

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

+ + + + +

IN THE MATTER OF:

BROADWAY I ASSOCIATES LLC

CASE NO. 05-15

Monday
October 24, 2005

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

The Public Hearing of Case No. 05-15 by the District of Columbia Zoning Commission convened at 6:35 p.m. in the Office of Zoning, Hearing Room 220 South, 441 4th Street, N.W., Washington, D.C., Carol J. Mitten, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

CAROL J. MITTEN	Chairperson
ANTHONY J. HOOD	Vice-Chairperson
KEVIN HILDEBRAND	Commissioner (AOC)

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN	Acting Secretary
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OFFICE OF PLANNING STAFF PRESENT:

ARTHUR JACKSON
JENNIFER STEINGASSER

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

JACOB RITTING, ESQ.

This transcript constitutes the minutes
from the Public Hearing held on October 24, 2005.

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

(6:35 p.m.)

MS. MITTEN: Good evening, ladies and gentlemen. This is a Public Hearing of the Zoning Commission of the District of Columbia for Monday, October 24, 2005. My name is Carol Mitten and joining me this evening are Vice Chairman Anthony Hood and Commissioner Kevin Hildebrand.

The subject of this hearing is Zoning Commission Case Number 05-15. This is a request by Broadway I Associates LLC for approval of a consolidated planned community development on the property located at 318 I Street, Northeast. It is known as Blocks 1, 122, 123, 32, 8.6, 827 and Square 775. Copies of today's Hearing Notice was published in the *DC Register* on August 26, 2005 and copies of the Hearing Announcement are available to you on the table near the door.

The hearing will be conducted in accordance with provisions of 11 DCMR, Section 3022, which are the Orders of Procedure for Contested Cases and we will proceed as follows: We will take up any preliminary matters, followed by the presentation of the Applicant's case, report by the Office of Planning, report by any other Government agencies, and report of

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1 the affected Advisory Neighborhood Commission, in this
2 case ANC 6C, organizations and persons in support, and
3 organizations and persons in opposition.

4 The following time constraints will be
5 maintained in this hearing. The Applicant will have 30
6 minutes for their presentation. Organizations will
7 have five minutes, and individuals will have three
8 minutes. The Commission intends to adhere to these
9 time limits as strictly as possible in order to hear
10 the case in a reasonable period of time. The
11 Commission reserves the right to change the time limits
12 for presentations, if necessary, and notes that no time
13 shall be seeded.

14 All persons appearing before the Commission
15 are to fill out two Witness Cards. Those cards are
16 also on the table near the door. Upon coming forward
17 to speak to the Commission, please give both cards to
18 the Reporter who's sitting to our right.

19 Please be advised that this proceeding is
20 being recorded by the Court Reporter. Accordingly, we
21 ask you to refrain from making any disruptive noises or
22 actions in the hearing room. When presenting
23 information to the Commission, please turn on and speak
24 into the microphone, first stating your name and home
25 address. When you are finished speaking, please turn

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1 the microphone off so that it's not picking up any
2 background noise.

3 The Decision of the Commission in this case
4 must be based exclusively on the public record To
5 avoid any appearance to the contrary, the Commission
6 requests that persons present not engage in any
7 conversation during a recess or any other time. Staff
8 will be available throughout the hearing to answer any
9 procedural questions that you might have. Please turn
10 off all beepers and cell phones at this time so as not
11 to disrupt the hearing.

12 At this time, we'll take up any preliminary
13 matters. Mrs. Schellin?

14 MS. SCHELLIN: Nothing.

15 MS. MITTEN: Okay, I would ask that anyone
16 planning on testifying this evening, rise now and raise
17 your right hand and Mrs. Schellin will administer the
18 oath.

19 (Whereupon, the witnesses were sworn in.)

20 MS. SCHELLIN: Do you solemnly swear or
21 affirm that the testimony that you will be giving
22 today will be the truth, the whole truth, and nothing
23 but the truth?

24 (WITNESSES ANSWER AFFIRMATIVELY.)

25 MS. MITTEN: While the Applicants are

1 coming forward to set up, I just wanted to ask the
2 Commission, we have resumes that were submitted for
3 two expert witnesses, Phillip Esocoff as an expert in
4 architecture, and Marin Wells as an expert in traffic.
5 Are there any objections?

6 (NO OBJECTIONS.)

7 MS. MITTEN: Was there anyone else you
8 wanted to proffer?

9 MS. PRINCE: Those are our only two
10 experts.

11 MS. MITTEN: Okay, proceed.

12 MS. PRINCE: Good evening, Chairman Mitten
13 and members of the Commission. I'm Allison Prince of
14 Pillsbury, Winthrop, Shaw, Pittman, and I'm here
15 tonight on behalf of the Applicant, Broadway I
16 Associates LLC, an entity that's controlled by
17 Broadway Management of New York. David Weldler, Vice
18 President of Broadway, is unable to be here tonight
19 since it is a religious holiday. Marge Brown, the
20 Regional Director of Broadway, is here on his behalf.
21 She's based in Washington.

22 We are here seeking approval of a small
23 but significant project. The proposed apartment
24 building will contain a maximum of 140 units and will
25 not exceed the matter of right height of 65 feet. No

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1 zoning change is required. Through the PUD process,
2 the building will gain additional density and the City
3 will gain more housing of superior design, affordable
4 housing, and extensive public space improvements.

5 Why is the project significant? The
6 property is zoned C-2-B and yet is being developed
7 exclusively for residential use. Until the recent
8 housing boom, the use of commercially zoned property
9 for residential purposes was unusual. This building
10 is being constructed immediately east of an office
11 building. Until 1991, the site was zoned for
12 industrial use. And until earlier this year, there
13 was a large commercial wholesale bakery operating on
14 the site.

15 Finally, this project represents the first
16 new apartment building in the H Street area to follow
17 the Capitol Children's Museum project and this
18 developer was also a partner with Abdo Development on
19 that project. The Capitol Children's Museum is now
20 underway, both in terms of construction and sales.
21 And that project has now been exactly the catalyst
22 that it was envisioned to be. There are at least
23 three other residential projects proposed for the
24 immediate vicinity of the subject site.

25 Early in the planning process, we learned

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1 in meetings with the Office of Planning that it was
2 important to remain within the matter of right height
3 limit since the site is located east of 3rd Street.
4 There was a strong planning interest in respecting the
5 existing scale in the neighborhood, which is
6 predominated by row houses. Yet it also became
7 apparent that the site could accommodate an FAR of
8 more than the 3.5 that was allowed, while respecting
9 the existing height limits. Therefore, the PUD
10 process could be put to good use.

11 I will leave the detailed discussion of
12 the project's architecture to Phil Esocoff and the
13 amenities to Marge Brown. The main points are that
14 the building will be 65 feet high, contain an FAR of
15 5.6 in a lot occupancy of 85 percent. The ample
16 courtyard that is offered in lieu of a rear yard will
17 be a major benefit to the entire square. The
18 amenities are extensive. The benefits are public
19 space improvements, which will extend far beyond the
20 site, and the Central North/south alley will be
21 widened, repaved and transformed. The design will far
22 beyond, and that being a matter-of-right project, will
23 involve varying materials and an environmentally
24 sensitive construction.

25 In terms of affordable housing, there will

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1 be a total of 12 affordable units. The unit mix will
2 exactly reflect the unit composition of the building.
3 There will be one studio, five 1-bedroom apartments,
4 four 1-bedroom/den units, and two 2-bedrooms. They
5 will be disbursed evening throughout the project. We
6 have specifically designated unit numbers and provided
7 that information to the Office of Planning.

8 The affordable housing will be provided in
9 an amount equal to 15 percent of the bonus density,
10 but there are some important clarifications to this.
11 The entire 15 percent will go to actual housing units.
12 There will be no allowance for common areas. In other
13 words, we could play a numbers game with you and give
14 ourselves credit that would probably be the equivalent
15 of a unit, saying that each unit is entitled to its
16 allocation of common elements. We didn't do that.

17 Also, the main level of the entire
18 building easily could have been converted into an
19 English basement. If we had simply sunken that level,
20 reducing the building's FAR to 4.7, as opposed to 5.6,
21 that entire level would not have generated FAR and,
22 therefore, would not have kicked off the affordable
23 housing requirement. We could have saved another unit
24 or two that way, but we didn't do that either. So at
25 the end of the day, you end up with 12 real affordable

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1 units, evenly disbursed throughout the building.

2 If the Commission has no questions, I'd
3 like to proceed with the testimony of our first
4 witness, Marge Brown, and then we'll proceed with Phil
5 Esocoff, who will be our main witness, and Marin Wells
6 is the Traffic Engineer and he will address the
7 traffic-related issues.

8 MS. MITTEN: We'll hold all our questions
9 until the end.

10 MS. PRINCE: That's great.

11 MS. BROWN: Good evening. My name is
12 Marge Brown. I'm here tonight representing Broadway I
13 Associates LLC in Zoning Commission Case Number 05-15,
14 which is an affiliate of the Broadway Group. The
15 Broadway Group is an owner/manager and developer in
16 both commercial and residential properties. Since
17 1978, Broadway has owned and managed in excess of 23
18 million square feet of income-producing property.
19 Broadway's initial area of specialty was the
20 renovation and rehabilitation of commercial office
21 buildings located primarily in New York City. Under
22 performing assets were given substantial makeovers,
23 both structurally and aesthetically and were
24 repositioned in the market.

25 In more recent years, Broadway has entered

1 the DC market and is now a major developer of
2 residential projects in the District. In addition to
3 318 I Street, Northeast, current projects include two
4 high-profile sites at 401 and 425 Massachusetts Avenue
5 in the Mt. Vernon Triangle, a large site in the
6 vicinity of 9th and B Streets, Northwest, and in
7 partnership with Abdo Development, Center Square which
8 is the former Capitol Children's Museum site. The
9 project at 401 Massachusetts Avenue will contain
10 190,000 square feet of space comprised of 187
11 extensile units. The project at 425 Massachusetts
12 Avenue will contain 400,000 square feet of residential
13 space in a 14-story building. The 375 unit apartments
14 will contain a mix of sizes ranging from studios to 3-
15 bedrooms in a wide variety of layouts. The project in
16 the vicinity of 9th and B Streets, Northwest, which
17 this body set down for hearing on Monday October 17,
18 2005, consists of four parcels. Combined, it will
19 contain approximately 80,000 square feet. On that
20 site, all existing structures, all of which are non-
21 residential, will be demolished and new condominium
22 apartments will be constructed. That project will
23 also contain retail components on its K Street
24 frontage.

25 Finally, Center Square is an all-

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1 residential project that will span the square block
2 bounded by H Street, I Street, Northeast, and 2nd and
3 3rd Streets, Northeast, and will consist of
4 approximately 500 condominium apartments.

5 The Broadway Group has shown that we are
6 capable of moving quickly on a project. For example,
7 on March 24th of this year, we received final approval
8 on our PUD application for the Children's Museum
9 project. Since then, we have almost completed
10 excavation of the site and expect to begin the
11 foundation work within two weeks. Currently the
12 project is a month ahead of its schedule, with an
13 anticipated completion date in second quarter of 2007.
14 We would bring the same timely delivery of the Center
15 Square project to this project at 18 I Street,
16 Northeast.

17 The project is located in the near
18 Northeast neighborhood of Ward Six and consists of
19 approximately 28,310 square feet of land. The
20 property that is the subject of this application was
21 most recently used by Uptown Bakers as a wholesale
22 bakery establishment and accessory parking lot for the
23 many trucks owned by the bakery. It is located at the
24 Northwest corner of 4th and I Streets, Northeast. The
25 property is located in the C-2-B zone district and the

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1 proposed height and density of the project are
2 significantly less than the maximum provided under the
3 PUD Guidelines in the C-2-B District.

4 We are here today to request the
5 consolidated review and approval of a PUD for the
6 construction of approximately 140 residential units
7 with approximately 9,120 square feet of affordable
8 housing. In total, the project would have
9 approximately 160,000 square feet of space and 5.65
10 FAR. The project has been thoughtfully designed to
11 compliment the existing structures and properties near
12 the site. If the project is approved, we plan to
13 start construction no later than December 2005 and
14 expect that the total construction period will last
15 approximately 18 to 24 months.

16 We have been engaged with the community
17 surrounding the property for quite some time. We have
18 had numerous meetings with ANC 6-C and ultimately
19 received their approval. We have met with the Capitol
20 Hill Restoration Society and have received their
21 approval with conditions. In addition, we have had
22 several meetings with property owners within 200 feet
23 of the property, to discuss the project, discover the
24 community's concerns, and create the amenities
25 package.

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1 The project will offer the following
2 significant amenities that are commensurate with the
3 relief requested.

4 First is affordable housing. The proposed
5 9,120 square feet of affordable housing provided in
6 this project is equal to 15 percent of the additional
7 first-floor area that is achieved through the PUD
8 application. Though the project is still in its
9 conceptual stages, and is subject to slight
10 modification, we have included specifics about the
11 locations of the affordable units, their sizes and
12 their configurations. We distributed the affordable
13 units throughout the building and evenly across sizes
14 and configurations as units offered at the property.

15 The second is alley upgrades. The project
16 will include numerous upgrades to the public alley
17 system that will be a benefit to nearby neighbors and
18 the District, including increasing the width of the
19 alley, matching DDOT's recommendations for alleys,
20 repaving the North/south alley from I Street to K
21 Street with brick pavers, and providing a landscaped
22 courtyard.

23 The third amenity is visitor parking. We
24 will be providing 12 dedicated, non-sellable visitor
25 parking spaces located in the below-grade garage, in

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1 addition to the one-to-one ratio parking.

2 The fourth is superior architecture. The
3 new construction put in the project will be of a
4 quality that is not typically found in a matter-of-
5 right project, including such things as self-imposed
6 set-backs at the top levels of the development and the
7 provision of a hydronic heat pump system.

8 The fifth amenity is landscaping and
9 streetscape. There will be enhanced landscaping and
10 hardscape features that will provide benefits not only
11 for the residents of the project, but for the entire
12 neighborhood as well.

13 Sixth is environmental benefits. The
14 project will include numerous environmentally-
15 sensitive features that would not necessarily be
16 included in a matter-of-right project. These
17 attributes include a creative system, covering part of
18 the buildings with a type of landscape terrace,
19 reducing the effects of urban islands and the use of
20 storm water retention as much as feasible for site
21 irrigation.

22 Finally, the production of unit housing
23 will generate revenue for the District and we will be
24 entering into a DOES first-source agreement and an
25 LBOC Memorandum of Understanding in addition to

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1 providing a grant to the ANC 6-C of \$25,000.00.

2 MS. PRINCE: We will now proceed with the
3 testimony of Phil Esocoff of Esocoff & Associates.

4 MR. ESOCOFF: Good evening. I will keep
5 my remarks short and take questions later on.

6 All the exhibits I'll be showing you are
7 actually in our submission. In some cases, we've
8 simply highlighted aspects of them to make them clear
9 for this presentation, but they're not really new.

10 Here's the local neighborhood. This is
11 the Children's Museum site and just one block to the
12 east is the project site configuration. A little
13 closer here to I Street, K Street, presently in site H
14 down here to -- this is where the alley runs and this
15 outline is the site. You can see it here. That's
16 where the facilities are located and then a lot here
17 where their truck will go.

18 What we did was, as we sat down, there was
19 a discussion about the relative height of what our --
20 is that our side here is 65 feet, but it's in a zone
21 that's right because the matter-of-right is 65, but
22 the PUD allowance is 90. What we're showing here is
23 that it's gradually going for 65 feet and that is the
24 matter-of-right. In this area over here, you can go
25 from 40 to 60 with a PUD, so we're only talking a

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1 little over the PUD allowance in this area over there.

2 So it seems to be well within the zoning envelope as
3 well. This shows our rooftop plan, it's a roof garden
4 along the L-shape that faces to the south and east.
5 Behind the penthouse structure though we have an area
6 of green roof that we do that's almost like a meadow,
7 more like a garden that you can actually walk through
8 rather than an active recreation space whereas you
9 have more pavers on the other side of the swimming
10 pool, and, of course, there is the landscaping plan.
11 Some of that landscaping isn't necessarily technically
12 fully rainproof. Its rooftop landscaping, green
13 system to obtain water, sometimes just under concrete
14 pavers and storm water is drained back out into the
15 storm system. So people say green roofs may not
16 actually be the color green; it may not even be
17 vegetative. What we're proposing is part of our roof
18 is usable and open and we would actually make it
19 technically a green roof. Other areas, if we can,
20 given the number of penetrations in these areas, we
21 would have to make that actually into a system, as
22 well as the landscaping.

23 You can see from this area, too, this is
24 the north-south alley that would be re-paved in the
25 brick style that is becoming more common in other

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1 areas of the City, and this part of our project would
2 be a courtyard, but we would pave it to be
3 indistinguishable from the bits of alley from east to
4 west here and north-south so it would feel more like a
5 court than an alley. It would have a green space in
6 the center -- more like we can see on 8th Street where
7 the curb sides are quite brown. It's really close to
8 brick on 8th Street southeast.

9 This is the ground plan then. What you'll
10 notice is that the alley is wider here. We go up two
11 floors and then go over the alley so we've added nine
12 feet to what is a 15-foot alley so that the passage of
13 cars back and forth is helped. We got feedback from
14 the neighbors that the 15-foot alley is a problem.
15 They didn't want our garage access originally to be
16 off that because they felt it was too blind at the
17 entrance. So what we did was we widened it by nine
18 feet even though we only had the 20-foot curb back
19 here and then we battered the entrance into the garage
20 area and created new ports here so that as people come
21 and go out of the garage they can see faster coming
22 from either direction has to be supported at the end
23 as a better alternative than having, you know, a 20-
24 foot curb cut next to the alley, which they felt was a
25 traffic nuisance, and frankly they thought this was a

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1 better solution.

2 Up in this area, around this park is an
3 area of our lot that has no garage under it so there
4 would be a boss of trees in the center to be planted
5 in that array so that we can make sure there are
6 health exam qualifiers. And we have our loading dock
7 over here. We designated an area here for a loading
8 berth, and condominiums don't really have much
9 turnover once they're stabilized. We felt it would be
10 better exchange to actually make a piazza where there
11 might be a truck once a month rather than have this
12 big mall on the street if there's a truck that's
13 trying to maneuver here, and in the off-time, it's
14 better to, 99 percent of the time, have it look like a
15 big yard than a loading bridge. A trash refuse comes
16 there also once a day. The trash refusal is closed
17 behind the doors. The truck would come, pick up the
18 trash and leave probably once a day. The loading dock
19 is probably once or twice a month. We felt this was a
20 fairly nuanced way to accommodate the loading service.
21 We have no surplus other than along the street side
22 of the property just south of an alley made ideal for
23 temporary uses.

24 And, as you could also see from down here,
25 we're providing street-safe standards on those Eye and

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1 4th Streets. That's because we're not in a street-
2 safe area. Besides, we would feel like we're trying
3 to upgrade the neighborhood because we're brick
4 paving, and if we're paving, there's street lights and
5 trees, the curb. It seems all like innovation. This
6 just, as well, goes to show that when the garage --
7 what is that, 55, 65, 60 units? This gives the
8 service that will be disposed. It's not really much
9 of a loading activity. That's more for like a patent
10 truck, and there's no loading dock required, and here
11 is a widened alley. We have even put in an executive
12 bike room in this small area here. Most of the bikes
13 are below grade. We have an area here for a number of
14 bikes of this many grades, and then other bikes would
15 come down at this place here, at the lower level. If
16 you look below grade, if you want an alternate excuse
17 to make a parking layout, this is superimposed where
18 the boss of trees would bud. While that's private
19 property, we're not excavating that. We'll have
20 enough parking spaces, one-to-one parking. These are
21 visitor parking spaces, and one of the variances that
22 they're asking is that across from these compact
23 spaces that are surplus -- they're outside of the
24 parking requirements -- that we have a narrower access
25 aisle than is going to be required since these are

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1 smaller cars in general, and then that would allow it
2 to divide the lay-by spaces here that would be
3 dedicated to visitors weekly so it would probably
4 cause these to be sold at a slightly reduced price
5 because residents, at least they would have a space.
6 And then one of the biggest things we hear in doing
7 these projects is, "It says this is private. Do you
8 have visitor parking?" They thought this was going to
9 be an interesting way to, perhaps, to offer parking.
10 My experience parking my car into a garage every day
11 is that in D.C., this is not an uncommon thing.

12 Here's the -- this is part of a collage
13 photo. This is one World Vision. This is 3rd Street,
14 and this is our site. You can sort of make out the
15 bakery there in front - it would be the north side.

16 Looking to the east, this is a building
17 that sits in the middle of the block. This is our
18 site -- this is our site right here. That's the back
19 of the building. There's the alley here that will be
20 widened. And in this case, this is our site we will
21 support underneath the alley.

22 Here are some of the surrounding areas.
23 This is that block of -- this is a little block of 4th
24 Street and the court here. The other side, some of
25 them are more modest.

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1 The R Building is 65 feet here. This side
2 is by 60 -- we're picking up somewhere on that alley.

3 We'll have a brick sample street to show you. We try
4 to arrange the projections that are allowed to match
5 up with this sort of module here for the power
6 converter there, and then we have direct access to
7 units at grade level. These go up a few feet so
8 you're actually entering the second floor unit. The
9 lower level units are thirty -- the ones that are
10 about thirty-inches below grade, those would actually
11 have just an area where there would be a 5-car model.

12 In our case, we weren't attempting to hide
13 FAR, but to use the space for units. Our client
14 wanted to have at least 9-foot ceilings. We're
15 working our way down from 9-foot -- 9-foot per floor,
16 to an 8-foot floor. 65 feet our lowest level was 30
17 inches below grade. Rather than hiding it, we'd
18 rather have a north-south relationship to grade and
19 not have it.

20 Next. This is a view looking as though
21 you're in the alley, looking south, and you can see
22 where our building cantilevers over the extra width
23 we're providing for the alley. This would be the back
24 outline of World Vision. Those are parking below
25 grade. These are the stairways up off of 4th Street.

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1 What you can see from here -- unfortunately, it's a
2 little washed out -- is that we're treating the rear
3 elevations of the building with the same care and
4 materials as the front elevation. So this is really
5 foreground figurative space. On other past cases I
6 guess I've testified at, have gone on at length down
7 at Office of Planning, about how we really need to
8 think about our alley systems really as other public
9 spaces and not as the back, even though people don't
10 necessarily have their addresses on alleys today
11 because the way apartment buildings are set up, that
12 is, people's primary exposure is on an alley if you're
13 living in an apartment building. And I don't think
14 that was anticipated when addresses were taken off
15 alleys with the Alleys Act. I think everybody felt
16 well, now we don't have to care about them at all.
17 But with apartment buildings, people do have to care
18 about that. It's really everybody's view. I think
19 much property value has been lost actually by the poor
20 treatment rear elevations that buildings have gotten
21 in general in the City. One of my campaigns.

22 Next. I paid for this announcement.

23 (LAUGHTER.)

24 MR. ESOCOFF: This is a view of a section
25 in the other direction, looking eastward. You can see

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1 that's -- there's the loading dock. And these trees
2 are actually planted on deck. They're in sort of a
3 small rear yard we tried to create like a little
4 private space for the units at the ground level on the
5 west side of that wing.

6 Next. This is the elevation along 4th
7 Street. Way in the distance, that's where the
8 Children's Museum is. That's 110 feet, so we're
9 slightly more than half at 65. These are some of
10 these we call voluntary setbacks along the edge here.
11 They create value actually. Those terraces are very
12 nice. So to some extent, having a terrace or setback
13 her and there on a building produces pretty good
14 value. You can't have everything do that, but for a
15 few handful of units, I think they're economically
16 rewarding.

17 These are the townhouses we were asked to
18 focus on at set-down. We'll show you a blow up with
19 that.

20 Next. There you go. There's one of the
21 stairways. It's very similar to the stairways at this
22 red townhouse existing. We picked up on the sort of
23 proportion of these facades by doubling, creating
24 giant orders, but also by making this giant order
25 offset from that order, in a way that these windows

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1 stagger in relationship. Typically townhouses
2 accumulating over time didn't match up their window
3 sills slavishly so that the only -- the best way to
4 bring the newer buildings into scale with the older
5 ones is to make sure that they don't perfectly align
6 and create kind of a uniform K Street kind of
7 consistent setback. Once again, the proportion of
8 this bay projection, is similar to the overall
9 proportion of that house.

10 Next. We did a perspective of this
11 because, obviously. you don't see it that way. We
12 took the liberty of showing the trees at a greater
13 level of maturity. One of the problems with the early
14 trees, sometimes they just sort of block these
15 buildings. It's hard to actually take photographs of
16 neighborhoods sometimes because trees that may be only
17 five years old are actually -- their crowns are still
18 right about here. So we've raised these to show it
19 more the way it really is intended in the City to have
20 streets that are canopied by a double row of trees,
21 and then this area in here -- we've got hard copies
22 we're handing out. And you can see that the spatial
23 panel here picks up on the cornice height of the lower
24 buildings.

25 Next. And we've even focused in closer.

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1 This is actually -- we set this one up to actually be
2 the cone of vision. In other words, what you would
3 see normally without a fish-eye lens, if you were
4 standing on the opposite sidewalk looking across the
5 street. Because right now, I'm not looking much above
6 the ceiling of the window head there. So this is a
7 perspective, but it's a head-on elevation perspective.
8 And you can see the similarity of the character
9 between this red townhouse, the two white ones that
10 exist, the stairway that comes up through this level
11 and the stairway that comes up through this unit. So
12 we think that this streetscape, as people walk along
13 the street here, will be very comfortable and very
14 much in character with the near northeast Washington
15 in general and will be in scale with the adjoining
16 buildings.

17 Next. This suggests -- now this is really
18 right on the sidewalk. So you're looking down the
19 sidewalk. This is an existing metal stairway. This
20 is actually from a photograph -- a metal stairway here
21 to this townhouse. There's our metal stairway going
22 up to this unit on the second level. And once again,
23 these have some green landscaped area here. At the
24 back of the sidewalk, we would have the same thing
25 here and then a tree planting strip and street trees.

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1 I think that concludes our testimony. Is
2 that everything? That's it. I'd be glad to answer
3 any questions you might have.

4 Oh, and I do have this sample board to
5 show you, and we can provide photographs and hand this
6 in for now, if you'd like. Sure.

7 MS. PRINCE: This now concludes the
8 testimony of our first two witnesses. We can now
9 proceed with the testimony of final witness, Marin
10 Wells of Wells & Associates, Traffic Engineers. Marin
11 has previously been qualified as an expert.

12 MS. MITTEN: Let's just have Mr. Wells go
13 now.

14 MR. WELLS: With that introduction, good
15 evening. Wells & Associates was retained to conduct a
16 Transportation Impact Study of the application that's
17 before you this evening. I'm going to try to be very
18 brief in explaining what we did.

19 We did, in fact, evaluate existing and
20 future traffic in the area. We took into account
21 existing traffic, traffic that will be generated by
22 projects that are under construction now, background
23 traffic growth and, of course, this building.

24 We found that the most heavily traveled
25 street in this area is K Street. It carries about

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1 1400 peak-hour trips. 4th Street carries about 400.
2 I Street carries about a hundred. We found that all
3 of the intersections in the site vicinity operate
4 overall at acceptable levels of service. We did find,
5 however, that eastbound traffic on K Street in the
6 evening operates near capacity. We think the signals
7 could be fine-tuned to do a little better there.

8 The site, as you've heard, was formally
9 occupied by the Uptown Bakery. Our driveway traffic
10 counts showed that that bakery, when it was in
11 operation -- it is no longer in operation, but when it
12 was, generated about 20 a.m. peak-hour trips and about
13 four p.m. peak-hour trips. These were mostly truck
14 trips, the panel trucks.

15 We estimate that the 140 residential
16 condominiums would generate about 48 a.m. peak-hour
17 trips and 55 p.m. peak-hour trips. So the net
18 additional trips is about 28 in the morning and 51 in
19 the afternoon. These numbers are fairly modest
20 compared to the volumes of traffic on the streets
21 already and we find that these modest volumes will
22 have no significant impact on the intersection levels
23 of service.

24 As Mr. Esocoff has indicated, the existing
25 alley, North/south alley, that will provide access to

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1 the parking garage and the truck berths will be
2 widened to 20 feet. We find that by way of parking,
3 as you've heard, Broadway proposes to provide
4 basically one space for every unit. That's much more
5 parking than is required by code, and it's about the
6 same as the existing parking ratio for owner/occupied
7 homes in this neighborhood. Code would require only
8 47 spaces. The U.S. Census suggests that for
9 owner/occupied units in this neighborhood, the average
10 auto availability is just a smidge over one. It's
11 1.03. About a quarter of all owner/occupied units
12 have no car available. Half have one car and a quarter
13 have two or more cars, if you can believe that.

14 Visitor spaces will be provided and I
15 would also note that additional curb parking spaces
16 would be available by virtue of eliminating the
17 driveways and the driveway aprons that serve the
18 former industrial use.

19 Loading is in the rear off the public
20 alley and the courtyard that Mr. Esocoff has
21 described. That alley will provide adequate access
22 and egress and maneuvering area, even for the
23 occasional 55-foot tractor-trailer truck.

24 We concluded that this application will
25 have no significant traffic, parking or loading

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1 impacts. As you'll hear in a moment, DDOT supports
2 this application. I'm gratified to say that, and I
3 hope you do, too.

4 MS. PRINCE: Thank you.

5 That concludes our presentation this
6 evening, although I would like to reserve time for a
7 Closing Argument.

8 MS. MITTEN: Okay, thank you.

9 Are there any questions from the
10 Commission? Commissioner Hildebrand?

11 MR. HILDEBRAND: In looking through the
12 packet, I didn't see the elevations for the north wall
13 that abuts and is adjacent to the townhouse structure
14 to the north, or the west alley wall where we've
15 cantilevered out to the property line. I think those
16 are two very important elevations and I think -- do
17 you have them with you tonight? I know in your
18 prospective, you begin to --

19 MR. ESOCOFF: Yes.

20 MR. HILDEBRAND: -- show some fenestration
21 on that north wall.

22 MR. ESOCOFF: I'm afraid we don't have
23 orthographic renderings of those. They just show on
24 that prospective. We were fully intending to put
25 windows certainly on the alley facing west because

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1 those would be legal windows. The ones facing on the
2 north façade would be at-risk windows, but not code-
3 required windows.

4 MR. HILDEBRAND: Right.

5 MR. ESOCOFF: And I'm sorry we didn't have
6 those elevations, we didn't provide those.

7 MR. HILDEBRAND: I think we really need to
8 see those at some point.

9 MR. ESOCOFF: I apologize for that.

10 MR. HILDEBRAND: One thing I was very
11 pleased to see, and I think you caught onto this in
12 your presentation, was the choice to keep the building
13 height at 65 feet and not go to the maximum height. I
14 think that was a good move. I think some people might
15 say perhaps that even at 65 feet, it becomes a very
16 dominant element in an otherwise either 25 to 30-foot
17 high residential neighborhood. And again, I think
18 you've made the right movements, too, by articulating
19 the facades with fairly dramatic cutouts and shadow
20 lines and modeling that façade to begin to break up
21 that mass to something that's more approachable in
22 this small-scale residential neighborhood.

23 On your roofscape, I see a lot of
24 recreation space and then this green roof area. How
25 do you intend to serve these residential units

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1 mechanically? Is all of your mechanical equipment
2 going to be inside the penthouse at this point and
3 nothing then on the main roof itself?

4 MR. ESOCOFF: Yes. We're using a water-
5 source heat pump so instead of having a field of these
6 little condenser --

7 MR. HILDEBRAND: Boxes.

8 MR. ESOCOFF: -- condenser units, we have
9 one cooling tower hidden within the penthouse mass.
10 That's true of every building we're doing.

11 MR. HILDEBRAND: So there will be an open
12 area for ventilation for the cooling tower, but it
13 will not be visible from the façade?

14 MR. ESOCOFF: Right. And we use mufflers
15 on it and those sort of little bumps you see, those
16 are our exhausts coming out. We sort of bundled them
17 into the penthouse --

18 MR. HILDEBRAND: For your stacks?

19 MR. ESOCOFF: -- for our stacks so that
20 we're not -- we don't have any penetrations through
21 the exterior wall. We're also providing ducted
22 ventilation air to these units. We're not just
23 recycling air.

24 MR. HILDEBRAND: I also think that your
25 decision to move the entrance to the garage off of the

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1 streetscape was absolutely the right thing to do, as
2 is the widening of the alley at that point.

3 Have you verified your turning radius on
4 that 55-foot truck with the available space in the
5 courtyard?

6 MR. WELLS: Yes. We tested that with auto
7 turns with our computers. It's tight. A professional
8 driver can do it. You can enter off of I Street,
9 maneuver within that relatively wide alley, and even
10 wider courtyard, and then exit to the north.

11 MR. HILDEBRAND: So it's a back-in
12 approach once you've pulled into the alley?

13 MR. WELLS: Pull in. You must go
14 eastbound on I Street, make a left into the alley,
15 pull forward, back in, and then basically exit to the
16 north onto K Street.

17 MR. HILDEBRAND: Okay.

18 MR. WELLS: And it's easier to do at the
19 south end of the alley than the north end of the
20 alley, which is not being widened, but there is enough
21 -- there is sufficient room.

22 MR. HILDEBRAND: So then the truck would
23 then proceed to go out of the alley to the north?

24 MR. WELLS: Correct, onto the 4-lane K
25 Street.

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1 MR. HILDEBRAND: Okay.

2 MR. WELLS: And I would note that the
3 number of times one would expect that to happen would
4 be very small for this kind of building.

5 MR. HILDEBRAND: Okay. And you did say
6 that your trash collection was going to be entirely
7 within the loading dock, is that correct?

8 MR. WELLS: Yes.

9 MR. HILDEBRAND: I am concerned about the
10 quantity of compact parking spaces that you're
11 proposing and, quite frankly, I didn't get a good
12 sense of exactly how many were compact and how many
13 were standard size spaces, but having parked fairly
14 recently in a garage that you utilize reduced size
15 aisles and reduced size parking spaces, in an
16 environment where a lot of the vehicles that will be
17 parked there are above compact size, I think that that
18 could -- you could be getting yourself into a
19 predicament there. I know I parked in this garage and
20 left my car, assuming that it would be well protected,
21 only to come out and find that the SUV beside me had
22 scraped the entire side of my truck as they were
23 pulling out and kindly didn't leave a note. So I am
24 concerned by that. When you say that you're reducing
25 the drive aisle to potentially 17 feet. Is there

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1 another way that you can accommodate those visitor
2 cars without the aisle reduction?

3 MR. WELLS: Let me take a shot at this,
4 and Mr. Esocoff will correct me if I say something
5 wrong, but the garage is still under design. The
6 preliminary schematics show that, in fact, there would
7 be more than the 140 spaces that would provide one-
8 for-one. It may be possible to provide additional
9 visitor parking in a typical space, not in a drive
10 aisle. We'll see as we move along. But the carrot to
11 the large vehicles may be \$3 gasoline.

12 MR. HILDEBRAND: That won't be a short-
13 term cure though. That may be a long-term cure.

14 MR. WELLS: That's correct, right.

15 MR. HILDEBRAND: But also you introduced
16 your visitor right at the main entrance to your
17 garage, so in order to get to the standard drive
18 aisles, you have to go through a substandard drive
19 aisle. Perhaps you might look at alternate locations
20 for those that provide easier access at the entrance.

21 MS. MITTEN: Can I just ask a question
22 that's relevant to the parking?

23 MR. WELLS: Certainly.

24 MS. MITTEN: Which is, I think typically
25 in a condominium building, people have key cards to

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1 get in and there's no one actually managing the
2 garage. How are the visitors going to get access to
3 these spaces?

4 MR. WELLS: You have to make prior
5 arrangements or basically park on the street to get
6 into the Concierges and the building or the attendant
7 at the Front desk to make arrangements to get into the
8 garage. That's basically how it would work.

9 MS. MITTEN: So if someone was coming to
10 visit, then the resident, let's just say, if the
11 Concierge isn't involved in this little transaction,
12 would have to come down and put their key card in?

13 MR. ESOCOFF: That could be controlled
14 from the Front desk. So somebody could pull up to the
15 garage, someone at the counter would see them, they'd
16 say I'm here for this party, they would have had a
17 list, and they'd say okay, fine, and then they would
18 buzz them in.

19 MS. MITTEN: Okay, so --

20 MR. ESOCOFF: It would be like buzzing
21 them into the Front Door, but it would be the garage
22 door.

23 MS. MITTEN: So there will definitely be
24 the provision of a closed-circuit television between
25 the garage and the Front desk?

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1 MR. ESOCOFF: Yeah, I think that would be
2 a basic security requirement.

3 MS. MITTEN: Okay, and then the desk will
4 be staffed certain hours?

5 MR. ESOCOFF: Yeah, I would think so.

6 MS. MITTEN: I mean all of these are
7 critical to the success of this little --

8 MR. ESOCOFF: Right. Most of the projects
9 we're doing have 24-hour desks.

10 MR. WELLS: And it would be incumbent on
11 the resident to notify the front desk that you're
12 expected so the front desk knows that they're
13 authorized to let you in.

14 MS. MITTEN: Well, presumably, you keep
15 track of how many spaces are occupied so that --

16 MR. WELLS: Well, there is that matter,
17 too.

18 MS. MITTEN: Okay, sorry. Keep going.

19 MR. HILDEBRAND: Okay. And one of the
20 recommendations from, I think, it was DDOT had been
21 that the courtyard plaza be designed to handle fire
22 truck loading. With your 55-foot truck loading, is it
23 pretty much a given? You intent is to make that fire
24 truck accessible?

25 MR. ESOCOFF: Yes.

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1 MR. HILDEBRAND: Okay. In reading through
2 the Pre-hearing Statement about the affordable units,
3 I didn't -- I don't recall seeing anything about the
4 period of affordability or the level of affordability.
5 Could you comment more on that, please?

6 MS. PRINCE: It's the DHCD criteria that
7 would be employed here, which is 80 percent of and
8 it's a 20-year holding period has been the standard
9 that's been used in PUD cases. As you may or may know,
10 DHCD picks who gets the units and DHCD sets the price
11 of the units based on AMI.

12 MR. HILDEBRAND: Okay.

13 MS. PRINCE: And it's a pre-approved list,
14 so it's not in our hands.

15 MR. HILDEBRAND: Okay, that's great, thank
16 you. And the \$25,000.00 grant to the ANC, is that for
17 a specific item? I know, and I'm sure Madam Chair
18 will get to this as well, it needs to focus on
19 something that is quantifiable.

20 MS. PRINCE: Yes. The way -- I'm not
21 thrilled with the terminology, \$25,000.00 Grant. The
22 owner agreed to make a contribution to a non-profit
23 designated by the Advisory Neighborhood Commission.
24 The owner had a specific non-profit in mind. There
25 was a little dispute among the ANC members as to what

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1 would be an appropriate non-profit. So it was left
2 that the ANC would get back to us with the non-profit.
3 I would like the funds to go directly to the non-
4 profit, not to the ANC and we're waiting to hear from
5 the ANC what that non-profit will be.

6 MS. MITTEN: Just to elaborate on that a
7 bit, we are trying to discourage just making donations
8 to groups without saying it will be used for a
9 specific thing that can be delivered by a particular
10 time.

11 MS. PRINCE: Yes, and I'll --

12 MS. MITTEN: So just to take it that next
13 step.

14 MS. PRINCE: These funds will be
15 earmarked, this is the source of the controversy
16 within the ANC. Some of the ANC members wanted the
17 funds to go to an organization without being
18 specifically earmarked for a known purpose. Others
19 felt strongly that that was not appropriate. We will
20 make our contribution for a specific identifiable,
21 quantifiable purpose such as purchasing street
22 furniture for an H Street organization. It's got --
23 they've got to demonstrate to us what's it going to.
24 We just caught ourselves in -- the ANC is just having
25 an issue over that whole concept in general, to the

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1 point that, at the last meeting, I said, "You have our
2 commitment. We will do this, but I don't want to hold
3 up our PUD over this." So we're happy to not call it
4 an amenity, but they just literally within their three
5 times, they can't get agreement among the members.

6 MR. HILDEBRAND: You're -- also going back
7 to the traffic just a bit, you made a comment about
8 signaling and signaling changes that would potentially
9 be needed along K Street?

10 MR. WELLS: Right. We're disclosing what
11 we found on K Street. The intersections were at an
12 overall Level of Service D, but as you know, we
13 measured the delay, predict the delay, and we do that
14 for each approach, and then the intersection as a
15 whole. What we found is that the eastbound traffic in
16 the afternoon leaving town -- it's highly directional,
17 inbound in the morning; outbound in the afternoon --
18 leaving town, the delays are in the E range rather
19 than the D range where we'd like to be. So if we
20 reallocate -- keep the same cycle length, but
21 reallocate about five seconds on the north/south
22 movements to the east/west movements, that would put
23 us back into the D range for all the approaches.

24 DDOT, as a matter of routine, they look at
25 their traffic signal timings. That's a matter of

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1 maintaining the system. And we would suggest the next
2 time they look at that, that perhaps they'd reallocate
3 a little bit of time. This is nothing unusual.

4 MR. HILDEBRAND: What is the mechanism to
5 make that suggestion? Is that -- do you just contact
6 DDOT?

7 MR. WELLS: Well, we put it in our study,
8 so Mr. Laden and his group did read our study, I'm
9 quite certain, and so they're alerted.

10 MR. HILDEBRAND: And that signal change
11 has no impact then to the Senate Square Development
12 site and your analysis of that site?

13 MR. WELLS: No, sir. In fact, we did
14 explicitly take into account Senate Square in this
15 study. That was one of two major projects that are
16 under construction, this and Station Place. They have
17 a relatively large impact, but not so much of that
18 traffic uses K Street. We're disclosing what we found
19 in terms of something approaching capacity and we're
20 suggesting a solution to it. I mean, our small number
21 of trips is -- has virtually no impact on it, but
22 we're disclosing what we found.

23 MR. HILDEBRAND: And on the architecture,
24 one last thing. In addition to the two facades that
25 are missing, I notice in your streetscape perspective,

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1 you are introducing some pre-cast panels over
2 entranceways and are suggesting some design -- or at
3 least it appears that way. They may be open railings,
4 but in this rendering it looks like a pre-cast panel.

5 MR. ESOCOFF: Right. It's an embossed --
6 it would be like an ornamental embossed pre-cast
7 panel.

8 MR. HILDEBRAND: Right.

9 MR. ESOCOFF: We've done it on a number of
10 projects. If you think about 2401 Pennsylvania Avenue
11 where these flags have topped the building, there's a
12 pre-cast with an embossed design.

13 MR. HILDEBRAND: Right. Okay. And that's
14 you -- it would sort of pick up on the pattern you're
15 suggesting with ornamental iron railings?

16 MR. ESOCOFF: Yes. We'd certainly like
17 the freedom to explore that. We don't -- in the
18 course of business, we don't have the time people used
19 to have to pre-wheel it and we don't have people in
20 pre-cast companies that are trained in the arts the
21 way they might have been a hundred years ago. I hope
22 for that time to come back, but we'll do what we can
23 to get it going.

24 MR. HILDEBRAND: I know that Amy Weinstein
25 has been very successful with like the Bread and

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1 Chocolate at 7th and Pennsylvania, an amazing quality
2 of pre-cast panels there. So it's been done.

3 MR. ESOCOFF: I know that.

4 MR. HILDEBRAND: I thought you might. But
5 those streetscape elements are so important. And as
6 you develop those, if you could submit something into
7 the package of what your concepts are for the
8 streetscape detailing, that would be appreciated.

9 MR. ESOCOFF: Sure, no problem.

10 MR. HILDEBRAND: Thank you.

11 MR. HOOD: Thank you, Madam Chair. Just a
12 few questions.

13 Ms. Prince, you said something about 80
14 percent of AMI over a 20-year period, that's how long
15 the affordable units will be out there to be
16 affordable?

17 MS. PRINCE: Yes.

18 MR. HOOD: For twenty years?

19 MS. PRINCE: Yes.

20 MR. HOOD: At 80 percent of the AMI?

21 MS. PRINCE: Eighty percent of the AMI.

22 MR. HOOD: Is, I guess Mr. Esocoff or Mr.
23 Wells, I 4th Street -- 4th Street is a one-way, right?

24 MR. WELLS: It's one-way southbound.

25 MR. HOOD: One-way southbound. Can we put

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1 the last one, if it's not too much trouble -- I have
2 the renderings here, but it would be easier for me if
3 we run the red light around and show me the
4 circulation pattern. I just want to see how the whole
5 site is going to work with the one-way street and the
6 alleys, the trash trucks, and you mentioned auto-turn.
7 Just show me the whole circulation pattern, how
8 everything is going to work.

9 MR. ESOCOFF: Well, it's really quite
10 simple to get into the south end of the alley. You
11 have to do that from I Street and I is one-way
12 eastbound.

13 MR. HOOD: Actually, I was looking for
14 something. I think it was like the last slide that
15 you had up. It was the last one that you had up
16 there. My orientation is all messed up right now. I
17 don't know if I'm going north or south.

18 Let me ask you another question. On this
19 site, what was the -- I know the bakery was there, but
20 was there a use there in between, like a hardware
21 store or something? It wasn't a hardware store?

22 MR. ESOCOFF: Before the bakery?

23 MR. HOOD: In between? And I'm trying to
24 get my bearings because I'm trying to see if that's
25 where the hardware store was.

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1 MR. ESOCOFF: The last --

2 MR. HOOD: They're shaking their heads, so
3 I know exactly where I am. That's where the hardware
4 store was.

5 MR. ESOCOFF: Oh, before the bakery?

6 MR. HOOD: Before the bakery, there was a
7 hardware store. I remember the hardware store. I
8 don't remember the bakery, but anyway I know where I
9 am. If you can just show me the circulation pattern
10 -- if I'm someone who is buying property here and I
11 need to be able to enter the building, just show me
12 how I would do all that.

13 MR. WELLS: This is 3rd Street, which is a
14 two-way street. I Street is one-way eastbound. 4th
15 Street is one-way southbound. K Street is two ways.
16 So -- and the garage entrance is right here. One
17 could use this section of the alley to turn right onto
18 K Street into the alley or you can also enter off of I
19 Street, coming from the west. Come in here, come into
20 the garage. So you can either turn left or right
21 from K or left from I Street to get in. To exit, one
22 can exit this way. You're compelled to turn left
23 because this is one-way. You could go to the south by
24 turning right here. To go to the north, you cannot
25 make that left. You would have to continue on to the

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1 other north/south streets to the east, or you can exit
2 from the alley here, turn left, or turn right. That's
3 basically the circulation.

4 MR. HOOD: So we have two ways that we can
5 get in. If I'm a resident, there are two ways that I
6 can enter the property if I'm driving?

7 MR. WELLS: Yes, that's correct. And the
8 more generous section on the alley is to the south.

9 MR. HOOD: Now what happens if I'm
10 entering the alley and there's a professional driver
11 who knows how to use auto-turn is in there, too, and
12 we both -- what happens if we meet?

13 MR. WELLS: If it's a large truck, what
14 the large truck would probably do is turn left here,
15 pull forward, back in, and then leave in this
16 direction.

17 MR. HOOD: Okay, if I'm leaving, and I'm
18 one of those that's coming in from the K Street side.

19 MR. WELLS: Well, as you come in, you're
20 going to -- you either need to see that driver and not
21 turn into the alley, or that driver needs to see you
22 and back up to give way to you. So, it's basically --
23 the tractor-trailer truck would take up nearly the
24 full width of this alley here. Now that would happen
25 not once a day. It's probably once or twice a month

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1 for a large tractor-trailer truck, after the initial
2 occupancy of the residential building. These are
3 ownership units. We spent a fair amount of time
4 looking into this issue on some other cases. Not many
5 apartment buildings have the ability to accommodate a
6 55-tractor-trailer. You do that by appointment. You
7 schedule it and you usually do that from the street.
8 Here, you'd have the ability to do it from the alley
9 on occasion.

10 MR. HOOD: So let's not talk about the
11 tractor-trailer now. Let's just talk about the
12 regular trash truck.

13 MR. WELLS: The trash truck, again, would
14 come in here and depending on the configuration, it
15 could go front-in, dump the dumpster, and they could
16 leave in that fashion. Or they could leave out onto K
17 Street.

18 MR. HOOD: So there may be a potential, if
19 someone entering from K Street and the trash truck is
20 -- say if the person -- if I'm entering from K Street,
21 and I'm three-quarters of the way down, I need to
22 enter, and the trash truck pulls out, then --

23 MR. WELLS: The trash truck is going to
24 have to go back. It's going to have to basically
25 create room for you to pass. The tight section is

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1 from here to here and there's no ability to widen that
2 to 20 feet because there are structures on either
3 side.

4 MR. ESOCOFF: Can I point out, too, that
5 the way we've done this --

6 MR. HOOD: You have to speak into the
7 mike.

8 MR. ESOCOFF: The way we've done this,
9 there's actually a place for people to sort of scoot
10 around each other that there isn't now. I mean a
11 truck could actually even pull into this little way
12 here and let somebody go by. So -- I mean, I think
13 the expectation when you go into alleys is that
14 occasionally you have to look down the alley to see if
15 somebody's coming and either you don't go down and let
16 them go through first -- but what we've done here, I
17 think, is make it wide enough for two people to pass,
18 but also for somebody, if a truck is coming this way,
19 this person can get out of their way, let them go, if
20 they want to go north, and then do that. It takes a
21 few seconds.

22 The trash trucks come once a day and they
23 usually come non-rush hour; likewise --

24 MR. HOOD: It sounds good, and I hear
25 that, but I don't know if that actually works out that

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1 way when you're out there in the real world, because
2 you know how -- it's 90 degrees, the trash man's mad,
3 first of all, because he's had to go in there -- and
4 I'm not saying just this site. I'm talking about in
5 general. I just -- I mean it sounds good right now.
6 I just don't want to be sitting, watching the 10:00
7 o'clock news and hear that I had a part to do with
8 creating a problem of people adjusting, pulling their
9 weight and trying to get parking spaces. I don't
10 know. Okay, okay, I'm not going to belabor that. I
11 can't solve that problem, I don't think.

12 MR. WELLS: I appreciate that. Bear in
13 mind DDOT requested that we, in fact, get access from
14 the alley rather than onto I Street. So there are a
15 lot of trade-offs here. It's one fewer driveway on a
16 public street, less conflicts between vehicles,
17 pedestrians and bicyclists. So I think on balance,
18 when you consider all of the trade-offs accessed from
19 the alley, I think that's a direction DDOT would want
20 to go themselves.

21 MR. HOOD: Can you make alleys in the
22 District one-way? Can you do that?

23 MR. WELLS: Sure.

24 MR. HOOD: That wasn't looked at at this
25 point, was it?

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1 MR. WELLS: DDOT didn't think that was
2 required.

3 MR. HOOD: I mean, they didn't think that
4 was suitable, in other words?

5 MR. WELLS: I'll let them speak for
6 themselves. They didn't indicate to us that it was
7 suitable or unsuitable.

8 MR. HOOD: Oh, okay.

9 MR. WELLS: I think from the width here,
10 this clearly is a two-way section and clearly can
11 accommodate two-way traffic. The segment in question
12 would be this northern half of the north/south alley.
13 One could ask the question, could that be one-way.

14 MR. ESOCOFF: That's fifteen feet. Just
15 by comparison, the Zoning Code allows a two-way
16 driveway, not an access aisle, to be 14 feet. So when
17 people aren't opening their doors, they can pass each
18 other there. So I think it may be a rare occurrence
19 when there's a serious conflict.

20 MR. WELLS: Yeah. A car is 6-foot wide,
21 two cars can pass one another in that segment of
22 alley. I understood your question to be, though, a
23 large truck versus a car.

24 MR. HOOD: Well, I kind of brought it back
25 down to a trash truck and then, you know -- basically,

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1 I was looking at trucks, a large truck and a trash
2 truck. I wasn't necessarily concerned about the cars.

3 MR. ESOCOFF: I think cars could be two-
4 way.

5 MR. HOOD: I guess we can turn the lights
6 back on. Well, wait a minute. I have one more. Well,
7 we can turn the lights back on. I can just look at
8 what I have here in front of me. Page 15 of what was
9 presented to us, and I think this is -- the proposed
10 elevations, the 4th Street elevations. I'm looking at
11 the two -- I'm pointing to Page 15, and I'm looking at
12 the lower houses that already exist and I think this
13 is north?

14 MR. ESOCOFF: Yes.

15 MR. HOOD: Okay. This place, are we
16 building right up against this home right here?

17 MR. ESOCOFF: Yes, that's a party-wall
18 situation.

19 MR. HOOD: It's a party-wall. I'm just
20 curious if you have the support of the person who owns
21 that home?

22 MS. PRINCE: The owner of the home is the
23 owner of the entire bakery site from whom we purchased
24 the property. So, he has no issue with this.

25 MR. HOOD: He has no issue, you're right.

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1 Well, if that's the case, I have no further questions.
2 Thank you.

3 MS. MITTEN: Thank you all for being so
4 thorough with your questions. I only have one small
5 one, which is, is the entire length of the alley going
6 to be re-paved as part of this?

7 MR. ESOCOFF: Yes.

8 MS. MITTEN: Okay. Is there anyone here
9 -- I don't see Mr. Dixon here for the ANC. Is there
10 anyone here for the ANC?

11 (NO RESPONSE.)

12 MS. MITTEN: Okay, well, then thank you.
13 We'll move to the Office of Planning Report now. Mr.
14 Jackson?

15 MR. JACKSON: Madam Chairman, members of
16 the Commission. My name is Arthur Jackson. I'm a
17 Development Review Specialist in the District of
18 Columbia Office of Planning and I will summarize the
19 Office of Planning's Final Report on this application.

20 The Applicant has described the project so
21 I will go through the actual zoning provisions that
22 apply in this case. With regards to the area and
23 local requirements of the Zoning Regulations, the site
24 exceeds the minimum 15,000 square feet required for a
25 PUD or a Planned Unit Development in the current

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1 Community Business District, or C-2-B Zone District.
2 No zone changes are requested because the PUD approval
3 would have increased the allowable FAR from 3.5 to 6
4 and the allowable lot occupancy -- allowable height to
5 90 feet.

6 The PUD application is also being
7 submitted to increase the allowable lot occupancy from
8 80 to 85 percent, increase the percentage of compact
9 spaces beyond the 40 percent, to reduce the garage
10 drive aisle in some sections from 20 feet to 17 feet 9
11 inches and to waive the 15-foot required rear yard
12 set-back.

13 The revised standards for PUD approval in
14 Chapter 24 of the Regulations, OP's review indicates
15 that the proposed amenities and benefits primarily
16 include the following: The sheer density of new home
17 opportunities, totaling 140 units, and distinctive
18 architectural design, including 12 affordable units
19 that might not otherwise be included in a market rate
20 residential development. The architecture, urban
21 design, landscaping, including the physical
22 improvement of the adjacent public alley, site
23 planning and efficient and economic land usage
24 resulting from a re-use of an industrial site for
25 residential use, effectively safe vehicular and

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1 pedestrian access with connections to public transit,
2 employment and training opportunities and
3 environmental benefits including a green roof.

4 With regards to other benefits of special
5 value to the neighborhood, the Applicant has agreed to
6 provide a \$25,000.00 grant to ANC for a community
7 organization of its choice.

8 Based on this information, the Staff finds
9 that the relative value of the community amenities and
10 benefits is greater than the degree of zoning relief
11 requested for anticipated impact of granting the
12 requested relief. Note that the Office of Planning
13 encouraged the Applicant to replace the two studio
14 affordable units with one or more 1- or 2-bedroom
15 units.

16 The generalized land use plan designates
17 the subject property for moderate density residential
18 land uses characterized by row houses and garden
19 apartments as predominant uses. The current C-2-B
20 Zone District is designated a moderate to medium
21 density mixed use zone district. As a result, this
22 proposal is consistent with the Comprehensive Plan.
23 It also supports the Comprehensive Plan goals and
24 objectives outlined in our report.

25 Based on this information, OP concludes

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1 this proposal is not inconsistent with the
2 Comprehensive Plan and supports more specific housing
3 and urban design goals identified in the plan.

4 With regards to community and other
5 District agency comments, of course the ANC has voted
6 to recommend approval, which was -- that vote came at
7 a meeting on October 12, 2005. The Fire and Emergency
8 Medical Service Department also expressed no concerns,
9 but noted that the alley must be widened to 20 feet,
10 which is shown on the revised plans.

11 Subsequent to submission of the OP Report,
12 the District Department of Transportation expressed no
13 objections to the proposal provided the Applicant
14 separate the curb cut for the garage entrance with at
15 least a 6-foot wide pedestrian buffer. Further
16 discussions with the Department of Transportation
17 revealed that they understood that what the Applicant
18 was proposing was to add a 20-foot wide curb cut to
19 the existing 15-foot wide curb cut, which would have
20 exceeded the maximum allowable width of 25 feet for a
21 curb cut. As the Applicant has shown, what is
22 happening is that they're adding 9 feet to the
23 existing 15-foot curb cut, thereby creating a 24-foot
24 wide curb cut or alley. With that, the Department of
25 Transportation is saying that it is within their

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1 maximum width of 25 feet for a curb cut. So their
2 original recommendation with regards to putting in the
3 pedestrian buffer no longer applies, but I suggest the
4 Applicant confirm that with the Department of
5 Transportation because I have faxed over some -- well,
6 emailed some copies of the plans and, of course, some
7 of the dimensions are not there and some complications
8 are probably merited in this case.

9 In light of these findings, the Office of
10 Planning finds that the proposal, as revised, merits
11 approval and recommends approval of the consolidated
12 PUD, subject to additional information being provided
13 prior to final proposed action, including the signed
14 agreements, participating in Department of Employment
15 Services First Source Employment and the Minority
16 Business Opportunity Commission programs, the
17 tabulation of the type size and location of affordable
18 units, which the Applicant has provided, a revised
19 ground floor plan to respond to the Department of
20 Transportation's comments, again, contingent on their
21 further discussions with the Department of
22 Transportation, it does not appear that additional
23 changes are required, the revised roof plan
24 identifying clearing what's green roof and what's not,
25 and then adding any list of environmentally sensitive

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1 standards that meet lead certification or that is
2 consistent with lead certification that should be
3 listed as done when the plans are submitted.

4 The Office of Planning also recommends
5 that documentation must be added to the public record
6 and the proposed grant is received by the agency that
7 is designated prior to the issuance of the Building
8 Permit.

9 With that, that concludes the summary of
10 the Office of Planning Report and we remain available
11 to answer questions.

12 MS. MITTEN: Thank you, Mr. Jackson.

13 Are there any questions from the
14 Commission for Mr. Jackson?

15 (NO RESPONSE.)

16 MS. MITTEN: I just want to make a general
17 comment, I guess. I don't -- I can't recall at the
18 moment other PUDs that we may have had in the C-2-B
19 Zone. This is something that concerns me more in the
20 abstract than it does in this specific case. But as
21 you noted on Page 9 of your report, the generalized
22 land use map for the subject property designates this
23 as moderate density residential and the C-2-B Zone is
24 considered to be a moderate to medium density mixed
25 use zone, and then we -- so moderate density is

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1 arguably at 3.5 FAR. You're on the edge of it. And
2 then through the PUD, and this is the general concern,
3 we nearly double -- with the PUD Guidelines, we nearly
4 double the permitted density. So whatever the land
5 use category is, it seems to me that the most generous
6 swing in the PUD is for a C-2-B. It goes from 3.5 to
7 6. So I don't know how one could remain in the same
8 land use category with that big of a swing. And then
9 as it relates specifically to this site, you know,
10 we're at 5.6 FAR, which I understand is within the PUD
11 Guidelines. But when we talk about high density
12 residential, the zone that gets us there is R-5-B and
13 that's at 6. So I don't know how we reconcile a 5.6
14 residential FAR with moderate density residential.
15 And I would hate for this to become a precedent for
16 people to come in and -- as I said, I'm not as
17 troubled by it in this context, but in another
18 context, I would hate for someone to be able to come
19 in and say 5.6 FAR is moderate density. I don't know
20 if you have a response for that.

21 MR. JACKSON: Well, I think this is a very
22 unique circumstance in that you have a commercial zone
23 and the Applicant pretty much wants to do a
24 residential project. I think what -- in light of what
25 the Comprehensive Plan is looking for in terms of

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1 residential development, quality development and with
2 what's allowed within the PUD Guidelines, that is
3 additional flexibility in return for public amenities.
4 This seems to be a reasonable -- given the
5 circumstances that were on site when the Applicant's
6 case was filed, this seems to be a reasonable
7 compromise in that they are limiting the height of the
8 building, still getting additional FAR, providing what
9 we consider to be very significant benefits and
10 amenities.

11 MS. MITTEN: I guess I'm asking you to
12 focus less on this specific case and what this case
13 could mean in other cases, and the precedential nature
14 of us giving, you know, 5.6 -- approving 5.6 FAR in a
15 moderate density residential zone and how do we make
16 sure that this doesn't become the basis for people
17 pushing a lot more density into areas where we think
18 it's not appropriate, even if we think it's
19 appropriate here?

20 MS. STEINGASSER: Well, Madam Chair, I
21 would say that your last statement is what we would
22 use. Is it appropriate here versus is it appropriate
23 somewhere else. We put some other sections from the
24 Comprehensive Plan, substantiating our support for it,
25 looking at it as parallel to A-3, which is an area

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1 that's been identified for substantial new residential
2 development, an area that we're desirous of creating a
3 critical mass to support the commercial corridor. It
4 is consistent with the PUD policies, putting density
5 near metro stations. You look at all of those, both
6 existing comp plan and additional guidance plans that
7 exist, to make that determination. In this case, we
8 felt it was. We felt the architecture was sympathetic
9 by stepping down the height and blending into the R-4
10 neighborhood and row house neighborhood. But mostly,
11 we would look at what are the surrounding houses and
12 plans for the unit. A lot of this falls to the in-
13 field development issues under underutilized and
14 vacant properties, getting those back on line. So
15 we'd look at all the different housing policy and
16 determine whether the density is appropriate or not.

17 In this case we thought it was primarily
18 focusing on the HV and the POD as supplemental
19 guidance for that area.

20 MS. MITTEN: Okay. I just -- we may be --
21 I don't know. I just -- these are the kinds of things
22 that make me nervous because we do place greater
23 emphasis on what the Generalized Land Use Map says.
24 That gets primacy.

25 MS. STEINGASSER: We do, and I don't

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1 disagree that there is a conflict between C-2-B being
2 a medium, a moderate to medium, but going all the way
3 up to 6 would be classic high density. Maybe that's
4 something we need to look at, is tweaking the Zoning
5 Regs a little bit and either creating a new zoning
6 district or aligning that bonus jump a little bit more
7 closely to the Comprehensive Plan. If the Comp Plan
8 is moving forward in its policy -- the Comprehensive
9 Plan revisions and amendments, the policy programs are
10 going to be released in the next month or two. So
11 that might be one of the ones we put in there to get
12 that balanced more.

13 MS. MITTEN: Well, more to your latter
14 statement, which is there seems to be something -- I
15 don't know what drove it originally, but there's some
16 reason why we give this big increase in density in a
17 C-2-B zone that is not reflected in other zones. And
18 I don't understand it. So I'd either like to
19 understand it or fix it.

20 MS. STEINGASSER: Okay, and that's easy
21 enough. We can do a quick C-2-B survey of the City
22 and see how potential the problem is and how fast it
23 could -- to look at that issue.

24 MS. MITTEN: Okay. Thanks.

25 Ms. Prince, do you have any questions for

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1 the Office of Planning?

2 MS. PRINCE: (Shakes head.)

3 MS. MITTEN: Okay. Is there anyone here
4 from DDOT or any other Government agency?

5 (NO RESPONSE.)

6 MS. MITTEN: Okay, then we would just take
7 note of the fact that the reports from DDOT and the
8 Fire Department are attached to the Office of Planning
9 Report.

10 I already asked if there was anyone from
11 the ANC here, and we don't have anyone here, but we do
12 have, in the record, at Exhibit 23, the letter of
13 support that meets the requirements for great weight.

14 I don't have anybody on my sign-up sheet,
15 but is there anyone at this point who would like to
16 testify in support? Is there anyone who would like to
17 testify in support?

18 (NO RESPONSE.)

19 MS. MITTEN: Is there anyone who would
20 like to testify in opposition? Is there anyone in
21 opposition? You need to come forward and state your
22 name for the record. Did you fill out two witness
23 cards for us? No, just come on. Give the one to him
24 first. But you need to do another one. Just as you
25 start, just say "test" so we can make sure it's on.

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1 MR. HEAVY: Test.

2 MS. MITTEN: Okay, you're good.

3 MR. HEAVY: Test. My name is Paul Heavy.
4 I live at 309 K Street, Northeast. My house backs up
5 behind or to what will become the alleyway. I'm not
6 sure I'm actually for or against this, but I just need
7 to throw out some comments for your consideration. I
8 think that Broadway Associates is doing a great job
9 with the Children's Museum in terms of how quickly
10 they're doing work. They're doing, I think, a much
11 better job than some of the other PUDs in the area.
12 And if they can do -- if this is approved, and they
13 can do as successful a job here, then I think that
14 would be a great thing.

15 I do have a personal interest in this in
16 the fact that I'm a little bit worried about the
17 height and the fact that one of the people in the City
18 that got approved for a solar grant and I'm a little
19 bit concerned that the heights of the 65 feet will
20 actually impede access to the sunlight in the
21 wintertime, but it might say that -- it might be
22 better for the community if this does go through, even
23 though I lose possible benefit from solar power. To
24 me, it seems like a pretty good idea, but again, there
25 are some other things I just want to throw out there

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1 in terms of comments. One is I hope that the alleyway
2 discussion continues because World Com has 20-30 cars
3 coming in every morning, not into the parking lot, but
4 they use for that alleyway. So then if you have, I
5 guess the expert said 40 cars a day going in or out,
6 you have 40 cars going in or out -- or out and then
7 you have 30 cars trying to come into that same
8 alleyway. So these are food-for-thought items.

9 The other thing is the landscape of the
10 neighborhood is changing slightly with the Children's
11 Museum final heights, the 200 K Street final height,
12 which I believe is 10-plus stories, I don't know if
13 anybody has the information, and then this will be 6-
14 plus. So you're looking at some of the area,
15 increasing the height and leaving that general 2-3
16 story row house area.

17 Those are just the general comments I
18 have.

19 MS. MITTEN: Can you tell us what's the
20 nature of the solar grant and what are you -- what
21 will you be doing with it?

22 MR. HEAVY: The City put out a grant
23 program about nine months ago and it was sponsored by
24 the Department of Energy. So residential, and I
25 believe commercial entities were able to put in a

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1 grant where you'd split the cost of installation of
2 solar panels as a way to show alternate energy usage.
3 I think from the development program that they're
4 proposing over here, they are trying to actually
5 install some -- with the green roof and then with the
6 heat pump system, I think is a green approach, which
7 is commendable also. But it was a program that they
8 are going to try and continue and so it's something
9 that if you -- and I'm not saying you shouldn't allow
10 it here, but if you allow it to continue in the future
11 where we have these high buildings, it could actually
12 be affecting -- I don't know. I don't know how many
13 people are going to get solar power grants, but it's
14 something to think about.

15 MS. MITTEN: So is what you're going to
16 install on your house on the roof of your house or on
17 the back of your house?

18 MR. HEAVY: Correct. No, it will be on
19 the roof, right.

20 MS. MITTEN: Okay.

21 MR. HEAVY: But with -- it could get
22 affected. I'm not sure. I haven't figured it out
23 yet.

24 MS. MITTEN: They have done some Shadow
25 Studies that you might want to take a look at.

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1 MR. HEAVY: Yes, Yes.

2 MS. MITTEN: Have you seen those?

3 MR. HEAVY: Yes, Ms. Prince was nice
4 enough to provide me with the plans. I just -- the
5 dates they put in the shadow plan might not -- it
6 doesn't go to the lowest horizon factor. I'm not sure
7 I know how -- I don't know how -- if it will or will
8 not at this point.

9 MS. MITTEN: Okay. Are there any
10 questions for Mr. Heavy?

11 MR. HILDEBRAND: Let me see if I can
12 repeat that. I'm trying to understand where you live.
13 You're on K Street?

14 MR. HEAVY: Yes, 309.

15 MR. HILDEBRAND: To the east of the alley
16 or to the west of the alley?

17 MR. HEAVY: I am to the west of the alley.
18 So --

19 MR. HILDEBRAND: So in the worst case, it
20 would be morning sun that would potentially be
21 blocked?

22 MR. HEAVY: Morning sun, yeah. Exactly.

23 MR. HILDEBRAND: The majority of the day
24 you would still have full sunlight. I think that was
25 one of the things I didn't comment on before, but the

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1 Shadow Studies submitted by the Applicant were cut off
2 so you didn't get the full effect of the shadow in the
3 wintertime. I wonder if it would be possible to re-
4 submit Shadow Study D, which was Pages 22 and 23. I'm
5 holding them up so that the audience can see, but the
6 full extent of the shadow is cut off by the limitation
7 of the site plan. Perhaps if the full block we're
8 shown, you'd get a better sense of what it affects on
9 the houses that face K Street.

10 MR. HOOD: Let's talk a little more about
11 the alley situation. You mentioned that World Com is
12 constantly going in and out of there. Right now, I
13 guess -- 15 feet, are they able to pass without a
14 problem? Some of what you may have heard me talk
15 about the problems, and people having problems backing
16 up and yielding to others, does that take place now?

17 MR. HEAVY: Well, really the only people
18 that are using the alley are the World Com -- I mean
19 the, I'd say the six residents that back up against it
20 off of K. We park back there, but we're not -- I
21 wouldn't say we're normal users of it. Most of your
22 vehicular traffic in that alley is from World Com
23 coming in in the morning. And they have daily trash
24 pick-up, too, but anyway. So those guys all come in
25 either from I Street or K Street.

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1 MR. HOOD: So right now, it's not a
2 problem?

3 MR. HEAVY: Well, no because there's not
4 that many people trying to leave.

5 MR. HOOD: Okay.

6 MR. HEAVY: Yeah, none of them are trying
7 to leave really. If that makes sense, because
8 everyone's coming in. But with the design, it looks
9 like everyone will be going out at the same time. And
10 so -- you know, I don't know if it's a problem worth
11 -- you know, make it a bad thing, but if you maybe
12 made the north side of the alley entrance egress only
13 or something like that, that might stop something, and
14 then have the south side, which they want to expand
15 and make bigger, have that for two-way traffic. You
16 know. but that's what my thought is.

17 MR. HOOD: Okay. Yeah, I probably will ask
18 the Applicant to look at because that is -- I didn't
19 even know World Com was even back up in there either.
20 If they're coming in and everybody's going out, you
21 may have a problem. Then again, you have to look at
22 maybe it's -- and I'm thinking out loud. Maybe I
23 shouldn't do that. Okay. Thank you.

24 MS. MITTEN: Just hold your seat for one
25 more second. Ms. Prince, do you have any questions

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1 for Mr. Heavy?

2 MS. PRINCE: (Shakes head.)

3 MS. MITTEN: Okay. Thank you for sharing
4 those thoughts with us.

5 MR. HILDEBRAND: Can I just ask him one
6 more question?

7 MS. MITTEN: Sure.

8 MR. HILDEBRAND: From your experience,
9 does most of the traffic in the morning coming into
10 World Com, do they come in off of I Street or do they
11 come in off K or is it split between the two?

12 MR. HEAVY: I really don't know.

13 MR. HILDEBRAND: You don't know.

14 MR. HEAVY: I couldn't honestly tell you.

15 MR. HILDEBRAND: Okay, thank you.

16 MS. MITTEN: Is there anyone else who
17 would like to testify either in support or opposition?

18 (NO RESPONSE.)

19 MS. MITTEN: Okay, Ms. Prince?

20 MS. PRINCE: Just some brief remarks in
21 closing. We appreciate your consideration of this
22 application and your time tonight. We believe it
23 represents a good use of the PUD process.

24 In response to Chairman Mitten's comments
25 about moderate density residential categorization of

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1 the land use plan in the C-2-B Zoning, that was
2 obviously one of the first things we looked at when we
3 took on this project and tried to figure out what was
4 reasonable. What's interesting is the zoning history
5 of the square. This C-2-B Zoning is only 14 years
6 old. It was an industrially zoned square and when the
7 Commission looked at this property, and it's too bad
8 that Commissioner Parsons isn't here, they made an
9 intentional decision to retain commercial zoning in a
10 large part of the square and to use R-4 Zoning in
11 other parts of the square. And I think that was
12 probably in recognition of the industrial uses that
13 were in the square at that time, but also there is
14 obviously some interest in retaining some of the
15 offices. Univision was an all commercial use at that
16 point. This site was all retail then, but then
17 subsequently, commercial bakery.

18 So, you know, moderate density residential
19 is not often seen with C-2-B, but it was put there
20 recently enough that I think we're allowed to look at
21 it and say that's our zoning. We get to use that
22 zoning. So how do we use it in a way that really does
23 promote what the Comp Plan was? I think our big
24 concession, and I don't think this PUD would have gone
25 forward with a foot over the matter-of-right height.

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1 And I think that was -- that's probably what
2 distinguishes this project from many other PUDs. Most
3 PUDs you see take advantage of additional height
4 somehow.

5 And quite frankly, when we first found we
6 were limited to the matter-of-right height in our
7 discussions with OP, we weren't convinced it was going
8 to make sense, but the architects looked at it
9 carefully and thoughtfully, and through the use of the
10 courtyard concept, which happened to work here but
11 wouldn't work everywhere, and a little more lot
12 occupancy beyond matter-of-right, we really got a
13 building that made sense. We got enough density out
14 of it that it was worth it to go through the PUD
15 process. But it was all those factors considered.
16 It's a commercially zoned property with all
17 residential use, industrial history, rezoned as
18 recently as 1991. It all made sense. I doubt you
19 would see those confluence of factors in many other
20 sites in the City. I know Office of Planning can look.
21 I've never done a PUD for a C-2-B zoned property in 22
22 years, so I don't think it's a common thing, and it's
23 certainly not common to use a C-2-B site for
24 exclusively residential.

25 So long answer to your question, but we

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1 are interested in proceeding with this project as soon
2 as we can. We are prepared to submit any of the
3 requested material within a week. That would make our
4 deadline Halloween, October 31st. We believe we can
5 respond to everything quickly. The missing
6 elevations, which are really -- one of them is largely
7 shown in one of the renderings, but we can easily
8 clarify that. I think we need some further study of
9 the parking garage to address the accessibility of the
10 visitor spaces. We certainly -- I would recommend
11 that we select a non-profit organization and tell you
12 how the funds will get used and give the ANC a week to
13 comment. Maybe that will break the logjam. And you
14 asked for some conceptual studies of the streetscape,
15 use of pre-cast, which we're happy to submit. We can
16 do that all in a week, unless there are additional
17 materials. And again, we appreciate your time this
18 evening. Thank you.

19 MS. MITTEN: Thank you.

20 MR. HILDEBRAND: With the streetscape,
21 also the fencing and railings? What I would add to
22 that would be the fencing and railings that help
23 define the streetscape as well. Also, one thing I
24 didn't mention, but that I think is important. The
25 overhang along the alley side is accentuated with this

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1 beautiful arched potentially bracket of some
2 description. Not having the elevation of the alley
3 side, I don't know how that element is repeated or
4 becomes part of the visual support for that façade. I
5 want to make sure it's not just a single façade
6 element, but it becomes something that's part of the
7 appearance of structure. I think we also talked about
8 extending the Shadow Studies so that we see the impact
9 of the shadow on the full block as opposed to the
10 truncated versions that were submitted.

11 MS. MITTEN: I also just wanted to
12 elaborate on -- and this is just an extension of what
13 the Office of Planning had asked for -- on the roof
14 plan, I think just having dimensions for the various
15 -- you know, how wide is the section of green roof and
16 so on? And then what specifically is being introduced
17 in terms of these environmental elements so that -- we
18 have to be able to quantify it.

19 And I believe -- I don't think this was
20 repeated, but I think Commissioner Hildebrand had
21 asked for the concepts that will be used in the pre-
22 cast detailing along the streetscape. I don't know if
23 you had repeated that in your summary. Okay.

24 MR. HOOD: Also, Madam Chairman, I know
25 nobody wants to talk about the alley issue, but if Mr.

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1 Wells could go back and just look at it to see if
2 maybe we can put some cautionary measures in the
3 alley, you know, just look at the one-way. You may
4 have already done it, but if you have -- I don't think
5 it's a show-stopper for me, but I would like for you
6 to at least look at it.

7 MS. PRINCE: We will.

8 MS. MITTEN: Okay. So then the deadline
9 for submission would be October 31st at 3:00 o'clock.

10 MS. PRINCE: Yes.

11 MS. MITTEN: Yes?

12 MS. SCHELLIN: We would allow the ANC one
13 week after that so if they -- if the ANC would file by
14 October -- I'm sorry, November 7th, then we would be
15 able to consider this at our November meeting.

16 MS. MITTEN: Okay. Someone's going to
17 have to communicate to the ANC that they have that
18 week, should they desire to take it.

19 Okay then, if we do get everything in on
20 time, then as Mrs. Schellin just said, we can put this
21 on for Decision at our November Public Meeting. And
22 if you'd like to find out if it's on the Agenda for
23 that meeting, you can call the Office of Zoning and
24 ask for Mrs. Schellin and she'll let you know.

25 Then, as of the 31st, the record will be

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1 closed. If anybody's interested in, as I said,
2 following the progress of the case, just contact the
3 Office of Zoning.

4 I thank you all for your participation
5 tonight.

6 MS. PRINCE: Thank you.

7 MS. MITTEN: And your patience as we
8 worked through, in our new enhanced environment here.
9 We are adjourned.

10 (Whereupon, the above-entitled matter was
11 concluded at 8:12 p.m.)
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