridge.

13 The architectural elements facing  
14 this site are larger in scale, bolder in texture  
15 and they set the building apart from the more,  
16 tonality which Washington has. And the  
17 experience from the bridge and from the incoming  
18 watercraft will be that of a gateway into a new,  
19 energized neighborhood.

20 And with that I will --

21 (Off microphone comments)

22 MR. SCHIESEL: Good evening,

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1 Commissioners. My name is Rob Schiesel. I'm  
2 a project manager for Gorove/Slade Associates,  
3 and I'm going to let most of our transportation  
4 analyses and conclusions rest on the record.  
5 I'm just going to provide a quick summary of  
6 our findings. I don't have any slides, if you  
7 want to turn on the lights.

8 Our main task on this project was  
9 to determine if the proposed development would  
10 generate any detrimental impacts on the  
11 transportation network. The transportation  
12 impact study we submitted contains the results  
13 of that task. There was a scope of DDOT to  
14 ensure the information and analysis they used  
15 for their review were incorporated.

16 And in summary, that study found  
17 that Phase 1 will not have any detrimental  
18 impacts to the surrounding transportation  
19 roadway network. Phase 1 is predicted to have  
20 a relatively low vehicular trip generation, and  
21 those trips can be easily accommodated on the  
22 surrounding roadway network.

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1           The study also came to the  
2 conclusion that the later phases of the project,  
3 Phases 2, 3 and 4, do have the potential to have  
4 impact, especially at one intersection during  
5 one of the times we examined.

6           We recommend that this be reexamined  
7 at their Stage 2 submittals for those buildings  
8 when final programs and more details can be known  
9 at that time. The DDOT staff report generally  
10 agreed with these conclusions.

11           Regarding the proposed parking  
12 supply, our report concluded that the supply  
13 proposed in the PUD strikes the balance between  
14 making the site viable while not promoting  
15 driving as a mode of transportation.

16           Although we understand DDOT's  
17 request, as they mentioned in their staff  
18 report, for fewer spaces because it is their  
19 goal to minimize new parking supply, we believe  
20 that the amount of spaces suggested doesn't  
21 strike as well of a balance as what's proposed  
22 in the PUD.

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1           To put this in context, if this  
2 project was being proposed in a suburban area  
3 and we compared the parking with this project,  
4 the entire PUD has around 44 percent of the  
5 supply that you would expect the demand would  
6 be if it were to be a suburban development.

7           We think this shows that the  
8 planning of this site is not dependent on  
9 vehicular driving modes and really is trying  
10 to strike that balance. We also note, and  
11 Allison said that since the report was sent to  
12 DDOT, the applicant has reduced the amount of  
13 parking by over 100 spaces.

14           That said, similar to the way we  
15 concluded that potential impacts of later phases  
16 could be reexamined, we also recommended the  
17 amount of parking in later phases be reexamined  
18 at the time of their Stage 2.

19           In order to facilitate this, we have  
20 proposed a monitoring plan for Phase 1 to monitor  
21 site generated trips and parking demand.  
22 That's discussed in our report. This

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1 information that's collected helps provide  
2 inputs to any future analysis on its Stage 2  
3 time. It also provides data to help tailor the  
4 design of the future garages to see how the Phase  
5 1 restaurants and other retail and residents,  
6 how their operations and parking are working,  
7 greatly informs how the rest of the phases can  
8 operate, what type of sharing opportunities are  
9 available and can tailor those sites.

10 This monitoring plan will help  
11 determine the success of the TDM program, the  
12 transportation demand management, specifically  
13 how effective all those measures are at  
14 encouraging and reducing the use of vehicular  
15 modes and encouraging non-vehicular modes of  
16 travel.

17 The proposed TDM plan is consistent  
18 with the DDOT guidelines for TDM plans, and it  
19 contains numerous measures which are listed in  
20 the report, but include bicycle parking in all  
21 the buildings and the garages, on the  
22 streetscape.

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1           Showers and lockers for commuters  
2           in all the commercial buildings, the unbundling  
3           of parking costs from leases and costs of  
4           purchases, setting prices to market rates for  
5           the parking, a car sharing program subsidy for  
6           residents, and the provision of a TDM  
7           coordinator to coordinate the elements of the  
8           TDM plan including the marketing and the  
9           monitoring. There's other measures detailed  
10          in the report but those are the key ones.

11                 If the monitoring finds that these  
12          trip generation goals are not being met, the  
13          applicant will incorporate additional measures.

14          A DDOT staff letter requested two measures,  
15          suggested two to be incorporated, and our  
16          recommendation is that these measures be  
17          included dependent on the monitoring results  
18          and how things are going after Phase 1 is  
19          complete.

20                 In conclusion, Phase 1 of the  
21          proposed development will not have a detrimental  
22          impact on the surrounding transportation ethic.

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1           A TDM plan combined with a  
2 performance monitoring program can ensure that  
3 Phase 1 meets or exceeds its targeted trip  
4 generation goals, and the monitoring can also  
5 help provide significant input into the design  
6 of later phases and help keep their impacts to  
7 a minimum.

8           Thank you for your time, and I'm  
9 available for questions.

10           MS. PRINCE: That completes our  
11 testimony.

12           CHAIRMAN HOOD: Okay. I want to  
13 thank you all for doing that in less than 45  
14 minutes. I greatly appreciate it.

15           Commissioners, do we have any  
16 questions or thoughts?

17           Commissioner Turnbull?

18           COMMISSIONER TURNBULL: Thank you,  
19 Mr. Chair. I want to thank you for your  
20 presentation. It's remarkably different than  
21 your presentation at sit-down.

22           I thank you for getting rid of the

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1 three red doors on Potomac Avenue. I didn't  
2 mean to make that much of a joke about it, but  
3 it was really irritating to see that. From an  
4 urban planning standpoint I thought it was just  
5 dumb.

6 But I'm glad to see there's been  
7 tremendous movement on this project, and I think  
8 the building, I think it's made great inroads  
9 into some of the ideas that I think that we were  
10 looking at, and I think it makes a big  
11 difference. So I want to congratulate you on  
12 that.

13 There's some still some issues. I  
14 think, and I guess if we're just looking at Phase  
15 1, I mean there are issues with 2 through 4,  
16 I think those buildings are going to need work.

17 There's issues with the way they are and the  
18 way they look, but I know they're just cartoons  
19 or block diagrams. But I think you're going  
20 to need some fine tuning as you go forward just  
21 like you did on this one.

22 I think DDOT made, and we can get

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1 into those later, there's whole issues in there,  
2 and I think you're going to have to address with  
3 2 through 4 with property, their concerns on  
4 that. There's the issue with the marina. We  
5 went through that on the southwest waterfront  
6 project with Hoffman-Struver. The Army Corps  
7 of Engineers' have got to get involved. You've  
8 got to get that whole thing resolved. So  
9 there's a whole issue.

10 I'm assuming that's going to be,  
11 it's private/public, but it looks like what  
12 you're showing is public access to most of those  
13 piers. I couldn't really tell, but it looks  
14 like you had people wanting to go out there so  
15 I'm assuming you're going to invite people out  
16 to at least most of that.

17 I guess I like the, I guess, getting  
18 onto the building, the waterfront aspect, I  
19 think, is okay. I think one of the pictures  
20 looks a little bluish, but I think it's brick.

21 It reads as brick on the other ones, but it  
22 looked like blue siding on the one shot. But

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1 I think that's just the color aspect of that  
2 one slide. But understanding that it's brick  
3 on those panels, which I think is fine.

4 I do have a problem with Potomac  
5 Avenue. I do have a problem with the penthouse  
6 and the aspect up on, primarily on the western  
7 edge. I think it's big. I think it's heavy.

8 I think it imposes a little bit too much on  
9 Potomac Avenue. I think you need to do a little  
10 bit more work. I'd like to somehow see that  
11 pulled back.

12 And upon the other end, on the  
13 eastern end, if you're trying to mirror  
14 something on the ballpark, I don't think it  
15 works. I think you really need to take a better  
16 look at the top of part of the building and make  
17 it work a little bit better.

18 Other than that I can live with most  
19 of the other issues. My colleagues might have  
20 some issues on that but I think I can, and I  
21 just think that the top part needs work.

22 I think the penthouse, especially at the

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1 western end, I don't like it intrusive that much  
2 on Potomac Avenue. I think it's too close to  
3 this alley that you've got down there. I see  
4 people, and then it just looks very heavy up  
5 on top.

6 And I'd like to see a better roof  
7 plan. I'm not sure if it's a green roof or  
8 it's a white roof, or whatever's happening, but  
9 I'd like to see a better detail of what's  
10 happening on the roof.

11 I understand you want amenities by  
12 the pool and people can access that. It's a  
13 residential building. I can appreciate that  
14 but I'd like to see a little more of what you're  
15 doing up on that roof.

16 You want relief for this, a low wall  
17 which, I think, I don't know whether it's an  
18 HVAC farm up there or whatever, but I don't have  
19 a good picture of what that looks like. And  
20 before I could go ahead and say, yes, do it,  
21 I think we really need to see what that looks  
22 like.

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1 Right now you've got, and I guess  
2 I like the idea of the retail. I'm not really  
3 sure. You've got the lobby there and then  
4 you've got another store. Let me go to your  
5 slide. Service general merchandise next to the  
6 residential, I'm not sure what that would be.  
7 I mean that's your call, but it's not an  
8 amenity, it's not a gym or anything? It's going  
9 to be a store of some sort?

10 MR. ROTHMEIJER: Correct. That's  
11 the intent, yes. We just thought that if we  
12 can attract four to five restaurants overall  
13 on the site then that would form a great base,  
14 and then you have other, you know, facilities  
15 next to it.

16 COMMISSIONER TURNBULL: Okay. The  
17 park next to it with the possible sculptural  
18 building, I think, is an interesting idea in  
19 making it a bar. Would that be owned by one  
20 of the restaurants?

21 MR. ROTHMEIJER: Correct. What we  
22 intend to do is create outdoor opportunities

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1 that are unique. One of these things is this  
2 sculpture element that would be an outdoor bar  
3 where people could eat and drink.

4 I think Washington Harbour is sort  
5 of an example of that although the bars there  
6 are very mundane. Those will actually be  
7 replaced. We have brand-new bars coming pretty  
8 soon that will be much more elegant and exciting.

9 COMMISSIONER TURNBULL: Okay.

10 MR. ROTHMEIJER: Here we would like  
11 to even further that image of something what  
12 we thought of early on was, you know, can we  
13 create sort of the bullpen iconic element.  
14 That's where it sort of started, and with the  
15 bullpen in terms of its cachet we didn't think  
16 would fit here so we're looking for a much higher  
17 end type environment here.

18 COMMISSIONER TURNBULL: But you  
19 would service this bar from what we see, the  
20 restaurant?

21 MR. ROTHMEIJER: Correct. It  
22 would be attached, it would be controlled by

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1 the restaurant.

2 COMMISSIONER TURNBULL: No service  
3 vehicle out here then because it's all  
4 pedestrian oriented?

5 MR. ROTHMEIJER: Correct.

6 COMMISSIONER TURNBULL: Okay. I  
7 wish I had, and one of the things is lighting.  
8 You mentioned lighting, you talked about it.  
9 I wish we had some pictures of the lighting,  
10 something that would show us what you're  
11 downlighting. You're going for LEED.  
12 Although you're only going for LEED certified  
13 right now, but by the looks of it you're just  
14 cutting it even here. It would be nice to go  
15 a little bit more.

16 But I'd like to see something more,  
17 and one of my colleagues may talk about that.

18 But I'd like to see something on the lighting,  
19 the downlighting.

20 We had a big issue with Southwest  
21 Waterfront. We honed in on their lighting and  
22 they had the same issues as a destination, and

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1 of course they had it before the Commission of  
2 Fine Arts, and we finally got a lighting, which  
3 I think was good. And I'd like to see something  
4 what's happening here.

5 I think your intent, the way you're  
6 looking at is okay, but I'd like to see some  
7 samples of, you're probably going to have the  
8 Washington singles out on the street, I'm  
9 assuming, or the twins or whatever. But  
10 whatever you're going to put along by the harbor,  
11 I'd like to see some idea of what your intent,  
12 just the character you're looking at just to  
13 get a better feel for that.

14 You talked about seating and the  
15 rail. I got a basic picture of the railing.  
16 I'm not really sure what you really want there.

17 If you could have a better detail on how people  
18 are going to come up and look at that, at the  
19 railing.

20 What happens at the waterfront edge?  
21 I'd like to really see a better picture of what  
22 happens there. If the waterfront actually had

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1 something you could sit on or something. But  
2 it's different. You had a different character  
3 here. You're going for something different.  
4 So I mean, but I'd like to see a little bit of  
5 what's happening.

6 The idea of the -- let me jump over  
7 to the alley. Pedestrians and cars. We had  
8 the same things at Waterfront. We had issues.

9 I'd like to, I think we'd like to see some  
10 details with the bollard. They had issues there  
11 where they were trying to put something with  
12 the stonework to separate to give a definition  
13 of where's traffic and where's pedestrians.

14 If we could have a clearer idea of  
15 what you're trying to do with the roadway there,  
16 because you're going to have delivery trucks  
17 coming in and we're worried about safety,  
18 pedestrians, people coming in. If we could get  
19 a little bit better definition of what's  
20 happening at the pavement area, I think it would  
21 be good for us to see that.

22 You're not timing me, but I'll try

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1 to --

2 CHAIRMAN HOOD: Trying to take  
3 Peter's place?

4 COMMISSIONER TURNBULL: Yes, I  
5 don't want to do that.

6 CHAIRMAN HOOD: I didn't mean to say  
7 that because he may read the record.

8 COMMISSIONER TURNBULL: Well, if  
9 Peter was here he'd be salivating at the thought  
10 of having volleyball in the sand, okay. I'm  
11 sure he will enjoy that.

12 Oh, there was one thing, and I'm not  
13 sure if it was on this building, I think it is.

14 There was a question about signage and  
15 graphics, and we went through that with the  
16 Southwest Waterfront too about having too big  
17 of signs, too glaring and just having something  
18 very simple.

19 But's it's a destination. You're  
20 going to make it there. And I guess there was  
21 a question, I saw one of the elevations had a  
22 big, big sign, Riverfront, or something. I

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1 don't know if we're going to want to see big  
2 signs like that on the buildings.

3 Schedule for the other phases,  
4 you're going to start this in 2013, the others  
5 are how far out?

6 MR. ROTHMEIJER: Obviously it  
7 depends on the economy.

8 COMMISSIONER TURNBULL: Right.

9 MR. ROTHMEIJER: So as it is now and  
10 as it chugs along our plan is to start  
11 construction on this first phase in the fourth  
12 quarter of 2013, and we're stepping on the gas  
13 the moment that we get this.

14 The follow-up phase would then also  
15 be residential, so we need to have enough  
16 absorption on this phase to not cannibalize it,  
17 but we think it will trail probably about a year  
18 after we start construction.

19 COMMISSIONER TURNBULL: So the next  
20 building would be the residential building next  
21 door.

22 MR. ROTHMEIJER: Phase 2, yes.

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1 Correct.

2 COMMISSIONER TURNBULL: Now you're  
3 not looking to build any of the underground for  
4 that building now. It's to be totally separate  
5 to be done at that time?

6 MR. ROTHMEIJER: One of the things  
7 that we were very definite about is to make sure  
8 that phases could really be phased and that  
9 nothing was needed to be dragged into Phase 1  
10 and paid for in Phase 1 for future phases.

11 So we really studied the segregation  
12 of phases. Because one of the things that we  
13 had a hard time with on the Washington Gateway  
14 PUD that we broke ground on by the way last week,  
15 was where Phase 2 and 3 garage needed to be built  
16 with Phase 1. So we learned our lesson there.

17 COMMISSIONER TURNBULL: Okay. I  
18 guess one of the things that that DDOT had and  
19 they're very -- I mean I'll only ask two more  
20 questions and then I'll relinquish my time.

21 DDOT had concerns about the parking.  
22 They talked about the amount, and Mr. Schiesel

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1 mentioned how you're going to be reducing it  
2 by 100. They'll probably still have some more  
3 issues, but they talked about, worry about how  
4 if you would possibly lease additional spaces  
5 to the ballpark.

6 And they're very concerned that  
7 that's a whole separate issue, and I think they  
8 were looking that the parking would be site  
9 destination only. Any thoughts on where you're  
10 going on that?

11 MR. ROTHMEIJER: Yes. We are not  
12 intending to vend spaces to any baseball related  
13 activities. If you look at the number of units  
14 that we have, and then the number of spaces in  
15 Phase 1, we're basically parking the residential  
16 at 0.6.

17 The rest of the spaces really are  
18 required for the restaurant. One of the things  
19 here is that we really need to kickstart this  
20 destination dining, and it's our experience that  
21 we need to entice restaurateurs and give them  
22 the viability to succeed here.

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1           So like Mr. Schiesel said, we can  
2 reevaluate and really tighten up things in  
3 phases forward, but we cannot afford missing,  
4 under parking the restaurants in Phase 1.

5           COMMISSIONER TURNBULL: One of the  
6 things you talked about, Mr. Schiesel, was  
7 monitoring. And I think there was a little bit  
8 of difference between, I don't know whether you  
9 were asking to monitor after two years. There  
10 was question.

11           DDOT's looking for a more robust  
12 monitoring, at least every year and possibly  
13 even more in the beginning to get a better feel  
14 for that. So I'm not sure what you had down,  
15 but I think I've read somewhere that I think  
16 where it was going to be in two years.

17           But I think DDOT's looking at you're going  
18 to have to do it in the first year. I mean the  
19 first one year after start, I guess, of opening,  
20 I guess.

21           MR. SCHIESEL: Yes, the exact  
22 details of the monitoring plan will probably

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1 be worked out around permit time as per what  
2 DDOT discussed in their report.

3 Our general feeling is that what  
4 DDOT outlines in their staff report is somewhat  
5 acceptable. I mean they, it would just be more  
6 tailored toward Phase 1 because it does discuss  
7 things like, you know, of the office building  
8 for the Nationals Park parking, which is Phase  
9 3.

10 And we also recommend, and we'll  
11 discuss this with DDOT, they recommend three  
12 reports.

13 COMMISSIONER TURNBULL: Okay.

14 MR. SCHIESEL: We would recommend  
15 that if monitoring is met and goals are being  
16 achieved that the monitoring ceases, just to  
17 provide another reason for the applicant to  
18 strive to meet those goals the first time around  
19 or the second, you know, if they failed to meet  
20 it.

21 COMMISSIONER TURNBULL: Okay. I  
22 think I'll follow Mr. Henson's lead on what he

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1 recommends.

2 One last question on the curb cuts.

3 You've got two curb cuts. The curb cut for  
4 the temporary use is roughly in the same area  
5 where the permanent curb cut will be. And it's  
6 my understanding it looks like it is.

7 MR. SCHIESEL: Yes, that's my  
8 understanding.

9 COMMISSIONER TURNBULL: Fine,  
10 okay. And I'd like to get a better idea of  
11 lighting for that temporary use too. That  
12 covers that whole area there.

13 And there are, I think, either two  
14 or three curb cuts on the other side of the street  
15 by Nationals Park. I don't know if you  
16 addressed that in your traffic study or, there  
17 is that parking lot which we didn't agree to  
18 up here.

19 But there was a curb cut there, and  
20 then I think there's another two curb cuts there,  
21 one or two curb cuts.

22 MR. SCHIESEL: I know there's

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1 service docks, I believe, and the parking lot  
2 access.

3 COMMISSIONER TURNBULL: Right. I  
4 don't know if you included any overall analysis  
5 on how that affects your entering and leaving  
6 and the impact of, there's not a lot of cars  
7 there. I'm just --

8 MR. SCHIESEL: I'm recalling what  
9 our maneuvering diagram looks like and the car  
10 entry and exits, and I think Potomac Avenue is  
11 wide enough that the other side of the street  
12 doesn't come into play.

13 COMMISSIONER TURNBULL: Okay.

14 MR. SCHIESEL: And as far as any  
15 traffic right there, that's included in our  
16 inherent counts of traffic, any activity. So  
17 I would, yes, those are considered in the study.

18 COMMISSIONER TURNBULL: All right,  
19 thank you.

20 CHAIRMAN HOOD: Mr. Turnbull, I  
21 don't want you to feel rushed or anything, but  
22 do you have any more questions?

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1                   COMMISSIONER   TURNBULL:        I'll  
2 review my notes. Thank you.

3                   CHAIRMAN HOOD: All right. Vice  
4 Chair?

5                   VICE CHAIR COHEN: Thank you, Mr.  
6 Chairman. There are many comments that I would  
7 echo of my colleague, Commissioner Turnbull.  
8 But I have some other questions of my own.

9                   The brick colors on the view from  
10 the stadium, are they two different bricks, one  
11 on the stadium side and the other facing the  
12 park, are those two different color bricks that  
13 you're planning to use? Looks like yellow and  
14 then a reddish brick.

15                  CHAIRMAN HOOD: You're going to  
16 need to be on a microphone. I don't know if  
17 we have the handheld. We have the handheld.

18                  MR. RADULESCU: On three facades we  
19 have mainly this brick range, but we also have  
20 accent brick. Probably in this detail you can  
21 see the main field, which is going to be again  
22 this range, and the accents that are going to

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1 be in that range.

2 So that brick selection is going to  
3 occur on three facades, on west, north and east.

4 The south facade doesn't have brick. It has  
5 a plain that is actually a composite panel.  
6 So the brick feel of heaviness, the structure,  
7 the groundness happens on the city side on the  
8 urban core, while on the water view we have  
9 lighter materials.

10 VICE CHAIR COHEN: Thanks. Again  
11 I would just like to touch on the LEED  
12 certification. I strongly suggest again using  
13 the roof as a possibility added points. There's  
14 a lot of walkway up there that may not be  
15 necessary and that you could add and make it  
16 more of a green roof. So I would look into that.

17 Question on the issues with regard  
18 to the possible flood plain issues that were  
19 put forward by, I guess, the Department of  
20 Environment, and you certainly experienced it  
21 down by the Washington Waterfront.

22 Can you explain more of what you're

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1 attempting to do to avoid those problems at the  
2 Washington Waterfront?

3 MR. ROTHMEIJER: We have been  
4 working with DDOE on the remapping, really.  
5 If you look at where the 100-year flood plain  
6 is, it's mapped over the site, but because of  
7 the new bulkhead the site actually sits over  
8 the 100-year flood plain. So any entrance to  
9 the garages to the main lobbies are a couple  
10 of feet above that 100-year flood plain.

11 We do have garages that are in ground  
12 water, if you will, but that is all over the  
13 city. So we do not have the same sort of a low  
14 position that Washington Harbour has that  
15 basically was pushed down sort of under the water  
16 level.

17 VICE CHAIR COHEN: Can you be a  
18 little bit more precise when you say a couple  
19 of feet above?

20 MR. ROTHMEIJER: I believe it's two  
21 or three feet.

22 VICE CHAIR COHEN: Okay, it is a

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1 couple. Thank you. On the issue of housing,  
2 you're meeting the minimum inclusionary zoning  
3 requirement, is that correct? Eight percent?

4 MR. ROTHMEIJER: Correct.

5 VICE CHAIR COHEN: Well, my concern  
6 is our area median income is \$107,500, so 80  
7 percent of that is \$80,000. And a number of  
8 your efficiencies are designated for affordable  
9 housing, and they happen to be sitting near the  
10 elevators I noticed.

11 But in any event, have you done any  
12 studies as to the attractiveness of an  
13 efficiency apartment in this market when there's  
14 many other choices? I imagine that there are  
15 premiums just to live in that neighborhood now,  
16 but can you describe why you are putting  
17 efficiencies in your project?

18 MR. ROTHMEIJER: What we're seeing  
19 is that there is a very high demand for, in the  
20 younger generation to live in more compact  
21 units. They're trendier. The younger  
22 generation doesn't use computers anymore. They

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1 use iPhones and other electronic devices.

2 So what we have seen is a huge trend  
3 towards the smaller units and we're actually  
4 looking into, not in this project but further  
5 downtown, doing microunits that are 400 square  
6 feet, 450.

7 So we feel that we are a little  
8 bigger than where the trend is heading now in  
9 terms of square footage, but the typical square  
10 feet that you had before, you know, eight years,  
11 maybe, back, now has come down significantly,  
12 and that's really where people want to be. And  
13 that's sort of how the units want to function.

14 VICE CHAIR COHEN: So your  
15 experience yet is not proven, it's just based  
16 on your real estate intuition, is that what I'm  
17 getting to?

18 MR. ROTHMEIJER: We, as you might  
19 have heard from my statement we do our due  
20 diligence very well. We don't just design, we  
21 go out and talk to all the market sources that  
22 we have, the Kettlers, the Bozzutos, the

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1 Mayhoods, the McWilliams-Ballards of the world,  
2 both in the apartment side and the condo side.

3 And from all those parties you basically hear  
4 the same. So that's what we're in sync with.

5 We also hired another consultant  
6 that did a full market report for us, Noel  
7 Consulting, and they did a deep dive on who are  
8 market competitor is, what they're delivering  
9 and where the trends and the demand really is.

10 So based from that full report and  
11 further talking to other market parties that  
12 rent apartments every day, we have assessed what  
13 we need to provide here.

14 VICE CHAIR COHEN: Can you submit  
15 that for the record?

16 MS. PRINCE: Sure we can. I would  
17 also add, this is very strong trend. I'm seeing  
18 a reduction in the average unit side across the  
19 board.

20 When I first started practicing, all  
21 I heard about was two-bedroom apartments. But  
22 that was back in the days when 20-somethings

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1 shared apartments. They don't share apartments  
2 anymore, they all want their own place.

3 And they don't care about size  
4 anymore, they care about the cost. So if it  
5 means a tiny unit to share their own place that's  
6 what they'll do. We see it over and over in  
7 really virtually all of the projects we're  
8 working on.

9 On the affordable units, I want to  
10 note that we do reflect the exact mix that's  
11 in the project because that's what we're  
12 required to do and that's what we've done.

13 VICE CHAIR COHEN: Right. And I  
14 noted that in your submission.

15 MR. ROTHMEIJER: I would add one  
16 thing. If you currently look at the Archstone  
17 Project in NoMa, they erred sort of with the  
18 two-bedroom where they thought that youngsters  
19 would sort of room together.

20 And all the smaller units are all  
21 leased up, and I think they had a lease tempo  
22 over 50 a month, which is very significant and

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1 very impressive. And they will be stuck with  
2 two-bedroom units.

3 VICE CHAIR COHEN: Maybe they can  
4 make them inclusionaries on it.

5 I would like to see a layout of where  
6 like, since you're having a lot of restaurants,  
7 you know, where the trash collection will be.

8 Do you have any of those maps to show us? You  
9 may have submitted it and I just didn't see it.

10 MR. ROTHMEIJER: We can provide you  
11 how that works, yes.

12 VICE CHAIR COHEN: And then also  
13 deliveries. I didn't notice any mapping of that  
14 as well. You're still asking for a variance  
15 against the 55-foot.

16 MS. PRINCE: That really relates  
17 more to residential move-ins.

18 VICE CHAIR COHEN: Yes.

19 MS. PRINCE: You know, and we know  
20 there's that trend away from the 55-foot berth  
21 for apartment houses with more than 50 units,  
22 because with the smaller units you don't need

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1 big moving vans.

2 VICE CHAIR COHEN: This is true.

3 MS. PRINCE: Yes.

4 VICE CHAIR COHEN: Have you begun  
5 talking to the Army Corps of Engineers on the  
6 plans that you're proposing to undertake?

7 MR. ROTHMEIJER: We hired a  
8 consultant that not only designs marina but  
9 entitles them. As you might recall, there's  
10 also a pier that is currently out that we can  
11 actually restore today if we wanted to.

12 And based on their experience and  
13 based on the pier that is already out there,  
14 and then the pier where the commercial boating  
15 comes out, the consultant believed that there  
16 should not be any issue for the Corps of  
17 Engineers to get this marina built.

18 VICE CHAIR COHEN: I think that  
19 would be a timing issue. I think they work  
20 slowly.

21 Mr. Chairman, I think that's my  
22 questions, but I may have to come back after

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1 I look at my notes.

2 CHAIRMAN HOOD: Okay, thank you.

3 Mr. Turnbull, do you have a follow-up?

4 COMMISSIONER TURNBULL: Yes, I do.

5 Thank you. I just had one thing, and it  
6 probably, maybe it doesn't pertain, but on the  
7 Southwest Waterfront they actually had to go  
8 to Congress. They did it because they were  
9 narrowing the channel.

10 So I don't know if you're, if you're  
11 not narrowing the channel or the waterway you  
12 might be right in what you say.

13 MR. ROTHMEIJER: We're outside of  
14 the channel, and that's one of the reasons why  
15 our consultant believes that obtaining the  
16 permit will not be an issue. I do agree that  
17 it will take time, but I think we have time to  
18 get there and we'll make sure it does.

19 COMMISSIONER TURNBULL: Okay. The  
20 only other, and I blew right back when, on the  
21 waterfront site with the paneling system, it  
22 looks very thin like you're trying to match a

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1 brick coursing on there. I mean sort of show,  
2 I see a horizontal banding system.

3 MR. RADULESCU: Yes. We intend to  
4 have a texture and that's illustrated in the  
5 panel. So if we choose something with a texture  
6 you need less line. If it's something that is  
7 more plain you need more line to compensate.  
8 So that's why we rendered it with a finer grain,  
9 because it's hard to get actually those real  
10 materials into the rendering, but for something  
11 that is more unique.

12 COMMISSIONER TURNBULL: On that  
13 typical elevation, I mean this rendering here,  
14 there's definitely a linear aspect to it.

15 MR. RADULESCU: Yes, there is. In  
16 the rendering there is a linear --

17 COMMISSIONER TURNBULL: I mean is  
18 this metal panel, I guess, like four to five  
19 inches high then, or how wide are these panels?

20 MR. RADULESCU: The panels are  
21 wide, but inside the panel there is a texture.

22 So the panels are sometimes, well, depends,

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1 12, 16, sometimes 2 foot.

2 COMMISSIONER TURNBULL: And then  
3 there's lines?

4 MR. RADULESCU: There is texture in  
5 the panel.

6 COMMISSIONER TURNBULL: Oh, okay.

7 MR. RADULESCU: So this is what  
8 we're trying to represent, a texture, without  
9 actually defining the joints between the panels.

10 COMMISSIONER TURNBULL: Okay, can  
11 you give us a drawing, something that would show  
12 that, maybe on an elevation or something?

13 MR. RADULESCU: The joinery?

14 COMMISSIONER TURNBULL: Yes, just  
15 so I know how that works. Okay, thank you.

16 CHAIRMAN HOOD: Thank you. Could  
17 we put up a rendering that shows in the first  
18 phase, if I'm moving to residential I want to  
19 know what that experience is going to be as far  
20 as, what would I be looking at if I purchase  
21 a residential unit in that building? What would  
22 I be looking at?

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1           And let me just say, the unit mix  
2           is okay. I know that one of my former colleagues  
3           really pushed for the retail, and I really like  
4           the residential, but we're not going to play  
5           ping pong.

6           But I'm just curious, what am I going  
7           to experience if I purchase one of those  
8           residential units?

9           MR. RADULESCU: I'm sorry. I don't  
10          understand the question. What is the  
11          experience from the inside of the unit?

12          CHAIRMAN HOOD: From the outside.  
13          Most people buy views, I mean honestly, most  
14          people buy views. So what is going to be my  
15          experience around that residential building?

16          MR. RADULESCU: The only  
17          illustration that we have is actually on the  
18          precedence?

19          CHAIRMAN HOOD: I actually saw two  
20          but I turned away from it. I figured you'd be  
21          able to get to it faster than I could go back.

22          MR. RADULESCU: So the intention

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1 was to have something like that. And from east,  
2 west and from south and the entire courtyard  
3 --

4 CHAIRMAN HOOD: Hold on, let's go  
5 to a better view that I can correlate to. On  
6 your submission dated --

7 MR. RADULESCU: April --

8 CHAIRMAN HOOD: -- April 30th, 023  
9 rendering. Do you have it? And I guess I'm  
10 just trying to picture, what am I going to look  
11 at? From the view you show me there's nothing  
12 there. It doesn't show me anything. Am I going  
13 to be able to see the water, or what is going  
14 to be my view?

15 MR. ROTHMEIJER: Let me try to  
16 answer, if I understand you correctly. I think  
17 if you're in a unit that is on the east side  
18 of this project, you overlook this big plaza  
19 and you will have views towards Yards Park and  
20 you'll see the Navy Yard.

21 On the south side facing the  
22 esplanade you basically look over the Anacostia

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1 River and see the other side. If you have a  
2 unit on the inside of the U, you'll have jagged  
3 balconies. And we did that to optimize views.

4 So instead of having straight walls that you  
5 typically see, we optimized those views to the  
6 water.

7 On the north side and Potomac  
8 Avenue, you will have an abundant amount of light  
9 and air that is not typical for an urban location  
10 like this. But, you know, you have the very  
11 wide Potomac Avenue and you have a building,  
12 or a stadium across the street that's actually  
13 set back quite nicely and has great  
14 fenestration.

15 On the west side, for as long as  
16 Phase 2 is not yet under construction or  
17 constructed, you basically look towards Buzzard  
18 Point.

19 CHAIRMAN HOOD: Okay, let's go  
20 back. I think I asked this question previously.

21 On the, I guess this is the north side facing  
22 the Potomac Avenue side, will I be able to see

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1 over into the stadium? Okay, it's not like  
2 Camden Yards, okay.

3 Now on the east side, the  
4 residential that's in front of that building  
5 going towards the east, what's the height of  
6 that retail that's in front? Is it very low?  
7 Because I missed that.

8 MR. ROTHMEIJER: Is that the  
9 sculptural bar?

10 CHAIRMAN HOOD: Yes, going towards  
11 the plaza, right, going towards the plaza, the  
12 outdoor retail area.

13 MR. ROTHMEIJER: It's basically  
14 open space where you have outdoor dining. So  
15 you have tables and chairs, and then you have  
16 the sort of sculptural bar which is no higher  
17 than, you know, probably 18 feet or so. So it's  
18 not going to impede any views with the  
19 residential.

20 CHAIRMAN HOOD: I'm asking my, I can  
21 talk to them a little clearer. Not clearer,  
22 because I thought I was clear to begin with.

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1 They're actually trying to help you.

2 MR. ROTHMEIJER: Is it inside of the  
3 U where you have the peek-a-boo view into the  
4 courtyard? That's basically a one-story  
5 element. So the building has a U-shape, but  
6 it's sort of on the ground plain itself or on  
7 the ground floor, the retail extends and then  
8 is broken.

9 CHAIRMAN HOOD: What is the height  
10 of that U? What is the height?

11 MR. ROTHMEIJER: I think it's about  
12 18 feet or so.

13 CHAIRMAN HOOD: Okay, that's all I  
14 needed to know. I just wanted to know, if I  
15 was going to purchase this would my view be  
16 blocked? That was it.

17 MR. ROTHMEIJER: No, because the  
18 apartments will basically be --

19 CHAIRMAN HOOD: Way up, okay.

20 MR. ROTHMEIJER: -- up there.

21 CHAIRMAN HOOD: The other thing is,  
22 I'm not going to be redundant. I share a lot

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1 of, not as many, but one of my colleagues  
2 mentioned about the pedestrian and the vehicles,  
3 and I'm going to throw bikes in there on the  
4 Florida Rock Alley.

5 That has been a major issue, even  
6 to the point that I think in another hearing,  
7 I think I mentioned the bicycles and the  
8 pedestrians. That's been, bicycles are first  
9 here in the city and we really need to make those,  
10 even though there's always been concern of  
11 vehicles and pedestrians.

12 Now I think it's grown to bicycles  
13 and pedestrians, because at the end of the day  
14 like I've said before, and I got in trouble  
15 yesterday where I was speaking and I mentioned  
16 that all the times some of the people are riding  
17 bikes now, as we get older we're not going to  
18 be riding bikes, so we need to balance that whole  
19 situation. But I'm concerned about the mix there  
20 and the traffic, so hopefully we can revisit  
21 that as my colleague has already mentioned.

22 Mr. Schiesel, you know, for some

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1 reason when I read a traffic report the first  
2 thing I look at is age, but I'm not going to  
3 go down that road either because I'm not going  
4 to just be redundant.

5 You mentioned Stage 1 of this, I  
6 think you said Stage 1. In Stage 1 your analysis  
7 was, there was an intersection that I think had  
8 some issues. I think you said one particular  
9 intersection and you didn't name what it was.

10 I think it was South Capitol, but you didn't  
11 name what it was.

12 MR. SCHIESEL: Well, what I said is  
13 that our analysis that contained the full PUD,  
14 all of the Stage 1 sites, showed that a potential  
15 impact generated by the site could be at 1st  
16 and M Street.

17 CHAIRMAN HOOD: Okay.

18 MR. SCHIESEL: Basically what we  
19 found is, we generated traffic for dozens of  
20 future developments and the traffic on all the  
21 roads, actually our study area, went up  
22 significantly over the course, and especially,

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1 that was our 2020 analysis.

2 We did show in our report that  
3 retiming the signal alleviates the delays.  
4 This is not necessarily to suggest that that  
5 be done, because I can't exactly predict the  
6 future of 2020, and exactly how the traffic's  
7 going to turn out and how DDOT wants to operate  
8 its roads. It's really their decision on how  
9 to operate them.

10 But what we do show is that the  
11 changing patterns of traffic can be  
12 accommodated, and the growth can be accommodated  
13 through operational changes and not necessarily  
14 infrastructure changes.

15 So at this planning level that's  
16 what our analysis found. That said, there were  
17 other spots in our report that we did show poor  
18 levels of service. I would make a distinction  
19 between what we find that's existing or  
20 projected to and for in the future regardless  
21 of approval of this project, you know, or not  
22 approval, and then what we call an impact, a

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1 detrimental impact is something specifically  
2 only when we include the traffic from those.  
3 So there's only one that falls into that second  
4 category.

5 CHAIRMAN HOOD: Okay. And on that  
6 note, after you said that the one, our  
7 intersection that shows some concern, I thought  
8 I heard you say that as we move to the second  
9 stage or more development in that area that that  
10 would improve. I might not be capturing exactly  
11 how you said it, but it sounded like that.

12 And my question I wrote down was,  
13 how is this going to get better?

14 MR. SCHIESEL: I don't know. I  
15 didn't intend to say that. I mean maybe one  
16 of the things I said, and maybe this is where  
17 it came from, was that if we do monitoring and  
18 we revisit things in Stage 2, not only by then  
19 will some of the other developments we have  
20 generated traffic, they'll be built. So we  
21 won't be estimating, we'll be measuring for some  
22 of the other developments we have as background.

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1           And also based on how Phase 1  
2 operates, we'll have better inputs to measure  
3 the other phases. We'll have honed our  
4 assumptions, so we might have an improved  
5 analysis. Because right now, over half the  
6 traffic in the 2020 scenario that's going  
7 through that intersection is stuff we assigned,  
8 not stuff that exists today.

9           So the more refined we get and the  
10 more we look at this in the future the better  
11 we'll really know what the correct solution is.

12           CHAIRMAN HOOD: Okay. I can  
13 understand that better than what I heard first.

14           And it just might have been my  
15 misunderstanding. Don't let me put words in  
16 your mouth, I might have just misunderstood.

17           But I will tell you that I  
18 appreciate, while I would like to see much more  
19 residential, but I appreciate this attempt.  
20 This is better than what I saw previously.

21           I know my colleague pushed for  
22 retail, and as I stated, when I looked back over

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1 the transcript that I said this will be a missed  
2 opportunity. But I think this gets better just  
3 as some of the issues that my colleagues had.

4 I don't have any more questions.  
5 Any other -- Commissioner Cohen?

6 VICE CHAIR COHEN: Yes. I just  
7 wanted to ask, the hotel is going to be higher  
8 than the residential, yet you put the pool right  
9 where the hotel guests can look down at it, and  
10 I believe there may be shadows over, you know,  
11 from the higher building, about 30 feet higher,  
12 I think.

13 So I don't understand why you did  
14 that. Can you explain that?

15 MR. RADULESCU: The location of the  
16 pool is on the west end wing of the residential,  
17 but that wing extends further towards the water.

18 And then the swimming pools usually operate  
19 between Memorial Day and Labor Day, and at that  
20 time the sun is high enough that Phase 2 will  
21 not obstruct the pool, or will not overshadow  
22 the pool.

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1           In addition, because of how the  
2           inside of the building works out, for instance,  
3           we want to have the northeast corner on the  
4           ground floor being a retail gateway, therefore  
5           it leaves the residential entrance being on the  
6           northwest corner. The core is located on that  
7           corner, so the pool being on the western side  
8           is a closer relation, a closer connection to  
9           the elevators.

10           VICE CHAIR COHEN: Thank you for the  
11           explanation.

12           CHAIRMAN HOOD: Any other  
13           questions?

14           Okay, let's go to any cross  
15           examination. Do we have any representatives  
16           from ANC 6D? Do you have any cross examination?

17           Okay. Yes, cross is just where you ask  
18           questions of what you heard.

19           MS. PRINCE: Commissioner Hood?  
20           Sorry to interrupt, but I just wanted to be  
21           clear. I want to make sure we have all your  
22           comments and that we fully comprehend them.

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1           And Commissioner Turnbull raised some  
2           comments about the Potomac Avenue side of the  
3           building, and there was a specific focus on the  
4           penthouse and there was a reference to the east  
5           and the west ends of the Potomac Avenue side  
6           of the building.

7           CHAIRMAN HOOD: Can we do a recap  
8           at the end? Is there a reason we need to do  
9           it now? You want to clarify it now?

10          MS. PRINCE: No, we can do it  
11          whenever it works for you.

12          CHAIRMAN HOOD: Yes, once we get to  
13          the end we'll recap. I'm sure you took some  
14          good notes and hopefully we have some good notes  
15          here and we'll recap all that, some things that  
16          we may need.

17          MS. PRINCE: Right, thanks.

18          CHAIRMAN HOOD: Okay. Let's go to  
19          the report of the Office of Planning and  
20          Department of Transportation. You all can hit  
21          the highlights. We greatly appreciate it.  
22          Thanks.

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1 MS. THOMAS: Sure. Good evening,  
2 Mr. Chairman, members of the Commission. Karen  
3 Thomas with the Office of Planning.

4 The Office of Planning is  
5 recommending that the Commission approve the  
6 request of modifications to the Florida Rock  
7 as discussed in our report.

8 I would just highlight that based  
9 on the Commission's concerns and continued  
10 discussions with OP and DDOT, what you're seeing  
11 through the applicant's testimony is that the  
12 modified plan provides a better perspective of  
13 how the proposed residential building would  
14 activate this section of the waterfront.

15 The revised site design  
16 appropriately draws the visitor to the water's  
17 edge, through the open space and landscape and  
18 design materials consistent with the emergent  
19 capital riverfront neighborhood. The improved  
20 pedestrian and bike access and the introduction  
21 of the public and private marinas would only  
22 add value to the potential for increased

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1 activity on the water. The applicant will  
2 continue to work with DDOT to refine the elements  
3 of the bike path as necessary as the plan  
4 progresses.

5 The proposed temporary recreational  
6 uses and reduced surface parking to the west  
7 of Phase 1 would also go a long way in maintaining  
8 the liveliness of this area. We support the  
9 relief requested for the roof structure, and  
10 flexibility from the loading berth requirements  
11 as it will not be detrimental to the intent of  
12 the regulations. So in summary, the  
13 current proposal will continue to provide a  
14 mixed use development in four phases with  
15 residential, retail, office and hotel uses with  
16 extensive open space, an accessible and  
17 enlivened riverfront and the retention of  
18 important view sheds throughout the site with  
19 no change to the approved map amendment.

20 The changes are not inconsistent  
21 with the comprehensive plan and that will  
22 reflect the Commission's concerns regarding

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1 the site's integration with the waterfront, and  
2 we remain satisfied with these steps to move  
3 this project forward and recommend approval as  
4 proposed. Thank you.

5 CHAIRMAN HOOD: Okay, thank you.  
6 Mr. Henson? Is your mom watching tonight?

7 MR. HENSON: You know, I was about  
8 to offer my greetings. She sent you greetings  
9 earlier this evening.

10 CHAIRMAN HOOD: She did. Well,  
11 tell her, I hope she's watching.

12 MR. HENSON: I hope she is too.

13 CHAIRMAN HOOD: So tell her we send  
14 regards and send our hello to her.

15 MR. HENSON: I will indeed. She  
16 sent me a text earlier this evening saying that.  
17 She sure did.

18 CHAIRMAN HOOD: Where's she from  
19 again?

20 MR. HENSON: Just south of  
21 Chattanooga, Tennessee and north Georgia.

22 CHAIRMAN HOOD: Man, we're getting

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1 national.

2 MR. HENSON: Absolutely,  
3 absolutely.

4 Again, Jamie Henson from DDOT. I'm  
5 a planner with the District's Department of  
6 Transportation. Try to hit a few of the  
7 highlights, also address some of the issues that  
8 came up earlier.

9 We reviewed the applicant's  
10 analysis. We found the analysis sound, the  
11 assumptions conservative. We find that in the  
12 Stage 2 PUD for the most eastern building that  
13 the impacts from the site will indeed be minimal.

14 We would like to clarify one thing  
15 that we put in our report that was an inaccuracy.

16 We said that the applicant's TDM program is  
17 not adequate to facilitate adherence to the  
18 assumed mode split. That's incorrect.

19 The point we were trying to make was  
20 that we feel like the parking is too much. We  
21 incorrectly said that the TDM is inadequate.  
22 That's not exactly true. The applicant has

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1 assumed enough vehicle trips basically that this  
2 consistent with the TDM. So I wanted to clear  
3 that up and clarify that the concern was related  
4 to parking not so much the TDM.

5 Now we are concerned with the  
6 parking. It is a lot of parking. That said,  
7 as the applicant noted, much of that parking  
8 is in future phases not so much Phase 1. And  
9 we are generally content to be able to monitor  
10 and look at that in the future phases.

11 And that's actually one of the more  
12 important elements of the monitoring program,  
13 why want to see a good, robust monitoring  
14 program, because frankly, we don't want more  
15 parking than is necessary.

16 You know, in actuality, we don't  
17 believe that the applicant's really probably  
18 going to get close to their trip generation  
19 numbers, but what does become important is to  
20 figure out, to use that information to inform  
21 the parking discussion the next time we have  
22 this conversation. So just to be clear on what

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1 we're looking for.

2 We're still actively working with  
3 the applicant on the bicycle facilities along  
4 the river. A few minor concerns, some sharp  
5 edges, benches adjacent to the paths, surface  
6 materials, the permanence of some of those.  
7 Minor hazards for bikes that are, with crevices  
8 that are parallel, nothing, frankly, that can't  
9 be addressed as a design detail.

10 We've worked well with the applicant.  
11 The applicant's already modified. We've got  
12 some other minor modifications we forwarded  
13 back. We feel fairly certain that we can work  
14 through those in a healthy way.

15 Phases 2 through 4 may generate some  
16 minor impacts in the network as Mr. Schiesel  
17 noted. One of the things that we would like  
18 to note and remind the Commission and then bring  
19 up is that we're doing quite a bit of work in  
20 the area too. We're in the process of a study  
21 for the Southeast/Southwest corridor along M  
22 Street, which will address many of the issues

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1 along M Street that we've discussed on this as  
2 well as plenty of other cases that have come  
3 through in the area.

4 That is nearing completion,  
5 hopefully being able to move to environmental  
6 processes relatively soon to begin to think  
7 about a more premium transit along the surface  
8 in that area. And so that will begin to address  
9 the needs of this project as well as the needs  
10 of many other projects in the area.

11 Then also on top of that we're working  
12 on our South Capitol project which will do a  
13 variety of things. The most major and  
14 noticeable is to replace an aging bridge. And  
15 then I do want to spend a little bit of time  
16 talking about that. DDOT is concerned with the  
17 applicant's lack of control of the property  
18 included in the action.

19 We do want to make sure that we  
20 acknowledge that discussions are ongoing with  
21 the applicant and have been ongoing for years,  
22 so we want to make sure that the Commission is

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1 clear that we have been in contact and talked  
2 with the applicant.

3 I found a letter from 2006, my guess  
4 is it's probably well before that that we've  
5 been in contact. So we don't want to pretend  
6 that there has been no contact, but what we have  
7 to say is that it's still property that we  
8 control and we don't, frankly, know our way  
9 around it other than to say that we control it.

10 We have some issues with it being  
11 entitled while it's still controlled by us and  
12 as well as another property owner on the other  
13 side of our roadway. So we do have some  
14 concerns. Look forward to that discussion.

15 Let me give you a few more specifics and  
16 then I'll pause. I assume we'll have a good  
17 discussion on this. We have our South Capitol  
18 Street program, no guarantees that this project  
19 will move forward as planned presently.

20 There's a record of decision for the  
21 NEPA process, this ongoing, an interstate  
22 modification process, this ongoing, to figure

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1 out what the precise designs will be. And  
2 there's a high probability that the project  
3 design will change.

4 And I'll point back to the 11th  
5 Street bridges, not sure how many folks followed  
6 that. We anticipated in the 11th Street  
7 bridges' NEPA process that those two bridges,  
8 the basis of those would stay and that there  
9 would be no flyover on the Anacostia side.

10 Well, as it happened, we're removing  
11 two bridges, building three new ones and a  
12 flyover on the Anacostia side. So not to be  
13 too much of an alarmist, the applicant's been  
14 great to work with as to respond to our plans,  
15 but there's no guarantee that these are going  
16 to, indeed, be the plans at the end of the day.

17 And we must follow our right-of-way  
18 manual to dispose of the property. We have to  
19 consider it excess, and then once it's  
20 considered excess then we can dispose of it.  
21 And we can't assume that it's ready to be  
22 disposed prior to us being done with it and being

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1 complete.

2 And so with that I'm going to pause  
3 and open for questions.

4 CHAIRMAN HOOD: Let me just ask a  
5 question. First, we have Ms. Bushman.

6 Ms. Bushman, the next to the last  
7 issue that Mr. Henson mentioned about the  
8 property that DDOT still owns and whoever the  
9 property owner is on the other side, before we  
10 make a decision in this case does that have to  
11 be satisfied?

12 MS. BUSHMAN: Yes, as a matter of  
13 fact, under 11 DCMR 2406.5, which requires the  
14 signature of each owner of property included  
15 in the area to be developed to be included in  
16 the application.

17 CHAIRMAN HOOD: Okay.

18 MS. BUSHMAN: So yes.

19 CHAIRMAN HOOD: So that's one of the  
20 things we need to put in the parking lot of things  
21 we're going to discuss at the end.

22 But let me open it up.

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1 COMMISSIONER TURNBULL: Even for  
2 Phase 1?

3 MS. BUSHMAN: Yes, I believe so.

4 COMMISSIONER TURNBULL: Okay.

5 CHAIRMAN HOOD: All right, any  
6 questions of Mr. Henson?

7 VICE CHAIR COHEN: Yes, thank you,  
8 Mr. Chairman.

9 Mr. Henson, this has taken a really  
10 long time. I guess my question is, you know,  
11 I can say I read your report and said, why?  
12 What is going on? Why can't the city move this  
13 since it is a major development opportunity?  
14 And, you know, as developers always say, time  
15 is money, and I would just like to know what  
16 is happening.

17 MR. HENSON: So big picture is the  
18 Federal Highway Administration, the Federal  
19 Department of Transportation has guidelines on  
20 how we dispose of property. That's part of our  
21 federal aid system. And they don't allow us  
22 to dispose of property except through a process.

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1           We just got a right-of-way manual  
2           in the past couple of years. We've never had,  
3           really, to deal with a whole lot of right-of-way  
4           purchases in recent years nor disposals. And  
5           I can let Mr. Staudinger talk a little bit about  
6           that. That's a little more of his expertises  
7           as opposed to mine.

8           But big picture, it's Federal  
9           Highway requirements that we can't necessarily  
10          cut a side deal with this applicant. It has  
11          to go through a process that's fair, that's open  
12          to all, the way I've understood it.

13          VICE CHAIR COHEN: So then that means an  
14          RFP process?

15          MR. HENSON: Honestly, you know,  
16          that's my understanding of that type of process.

17          Maybe it's RFP, maybe, you know, I don't know  
18          if it's sealed bids.

19          VICE CHAIR COHEN: Well, how did the  
20          city get so far along on discussing this with  
21          the developer, the developer believing they have  
22          some kind of, not an agreement per se, but it

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1 just doesn't make sense to me that this has taken  
2 on a life of its own.

3 MR. HENSON: And honestly, I don't  
4 know the details of what's happened in the past  
5 other than to say that we haven't had a lot of  
6 these types of issues come up where it's been  
7 a trade where we talked about right-of-way that  
8 we're still using and need to complete our use  
9 of beforehand where we've had right-of-way  
10 dispositions.

11 So for example, the Air Rights case  
12 in downtown, we're clearly not using that  
13 property. It was clearly excess. But this  
14 property will still be used until the bridge  
15 goes under, is in use, or the new bridge, I'm  
16 sorry.

17 VICE CHAIR COHEN: And you haven't  
18 started construction on that, have you?

19 MR. HENSON: Correct.

20 VICE CHAIR COHEN: And when is that  
21 timetable?

22 MR. HENSON: On the order of five

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1 years. So we're still, until completion. I'm  
2 sorry, not start, but until completion. We  
3 haven't finished the NEPA process. We are, I  
4 think, on the order of ten percent design. That  
5 we're still a ways off.

6 Now that being said, you know, I do  
7 want to commend the applicant. They have indeed  
8 worked with us. They've responded to what our  
9 plans are, but we're talking about an \$800  
10 million project which is on the order of twice  
11 the magnitude of our 11th Street bridges project  
12 which was considerably larger than anything else  
13 we've ever done.

14 So all that to say is there's room  
15 potentially to change in order to cut costs.  
16 You know, an \$800 million project is three or  
17 four times our annual budget.

18 (Off microphone comments)

19 CHAIRMAN HOOD: Mr. Henson, also  
20 the parking, saying there's too many parking  
21 spaces being provided. I know we're revisiting  
22 that, but knowing that neighborhood I'm going

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1 to be pretty hard pressed to go against what  
2 the applicant has already submitted.

3 But back to the issue about the,  
4 still the ownership of DDOT and whoever it is  
5 across the street, across the way. When I first  
6 got on the Commission, Florida Rock was around  
7 in '98. I think I might have been the vote to  
8 keep it going. I don't want to say though.  
9 It was somebody, there was three of us that might  
10 have been the vote to keep it going at that time,  
11 and I know it's changed substantially since  
12 then.

13 But all that time, and I believe  
14 Florida Rock's been around long before I even  
15 got here, but all that time and now we're just  
16 finding out. Is it fair to say that we just  
17 missed it? Because I want to make sure we're  
18 fair to this applicant who you said, and I know  
19 you've been here for a few months or maybe a  
20 year or so. How long have you been here?

21 MR. HENSON: Three and a half years  
22 now.

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1 CHAIRMAN HOOD: With us here?

2 MR. HENSON: Not quite the whole  
3 length. The better part of three years I've  
4 been coming to visit.

5 CHAIRMAN HOOD: Okay, I've got a bad  
6 judgment. But anyway, I don't remember. It  
7 doesn't seem that long.

8 But anyway, I think, and I'm going  
9 to be talking to our counsel, Ms. Bushman, and  
10 others, and find out because, you know, I want  
11 to make sure we're fair. Did we just miss it?

12 MR. HENSON: My understanding, and  
13 frankly, I don't know the details of the past,  
14 is that the applicant initially had proposed  
15 development on pieces that they controlled.  
16 The Commission had then requested them to  
17 include pieces that they might control after  
18 DDOT disposed of the property.

19 Now I'm not going to pretend to know  
20 the details of those discussions. I mean they  
21 make sense, but it's unfortunate that we can't  
22 make a deal with the applicant to say, all right,

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1 we understand. It makes sense. We need some  
2 of the property that the applicant owns or we  
3 may need that property, I should say. They have  
4 some property that we need. We have some  
5 property that they may need.

6 But we can't at this point cut a deal  
7 for it. That's just not the way the regulations  
8 work.

9 CHAIRMAN HOOD: Let's just keep  
10 reading. Most regulations, if you keep reading  
11 to the back there's a way to deal with that and  
12 we'll probably keep perusing that as we go  
13 further along.

14 Vice Chair, do you have something?

15 VICE CHAIR COHEN: Yes. Are there  
16 plans in place yet for this overpass thing?

17 MR. HENSON: Yes, ma'am. We're  
18 hopefully on the order of weeks away from getting  
19 a record of decision. We've got plans for the  
20 bridge. They're posted on our website. It's  
21 an enormous environmental document. It's  
22 probably multiple boxes of paper by now.

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1                   VICE CHAIR COHEN:    So presumably  
2   you have an idea of which land you can --

3                   MR. HENSON:    Right.    But as the  
4   process moves forward, what we have to go through  
5   with the Federal Highway Administration is the  
6   process to cull out costs.

7                   And so we go through the  
8   environmental process, and then we have to go  
9   through, I think it's called value engineering,  
10   and basically try to remove some of the costs  
11   from it.  And so that, I think, is one of the  
12   bigger concerns that as we remove cost items  
13   that things may change.

14                  And like, for example, I go back to  
15   the 11th Street bridges.  We ended up getting  
16   much more project than we thought we would  
17   because we were able to remove some of the  
18   element that we didn't need at the end of the  
19   day.

20                  VICE CHAIR COHEN:  Yes.  I just, I  
21   guess, want to share with you that if it's a  
22   regulation, regulations can be waived having

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1       been a bureaucrat many, many years ago.

2                       So I just want to be as efficient  
3       as possible and as fair as Chairman has said,  
4       to the applicant, but this is kind of Kafka-esque  
5       if you ask me.

6                       MR. HENSON:   And we really do want  
7       to work with the applicant to facilitate their  
8       needs as well as ours.   I mean we both have needs  
9       in this case.   We need their property in a way  
10      that they need our property.

11                      So we have worked together.   It's  
12      just, you know, I can't, maybe there is a process  
13      on the Federal Highway side.   I'm not going to  
14      pretend to know the details of it.   We're going  
15      to continue to work together to get to a  
16      resolution.   It's just that at this moment I  
17      can't sit here and say we don't have concerns  
18      because of the property ownership issues.

19                      CHAIRMAN HOOD:   Mr. Turnbull?

20                      COMMISSIONER TURNBULL:   Yes.   I  
21      guess, you know, having sat on this Commission  
22      when we approved this PUD several years ago,

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1 I don't remember that issue coming up. I know  
2 we had issues with the hotel, and we talked about  
3 the site.

4 We talked about the property line.

5 We talked about, several issues came up with  
6 the property line and how we had to address it,  
7 but I don't recall DDOT's issue at that time.

8 I don't recall that coming up and that becoming,  
9 I mean we put it on and we approved it last time,  
10 and I don't recall that being in the testimony  
11 at the time.

12 MR. HENSON: And it may not have  
13 been, quite honestly. Like I said, we only have  
14 gotten a right-of-way manual within the past  
15 year or two, so these unfortunately were not  
16 necessarily procedures we had in place to help  
17 us deal with these sorts of issues.

18 COMMISSIONER TURNBULL: Well,  
19 maybe we're grandfathered in. Can we talk about  
20 your monitoring request?

21 MR. HENSON: Sure.

22 COMMISSIONER TURNBULL: What are

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1 you really looking for?

2 MR. HENSON: Really in the first  
3 phase, looking for trip generation, making sure  
4 they adhere to their numbers. Frankly, I think  
5 that that's not going to be a problem.

6 I think the most valuable element of that  
7 is to use the data that we're going to collect  
8 and have the applicant come back and use that  
9 to enforce what level of parking they're going  
10 to need.

11 Our hope and what we tend to see  
12 across the city in places as they develop is  
13 that over time buildings need less and less  
14 parking as the area around them becomes more  
15 and more developed, and we hope that will be  
16 the same case with this applicant.

17 COMMISSIONER TURNBULL: And then  
18 when would you start monitoring?

19 MR. HENSON: Generally we look  
20 after, I think we've said a year after it hits  
21 70 percent.

22 COMMISSIONER TURNBULL: Of

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1 construction?

2 MR. HENSON: No, sir, after  
3 occupancy. No, we want to make sure that it's  
4 occupied. There's no need to really do much  
5 measuring until there's a decent level of  
6 occupancy.

7 COMMISSIONER TURNBULL: I was going  
8 to say, I wanted to just make sure that that  
9 was on the record.

10 MR. HENSON: Yes.

11 COMMISSIONER TURNBULL: And then  
12 how often after 70 percent?

13 MR. HENSON: So we would like for  
14 it to expire, because ultimately what we want  
15 is the applicant to hit their targets. We don't  
16 want to have to have it come back to us.

17 So we want it to expire relatively  
18 quickly. We say three years. That's been our  
19 practice for the last few of these that we've  
20 had is to monitor annually for three years.  
21 And if they show in two consecutive years that  
22 there's not a problem, I'm not necessarily

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1 opposed to waiving a third year. But generally  
2 it's requiring --

3 COMMISSIONER TURNBULL: That could  
4 be optional then.

5 MR. HENSON: In my opinion it can,  
6 if they showed they're hitting their targets.

7 Because our goal is not be restrictive, it's  
8 to make sure that they're doing what they said  
9 they're going to do.

10 COMMISSIONER TURNBULL: Possible  
11 impact on the project could be whether the  
12 bridge, there could be a median going down  
13 Potomac Avenue that could be in front of the  
14 western curb cut, which would mean they would  
15 only have right in and right out then.

16 MR. HENSON: And that ends up being,  
17 really, a design detail. You know, in an \$800  
18 million project an extension of a curb is  
19 something that's negotiable, and we'll work with  
20 them in the public space process to figure out  
21 exactly where it does and doesn't go and how  
22 much traffic there is and isn't in that area.

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1 COMMISSIONER TURNBULL: Okay.

2 Thank you.

3 CHAIRMAN HOOD: Anything else?

4 Thank you.

5 VICE CHAIR COHEN: On the days that  
6 there are games, will it be necessary to have  
7 like police, extra security directing traffic  
8 on Potomac Avenue, do you think? Because a lot  
9 of people complain now that it's just crazy down  
10 there.

11 MR. HENSON: I'm not sure. I'm not  
12 sure how that would work on game days, quite  
13 frankly. I can't remember the details of our  
14 TOPP.

15 VICE CHAIR COHEN: Then can you come  
16 back with that?

17 MR. HENSON: We can actually come  
18 back with you on that.

19 VICE CHAIR COHEN: I would  
20 appreciate that.

21 MR. HENSON: Yes, I don't know the  
22 details on that.

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1 CHAIRMAN HOOD: Do I have the wrong  
2 street or is it, I may have the wrong street  
3 because one of them is blocked off anyway.

4 MR. HENSON: It is. The turns are  
5 restricted and that's what, I'm not quite sure  
6 where they're all restricted. I know it's  
7 restricted at M and 1st and you can't turn left  
8 to go down 1st.

9 And so it would be a little bit  
10 difficult for folks to access it on baseball  
11 games, but that doesn't mean you can't wind your  
12 way down past the Federal DOT and just come from  
13 a slightly different direction.

14 COMMISSIONER TURNBULL: Now  
15 Potomac and First Capitol is failing now as I  
16 understand it.

17 MR. HENSON: Potomac and South  
18 Capitol?

19 COMMISSIONER TURNBULL: I think.  
20 Isn't it --

21 MR. HENSON: I know that there are  
22 indeed backups there. I don't remember what

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1 the level of service is on that particular  
2 intersection, honestly. But remember --

3 (Off microphone comments)

4 MR. HENSON: You know, we end up  
5 referring back in projects in this area, and  
6 you'll hear us do this again. There are quite  
7 a few projects coming and we'll refer back to  
8 the projects that we have going.

9 The South Capitol project in  
10 particular, we're actually adding one lane of  
11 capacity to rationalize capacity. It's  
12 currently three in and two out right now. In  
13 the future we'll have three in and three out,  
14 and so that will allow us to open up a little  
15 extra capacity to address issues just like that  
16 on Potomac. Most of those are PNP folks coming  
17 from the fort that just can't quite get out.

18 COMMISSIONER TURNBULL: Is the oval  
19 still in?

20 MR. HENSON: Yes, sir.

21 COMMISSIONER TURNBULL: Okay,  
22 thank you.

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1                   CHAIRMAN HOOD:           Any other  
2 questions?    Okay, any other governmental  
3 reports?   The other one that we have is DDOE.

4       They said they did not have any comments on  
5 height setback, but they did want to make the  
6 -- Ms. Prince, I'm sure you're familiar with  
7 --

8                   MS. PRINCE:   I had some questions  
9 for DDOT.

10                  CHAIRMAN HOOD:   Oh, okay.   Okay,  
11 let me back up.   Okay, let's go back.   Any cross  
12 examination?

13                  MS. PRINCE:   I just have a few  
14 questions, Jamie.   Not many.   I understand the  
15 confusion over this land swap issue because  
16 there's a lot of history on the case.   But I  
17 wanted to confirm that you're aware that the  
18 approved PUD contemplated the swap.

19                  MR. HENSON:   Yes.

20                  MS. PRINCE:   And it contemplated  
21 the swap because there really was a choice to  
22 design a project that involved constructing on

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1 property that DDOT was going to need or to design  
2 in anticipation of DDOT's needs.

3 MR. HENSON: And that's exactly the  
4 case, and that's what I tried to allude to  
5 earlier is that, you know, the applicant's,  
6 quite frankly, doing us a favor by not designing  
7 on property that we're going to need. And we're  
8 very grateful for that.

9 It's just the technicalities of it.  
10 I wish that there was an easier way to come  
11 to a conclusion on this, but you are correct.

12 MS. PRINCE: And at this time,  
13 reverting back to a first stage approval, I  
14 think, gives everybody the comfort that they'll  
15 need. Not only will the swap need to occur  
16 before the project can proceed, which we've  
17 always contemplated, but also we have to come  
18 back for a second stage approval. And that will  
19 happen after the swap has already happened and  
20 this is all a non-issue. But it's the  
21 sequencing, and you saw the same 2006 memo I  
22 saw, presumably.

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1 MR. HENSON: Yes.

2 MS. PRINCE: That where we were  
3 instructed to anticipate the swap, and to design  
4 in that way.

5 VICE CHAIR COHEN: Anticipated by

6 --

7 MS. PRINCE: Anticipate on a  
8 development that --

9 VICE CHAIR COHEN: By whom though?  
10 DDOT?

11 MS. PRINCE: DDOT and the applicant  
12 agreed in 2006 that we should proceed with a  
13 plan that anticipated the swap. So that's why  
14 we've proceeded that way.

15 But with this first stage drop back  
16 that we're now pursuing, I think this issue goes  
17 away entirely and we'll work this out in the  
18 Stage 2 approval and the swap will have happened  
19 and it's all a non-issue.

20 VICE CHAIR COHEN: And we'll live  
21 happily ever after.

22 MS. PRINCE: And we'll live happily

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1 ever after.

2 CHAIRMAN HOOD: So Ms. Prince,  
3 you're saying that because of going back to Stage  
4 1 that we could vote on it, that's your opinion?

5 MS. PRINCE: Our application is for  
6 our record lot. It doesn't include property  
7 we don't own. A small part of the PUD does  
8 involve property that will be subject to the  
9 swap.

10 It's much like applications that we  
11 file in anticipation of a street or alley being  
12 closed, and the application anticipates the  
13 closing, includes the closed street area and  
14 before it's actually closed, and then once it's  
15 closed it's a non-issue and if it never closes  
16 we can effectuate the PUD. It's very similar  
17 to that and that's the way this application has  
18 been pursued.

19 But that has nothing to do with Phase  
20 1 and our need to go forward quickly on Phase  
21 1, and we can certainly deal with that later,  
22 and if we have only a first stage approval we

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1 have plenty of time to make sure that DDOT is  
2 fully satisfied with how we've handled it.

3 CHAIRMAN HOOD: Okay, so Ms.  
4 Prince, I'm sure that will be fully vetted before  
5 we make a decision on it. Are you finished with  
6 your cross?

7 MS. PRINCE: I am, thank you.

8 CHAIRMAN HOOD: Thank you. Does  
9 the ANC have any cross?

10 And thank you, Ms. Prince, for  
11 reminding me that I was supposed to cross,  
12 because that would have probably had us come  
13 back some years later on an issue on a  
14 technicality. So thank you.

15 Okay, again, other government  
16 reports? DDOE said they didn't have any  
17 problems with the applicant's height setback,  
18 but they also wanted to make sure that they  
19 always, with meetings with the developers and  
20 construction companies early in the development  
21 process in order to identify opportunities and  
22 to help avoid future regulatory problems.

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1           And they go on to talk about green  
2 buildings, but I'm sure that the applicant is  
3 aware of the DDOE letter. Am I missing anything  
4 else? Did I miss anything?

5           Okay, let's go to the report of ANC.

6           In this case, ANC 6D.

7           If we can make a space for the  
8 commissioner. We have two seats available.  
9 I don't think we need to do much moving around.

10           Is there anyone here who would like  
11 to testify in support, persons or organizations?

12           Any persons or organizations who would like  
13 to testify in opposition?

14           Okay, Commissioner, we'll take your  
15 testimony.

16           MR. GARBER: Thank you, Chairman.

17           I am pleased to report that the Florida Rock  
18 Properties and MRP Realty Development team has  
19 spent a great deal of time and energy working  
20 with the community and ANC 6D to produce a  
21 building site and landscape plan that we readily  
22 supported at our September 10, 2012, regularly

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1 scheduled business meeting.

2           Throughout the design process, ANC  
3 6D and community members within my SMD's  
4 Citizens Development Advisory Committee raised  
5 concerns about the original plan's lack of  
6 architectural interest, lack of ground floor  
7 retail and lack of any children-specific play  
8 structures within the public space.

9           We wanted a stand-out waterfront  
10 building, an active and interesting ground  
11 floor, and also sought a large amount of planned  
12 public space as an opportunity to install  
13 somewhere in the project well designed play  
14 equipment. For example, a climbing sculpture,  
15 swings, a slide, a see-saw, et cetera, that is  
16 otherwise severely lacking in the rest of the  
17 neighborhood.

18           After presenting at multiple  
19 monthly ANC meetings and working with the ANC  
20 and my SMD's Citizens Development Advisory  
21 Committee, the development team presented a  
22 final plan this month that we were happy to

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1 support.

2 The elements of this most recent  
3 plan that we hope you will join us in  
4 specifically supporting, are its engaging  
5 architecture, creative and usable public space,  
6 ground floor and rooftop retail, and the  
7 promised play installation designed  
8 specifically for children that is noted in the  
9 plan, but will be laid out as part of a future  
10 phase of the PUD. We are confident that the  
11 Phase 1 building and public space improvements  
12 will be a major boon to the larger neighborhood.

13 As noted to the development team at  
14 our September business meeting, we do hope that  
15 they will pay extra special attention to the  
16 roof and penthouse design, building materials  
17 and layout, as they will be extremely visible  
18 from the National Stadium staircases and viewing  
19 decks as well as the buildings to be built  
20 adjacent to Phase 1, all of which will be taller.

21 Also I just wanted to quickly  
22 address some of the comments that you guys made.

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1 Am I allowed to do that?

2 CHAIRMAN HOOD: This is your time.

3 But let me just ask you to identify yourself.

4 MR. GARBER: Oh, sorry about that.

5 My name's David Garber. I'm the ANC  
6 commissioner in 6D07. I'm the vice chair of  
7 ANC 6D.

8 One of you all mentioned smaller  
9 units and the need for them in the neighborhood.

10 Rental prices have gone up ten percent every  
11 year over the past few years. The neighborhood  
12 is becoming increasingly unaffordable even for  
13 people making a decent amount of money.

14 And so I mean from my anecdotal  
15 experience, smaller units are something that  
16 people are definitely hoping for as a way to  
17 increase affordability in the neighborhood  
18 while living alone.

19 In terms of somebody else had  
20 mentioned the Potomac Avenue frontage, there  
21 being some elements near the ballpark. I don't  
22 know if that was you, Mr. Turnbull, or not, but

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1 that was something that we specifically hoped  
2 that they would not do in the design.

3 The building as it is does go some  
4 distance to distance itself design-wise from  
5 the baseball stadium, and we were actually  
6 hoping for them to go a little bit further away  
7 in terms of reducing the amount of stainless  
8 steel colored frontage on Potomac Avenue, just  
9 because the whole ballpark is kind of a stainless  
10 steel blob and we wanted to diversify down there  
11 as much as possible.

12 And one of you also mentioned the  
13 signage on the building. I know that there were  
14 comments at the Southwest Waterfront PUD about  
15 the signage.

16 I personally was hoping that some  
17 of that signage was going to stick around on  
18 Southwest Waterfront, and I know that the  
19 signage that they had proposed is a little bit  
20 more iconic, and this is more kind of a branding  
21 thing.

22 But from the ANC's perspective and

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1 from the perspective of the citizen comments  
2 in our neighborhood, we didn't have any problems  
3 specifically with adding additional signage,  
4 especially on an element that doesn't have any  
5 windows. And maybe the issue itself is just  
6 adding some architectural flourishes in place  
7 of the signage, something like that.

8 But as much kind of design diversity and  
9 flourishes architecturally as possible are  
10 things that we like. So thank you.

11 CHAIRMAN HOOD: Okay, what better  
12 thing than the folks that live right in the  
13 neighborhood tell us what they like. That's  
14 the best thing going.

15 MR. GARBER: Yes.

16 CHAIRMAN HOOD: But I will say this,  
17 because I take heed to the ANC commissioner's  
18 work. If we could before final, whenever that's  
19 going to happen, that you, in this letter of  
20 course to be able to give you great weight we  
21 have to record the vote, the voting system.

22 There's some things here that will

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1 not allow us to have great weight, but you worked  
2 hard so I want to make sure that the record's  
3 left open so we can allow you all the great weight  
4 necessary. Because I think the ANC  
5 commissioner's volunteer. You don't get paid,  
6 unless something's changed since I left to come  
7 down here.

8 But I wanted to make sure that all  
9 the hard work, you get the great weight.

10 MR. GARBER: I can provide you with  
11 the vote information.

12 CHAIRMAN HOOD: Sounds good, okay.

13 MR. GARBER: We did vote in support  
14 of it.

15 CHAIRMAN HOOD: Okay. Yes, but our  
16 regulations say the vote has to be recorded.

17 Okay, is there any questions?  
18 Commissioner, Vice Chair, Commissioner  
19 Turnbull, somebody?

20 COMMISSIONER TURNBULL: No, I would  
21 just reiterate. It's one of your standard  
22 letters that said, you know, what you need for

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1 a quorum and then your vote, I think, for us  
2 to really give it great weight.

3 MR. GARBER: Right.

4 COMMISSIONER TURNBULL: We always  
5 look for signage that is tastefully urban and  
6 then character. We try not to make it look like  
7 a lot of other parts of the country.

8 This is the capital, so we have some  
9 issues that we try to be very, and I'm not saying  
10 we're constrained and conservative, but we look  
11 at the overall city as a whole, and we understand  
12 that it's a destination. But I think there's  
13 always a half point where we can come to a happy  
14 medium on signage.

15 MR. GARBER: Right.

16 COMMISSIONER TURNBULL: I had  
17 another question for you and like after you were  
18 talking about -- oh, my comment was although  
19 they mentioned about the stadium, I think my  
20 comment was, I didn't think it was a great idea  
21 to pick up on a lot of the stadium either.

22 But I mean the stadium is what it

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1 is. It's a stadium. It's a ballpark. It's  
2 got a certain icon. It's got a certain imagery  
3 for itself, which we didn't always agree with  
4 at the time either, especially those two parking  
5 garages. But that's --

6 (Off microphone comments)

7 COMMISSIONER TURNBULL: Anyways  
8 that was taken out of our hands.

9 I just thought that the canopy on  
10 the eastern end was imitating of some of the  
11 architecture of the stadium too much. And  
12 getting back to Ms. Prince's comments earlier,  
13 I don't see the point of what that does for the  
14 building. And I just was commenting that I  
15 think it's something that got thrown on the  
16 building.

17 And although nothing against the  
18 architect, I just think in the overall context  
19 in what you're trying to achieve, and I think  
20 it's on a great roof and it's looking, you know,  
21 I think it's going to look good.

22 But there's just some elements on

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1 Potomac that's kind of, it reminded me of when  
2 I was in thesis and the professor would come  
3 by and say, why are you doing this, and he'd  
4 put a draw through it. And I'm just thinking  
5 it's one of those things that you've really got  
6 to think about a little bit more.

7 I think it's going to be a tastefully  
8 designed building, but I think there's just some  
9 elements up on the roof that need to be  
10 rethought.

11 MR. GARBER: But not necessarily,  
12 you're not saying remove it and just make it  
13 a box, are you?

14 COMMISSIONER TURNBULL: No. I'm  
15 just saying rethink it. We need to look some  
16 things. I need some more information on that  
17 low roof, that low screen wall. I can't see  
18 giving relief to something that I don't know  
19 what I want to see, either something that tells  
20 me if I'm going to see at all, see what it looks  
21 like. Because it doesn't meet the setback  
22 regulation, so I want to know what that looks

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1 like, and I want to know what the roof looks  
2 like.

3 And I really can't see at the western  
4 end, that box. I mean I think there's, you know,  
5 architects have infinite number of ways to play  
6 with that and I think that I just want to give  
7 them the opportunity to revisit it.

8 MR. GARBER: I don't think we  
9 disagree with you on some of those points. As  
10 the ANC, we didn't want to go into complete  
11 specifics like that dispute because that isn't  
12 necessarily our role. But I don't disagree on  
13 some of those points.

14 COMMISSIONER TURNBULL: We do.  
15 Okay, thank you.

16 CHAIRMAN HOOD: Vice Chair, did you  
17 have some questions?

18 VICE CHAIR COHEN: No, thank you.

19 CHAIRMAN HOOD: Okay. Did you have  
20 any cross examination?

21 MS. PRINCE: No cross examination.

22 CHAIRMAN HOOD: Okay. Thank you

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1 very much for coming down.

2 MR. GARBER: Yes.

3 CHAIRMAN HOOD: We appreciate it.

4 Okay, let's go to, I've already called for  
5 organization or persons in support, I didn't  
6 see any. Or organizations or persons in  
7 opposition, I don't see any, or nobody came  
8 forward, let me say that.

9 Do we have any rebuttal and closing  
10 by the applicant?

11 MS. PRINCE: Thanks for your time.

12 I don't want to take a lot more of your time.  
13 We've taken copious notes.

14 We are a team that is engaged and  
15 ready to start this project. We are going to  
16 get back to you. We can set the schedule  
17 tonight, but these are all comments that we can  
18 address very quickly, because we're anxious to  
19 proceed.

20 And we're going to listen and talk  
21 and make sure to address them and complete all  
22 post hearing submissions very quickly to allow

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1 this project to keep moving forward.

2 But I appreciate the level of detail  
3 and the thought you've put into your comments.

4 They've really been a very positive influence  
5 on the project throughout the whole course, so  
6 thank you for your time.

7 CHAIRMAN HOOD: Okay, thank you.  
8 Do we need to run down the laundry list so we  
9 can make sure we're all on the same page of what  
10 you wanted to do earlier?

11 Okay, let's do that, Ms. Hanousek.  
12 And let me just say before I forget. I want  
13 to thank Ms. Hanousek, colleagues, and Ms.  
14 Bushman. You know, Sharon has been out and  
15 she's been out and they have filled right in.  
16 We haven't missed a beat, and they don't do this  
17 often. So I want to thank you both.

18 And Ms. Hanousek, on Monday I want  
19 to thank you. I want you to know that did not  
20 go unnoticed, okay. So thank you both.

21 So let's go down the laundry list.

22 MS. HANOUSEK: Okay. Some of these

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1 you've just talked about again more recently.

2 Commissioner Turnbull's issues with  
3 the Potomac Avenue side, particularly the  
4 penthouse at the western edge. He thinks it's  
5 big and heavy. He also had issues with the  
6 eastern edge where it looked like they were  
7 trying to mirror the ballpark. That needs some  
8 reworking.

9 Turnbull wants a better roof plan.

10 He wants to see what the HVAC farm will look  
11 like. He would like more of a light plan,  
12 particularly the downlighting.

13 Cohen would like to get more on their  
14 process with the Army Corps of Engineers. Cohen  
15 would like to see the layout of the trash and  
16 the loading. Cohen would also like to see  
17 higher LEED certification. Turnbull  
18 wants more detail on the railing at the water's  
19 edge. He wants a better delineation of the  
20 bollards and what's separating the pedestrians  
21 on those shared paths.

22 Turnbull wants them to study the

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1 signage. It might be too big like that  
2 riverfront sign. And he wants them to also show  
3 the lighting plan for the temporary areas too.

4 And Cohen wants DDOT to get some  
5 information on game days and whether there's  
6 extra police directing the traffic.

7 Did I miss anything?

8 VICE CHAIR COHEN: Yes, the  
9 applicant agreed to submit information with  
10 regard to the size of the units, the efficiency  
11 units.

12 MS. HANOUSEK: Is that it?

13 VICE CHAIR COHEN: That's all I  
14 have.

15 CHAIRMAN HOOD: Okay, Ms. Prince,  
16 did you have something that we didn't have?

17 MS. PRINCE: I believe Commissioner  
18 Turnbull wanted some specific lighting fixtures  
19 or some concepts for specific lighting fixtures,  
20 not just on the temporary use but also on the  
21 main.

22 And information on the panels on the

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1 south side of the building, a larger detail on  
2 the --

3 COMMISSIONER TURNBULL: That's  
4 right, yes.

5 CHAIRMAN HOOD: And Ms. Bushman, if  
6 we could follow up and make sure that we don't  
7 have any surprises when we get ready to  
8 deliberate on that other issue.

9 MS. BUSHMAN: Absolutely.

10 CHAIRMAN HOOD: Thank you.

11 MS. BUSHMAN: Yes.

12 MS. HANOUSEK: Do you want to talk  
13 timing now?

14 CHAIRMAN HOOD: Yes, let's give the  
15 time schedule.

16 MS. HANOUSEK: So we're  
17 anticipating having this come before the  
18 Commission at its October 29th meeting, which  
19 would mean you would have your submissions into  
20 us by October 15. Does that work?

21 MS. PRINCE: Excellent.

22 CHAIRMAN HOOD: I think

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1 Commissioner May's going to read the record.  
2 I'm not sure if the new commissioner's going  
3 to do it yet or not. We'll see. So we may have  
4 all five, okay, which I think sends a strong  
5 signal whenever you vote. Depends on how that  
6 works out.

7 But anyway, anything else?

8 MS. HANOUSEK: No, just that by 3  
9 o'clock on the 15th for your materials, please.

10 MS. PRINCE: Findings of fact,  
11 conclusions of law and then all the design  
12 materials.

13 MS. HANOUSEK: Thank you.

14 (Off microphone comments)

15 CHAIRMAN HOOD: All right, so I want  
16 to thank everyone. Hold on, do we have  
17 anything? Do we have anything else?

18 MS. PRINCE: Just trying to clarify  
19 the timing of the findings of fact, because if  
20 we submit on the 15th, then the ANC needs to  
21 be able to respond to our 15th filing, so I think  
22 we really actually submit the findings of fact

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1 on the 22nd, at the same time that the ANC would  
2 be responding to our filing from the 15th.

3 CHAIRMAN HOOD: So you're saying we  
4 need to move it to --

5 MS. PRINCE: No, just our filing  
6 would be due the 15th, our drawings.

7 CHAIRMAN HOOD: And the ANC would  
8 --

9 MS. PRINCE: Then on the 22nd the  
10 ANC could respond, and at that time we submit  
11 our findings of fact. That's particularly the  
12 way we've done it.

13 MS. HANOUSEK: That sounds fine.

14 CHAIRMAN HOOD: Okay. All right,  
15 so with that I want to thank everyone for their  
16 participation. This hearing's adjourned.

17 (Whereupon, the foregoing matter  
18 went off the record at 8:50 p.m.)

19

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