

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

THURSDAY

SEPTEMBER 19, 2013

+ + + + +

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

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson
MARCIE I. COHEN, Vice Chairperson
ROBERT E. MILLER, Commissioner
PETER G. MAY, Commissioner
MICHAEL G. TURNBULL, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

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OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER
KAREN THOMAS

DEPARTMENT OF TRANSPORTATION STAFF PRESENT:

JAMIE HENSON
FLEMING EL AMIN

The transcript constitutes the
minutes from the Public Hearing held on
September 19, 2013.

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

2 (6:33 p.m.)

3 CHAIRPERSON HOOD: Okay, we're
4 ready to get started. Good evening, ladies and
5 gentlemen. This is a public hearing of the
6 Zoning Commission for the District of Columbia
7 for Thursday, September 19, 2013.

8 My name is Anthony Hood and I think
9 what I'm going to do again is have the dais
10 introduce themselves, if you don't mind,
11 starting with Ms. Schellin.

12 MS. SCHELLIN: Sharon Schellin,
13 Secretary to the Zoning Commission for the
14 Office of Zoning.

15 COMMISSIONER TURNBULL: Michael
16 Turnbull representing the Architect of the
17 Capitol.

18 COMMISSIONER MILLER: Rob Miller,
19 Mayoral Appointee to the Commission.

20 VICE CHAIRPERSON COHEN: Marcie
21 Cohen, Vice Chair and Mayoral Appointee.

22 COMMISSIONER MAY: Peter May

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1 representing the National Park Service.

2 MS. STEINGASSER: Jennifer
3 Steingasser, Office of Planning.

4 MS. THOMAS: Karen Thomas, Office
5 of Planning.

6 MR. HENSON: Jamie Henson, DDOT.

7 MR. EL AMIN: Fleming El Amin, DDOT.

8 CHAIRPERSON HOOD: Okay, and I
9 didn't do that because I didn't have Mr. El
10 Amin's name. I do have your name. I just think
11 it's good sometimes that we introduce ourselves.

12 This proceeding is being recorded by
13 a court report and is also webcast live.
14 Accordingly, we must ask you to refrain from any
15 disruptive noise or actions in the hearing room.

16 The subject of this evening's
17 hearing is Zoning Commission Case Number 13-05.
18 This is a request by Forest City Washington for
19 approval of a first-stage and a consolidated PUD
20 and related map amendment for property located
21 at Square 744S, part of Lot 805, and Square
22 744SS, part of Lot 801.

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1 Notice of today's hearing was
2 published in the D.C. Register on July the 19th,
3 2013, and copies of that announcement are
4 available to my left on the wall near the door.

5 This hearing will be conducted in
6 accordance with provisions of 11 DCMR 3022 as
7 follows: Preliminary matters, and before we go
8 to -- well, we'll do preliminary matters. Then
9 we want to hear from the Deputy Mayor's Office.

10 And then we will proceed in this
11 manner: Applicant's case, report of the Office
12 of Planning, report of other Government
13 agencies, report of the ANC, in this case it's
14 ANC 6D, organizations and persons in support,
15 organizations and persons in opposition,
16 rebuttal and closing by the Applicant.

17 The following time constraints will
18 be maintained in this meeting: The Applicant 60
19 minutes, organizations 5 minutes, individuals 3
20 minutes.

21 The Commission intends to adhere to
22 the time limits as strictly as possible in order

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1 to hear the case in a reasonable period of time.

2 The Commission reserves the right to
3 change the time limits for presentations if
4 necessary and no time shall be ceded.

5 All persons appearing before the
6 Commission are to fill out two witness cards.
7 These cards are located to my left on the table
8 near the door.

9 Upon coming forward to speak to the
10 Commission, please give both cards to the
11 reporter sitting to my right before taking a seat
12 at the table.

13 When presenting information to the
14 Commission, please turn on and speak into the
15 microphone, first stating your name and home
16 address.

17 When you are finished speaking,
18 please turn your microphone off so that your
19 microphone is no longer picking up sound or
20 background noise.

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

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

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

8 Would all individuals wishing to
9 testify please rise to take the oath. Ms.
10 Schellin, would you please administer the oath.

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

15 (Multiple ayes)

16 MS. SCHELLIN: Thank you.

17 CHAIRPERSON HOOD: Ms. Schellin, do
18 we have any preliminary matters?

19 MS. SCHELLIN: Yes, sir, we do have
20 one, party status request from D.C. Water.
21 They're being represented from Mark Viani at
22 McGuireWoods. It's a request in support.

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1 CHAIRPERSON HOOD: Okay, that's at
2 Exhibit 18, Commissioners. What I would like to
3 do is do the party status request and then we'll
4 hear from the Deputy Mayor's Office and then
5 we'll proceed with the Applicant's
6 presentation, if that's okay.

7 Exhibit 18, Commissioners, we have
8 a request here and it basically starts off on
9 behalf of the District of Columbia Water and
10 Sewer Authority, independent public authority
11 and the lawful occupant of the property subject
12 to a proposed Planned Unit Development and they
13 go on and explain how their interest is very
14 involved in the area around it in which they
15 have, so I think this is very suitable for
16 approval.

17 And I believe that they have not
18 requested, and I may be incorrect but I don't
19 think they're going to present. They just asked
20 to be a party, okay? Okay, because we have to
21 manage the time if they're going to present.
22 Okay.

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1 COMMISSIONER MAY: I just had a
2 question. Why aren't they actually part of the
3 Applicant if they own the subject property?

4 CHAIRPERSON HOOD: Mr. Avitabile
5 will answer or Mr. Feola.

6 MR. FEOLA: Chairman, the District
7 of Columbia owns the property. D.C. Water
8 occupies the property pursuant to the compact
9 that was entered into when D.C. Water was created
10 as an independent agency. So they have,
11 obviously, an interest in the property but it's
12 not the ownership.

13 CHAIRPERSON HOOD: Vice Chair, you
14 have some questions?

15 VICE CHAIRPERSON COHEN: So D.C.
16 Water had no involvement in the selection or
17 negotiations of the future transfer of the
18 property?

19 MR. FEOLA: That is correct.

20 VICE CHAIRPERSON COHEN: Thank you.

21 MR. FEOLA: They obviously have
22 rights, though, as a tenant. I use that word

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1 tenant loosely because it's stronger than a
2 tenant, but they have rights on the property.

3 CHAIRPERSON HOOD: Okay, any
4 unreadiness?

5 COMMISSIONER MAY: It's very
6 unusual but I guess the whole circumstance is
7 unusual, so. Just ordinarily I would have
8 expected that they would just be part of the
9 party that is the Applicant. This is odd.
10 Okay, I don't have any problem.

11 CHAIRPERSON HOOD: One thing about
12 that, you never see the same thing. Any more
13 unreadiness?

14 Okay, I would move that we grant
15 party status to D.C. Water. I was about to call
16 it something, D.C. Water, and it basically
17 explains in Exhibit 18 and I think that fulfills
18 the requirement and I would ask for a second.

19 VICE CHAIRPERSON COHEN: Second.

20 CHAIRPERSON HOOD: So moved and
21 properly seconded. Any further discussion?
22 All those in favor?

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1 (Multiple ayes)

2 CHAIRPERSON HOOD: Any opposition?

3 So ordered. Staff, would you record the vote?

4 MS. SCHELLIN: Staff records the
5 vote 5 to 0 to 0 to grant party status in support
6 to D.C. Water, Commissioner Hood moving,
7 Commissioner Cohen seconding, Commissioners
8 May, Miller and Turnbull in support.

9 CHAIRPERSON HOOD: We're going to
10 ask if we can move one space. We're going to ask
11 the representative from the Deputy Mayor's --
12 oh, yes. Okay, I'm sorry. I'm getting
13 confused. That's the ANC. Okay, here we are.
14 You can introduce yourself.

15 MR. LAPAN: Great, thank you. My
16 name is Joe Lapan. I'm here representing the
17 Deputy Mayor for Planning and Economic
18 Development.

19 And, yes, perhaps just to confirm
20 the question that was being asked a moment ago,
21 the land is actually owned by the District of
22 Columbia.

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1 And the transaction is taking place
2 through our office so that's the primary reason
3 I'm here, just to speak on the application, in
4 addition, of course, to the Deputy Mayor's
5 interest in economic development in this part of
6 the city.

7 So I just want to make a brief
8 statement in support of the application if I can
9 just take a minute to do that.

10 So the Deputy Mayor supports this
11 project, primarily bringing a 365-day-a-year
12 active use to this portion of the city in the form
13 of the proposed movie theater. To my knowledge
14 this would be the only movie theater in Southeast
15 D.C., commercial movie theater.

16 Our understanding is that this
17 application has strong community support and I
18 think you'll hear from the ANC this evening.

19 The Deputy Mayor supports the
20 connection that's being made to Diamond Teague
21 Park, and the Anacostia River Trail is an
22 important connection that's proposed to take

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1 place here as well as the connection to The Yards
2 project that Forest City is developing, The
3 Yards Park as well as the baseball stadium. So,
4 you know, we see this as a key connection in the
5 development of this part of the city.

6 In addition, we are excited about
7 the re-introduction of the Potomac Avenue
8 right-of-way as an important connection as well.

9 So we would like to echo the support
10 of the Office of Planning, D.C. Water and the
11 ANC. We will continue to work with the
12 development team and those agencies and
13 departments to help address any remaining site
14 development and design issues.

15 From an economic point of view, we
16 would just also like to highlight that current
17 projections are that the project would deliver
18 \$250 million in new tax revenues over the course
19 of 30 years and approximately 250 to 300
20 full-time jobs once complete and stabilized.

21 As I said, the land transaction is
22 taking place through our office. We are

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1 currently continuing to work on the next steps
2 in that transaction and we have the parameters
3 of our deal structure in place.

4 In addition, we have been working
5 with D.C. Water and the development team on
6 relocation sites and understand that this is a
7 critical path item.

8 There are funds identified in the
9 FY14 and FY15 capital budget for relocation
10 activities and, in addition, the District is
11 prepared to utilize land value proceeds from the
12 transaction in support of relocation efforts as
13 necessary.

14 I know that there was a submission
15 from D.C. Water within the past day or two. They
16 requested a couple of conditions. I probably
17 will just allow the developer's counsel to speak
18 on those.

19 The District will, of course, comply
20 with any requirements in our capital budget laws
21 to report on progress with respect to relocation
22 sites.

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1 And we are committed to working with
2 D.C. Water, complying with any legal
3 requirements and, of course, it's a matter of
4 fact that the project will not be able to
5 commence until suitable relocation is achieved.

6 So with that, I think I'll conclude
7 my comments and if there's any questions I'm
8 happy to answer them.

9 CHAIRPERSON HOOD: Okay, thank you,
10 Mr. Lapan. Commissioners, any questions?
11 Vice Chair.

12 VICE CHAIRPERSON COHEN: Thank you,
13 Mr. Chairman. I have a question, Mr. Lapan,
14 with regard to the fact that the city does own
15 the land and yet there is only going to be, out
16 of 600 units of housing built on that site or the
17 sites, 8 percent will be affordable to people
18 making 80 percent of median income.

19 My question is now that the city does
20 have the ownership of the land, and I don't know
21 what your arrangement is, but one of the things
22 that I am very concerned about is that economic

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1 development is not just jobs. It's also housing
2 for workers.

3 So my question to you is why is the
4 city just limiting it to 8 percent of 80 percent
5 of the median when a lot of the people in that
6 neighborhood do not nearly make as much as 80
7 percent of median income and why just so few
8 units?

9 MR. LAPAN: To be frank, I know that
10 the initial term sheets for this transaction
11 predate me substantially. I can't speak in
12 detail to some of the decisions that have been
13 made about the development program,
14 unfortunately, at this time.

15 But I know that there's been a lot
16 that's gone into developing the proposed program
17 and weighing the various unique elements of the
18 site and the various costs that will have to be
19 undertaken in delivery of the project.

20 And I know that the Applicant's
21 statement goes into detail as far as what the
22 proposal is with affordable housing and

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1 compliance with District policies and goals.

2 Yes, I can't fully answer your
3 question as to why, you know, it wasn't a
4 decision to provide more affordable housing. I
5 hope the Applicant -- deeper affordable housing,
6 yes.

7 I'm happy to look into the history
8 of that a bit more and hopefully the Applicant
9 can touch on that as well.

10 CHAIRPERSON HOOD: Okay, any other
11 questions up here? Okay, Mr. Feola, Mr.
12 Avitabile any questions?

13 MR. AVITABILE: No. If the
14 Commission's so inclined, we're happy to answer
15 that question now while it's fresh in everyone's
16 mind or we can wait until --

17 CHAIRPERSON HOOD: Okay. Why
18 don't you go ahead and answer it now.

19 MR. NYHAN: Good evening, Chairman
20 Hood and fellow Commissioners. My name is Alex
21 Nyhan, senior vice president, development, for
22 Forest City.

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1 I think just to amplify Mr. Lapan's
2 comments a little bit, the District, through the
3 investment that we're able to make, can
4 generate, you know, X amount of land value,
5 right?

6 And then the question from a public
7 policy perspective is of that land value, the
8 maximum that Forest City can pay, you know,
9 what's the best way to reinvest that in various
10 public policy priorities?

11 So obviously one key policy priority
12 is affordable housing, whether it's workforce,
13 lower, et cetera.

14 But this site brings with it
15 additional complexities that include the need to
16 also use some of that land value to pay for
17 environmental remediation, to also pay for the
18 new public infrastructure that Forest City will
19 construct in the form of new roads, low-impact
20 development, et cetera, and also, as Mr. Lapan
21 referred to, to generate enough funds to
22 supplement the capital budget dollars to pay for

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1 the relocation of D.C. Water in the first place.

2 You know, there's X amount of value
3 and it's a policy matter of how to distribute it
4 among those competing and important priorities.

5 The only other comment I would make
6 just from our perspective as the developer, you
7 know, we're involved with this project here,
8 which is 8 percent at 80 percent of AMI.

9 But at The Yards we also have 20
10 percent of the multifamily affordable to 50
11 percent of AMI, and then across the street at
12 Capper/Carrollsborg we've got a third of the
13 units under 30, a 30 workforce and a 30 market.

14 I recognize that it doesn't directly
15 address your concern but if you kind of take a
16 little bit of a step back at those three projects
17 in this neighborhood, you know, there is a fair
18 amount of economic diversity that's being
19 generated in new housing stock.

20 MR. GILLIAND: Mr. Nyhan, you might
21 want to point out on the map what we're talking
22 about.

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1 MR. NYHAN: Sure. So if you look
2 there, where Mr. Feola is highlighting, that's
3 the parcels in question, the D.C. Water site.
4 Then the other surrounding parcels that are
5 labeled The Yards is our project called The
6 Yards.

7 And then, Phil, if you can point to
8 M Street there. Then right north of M Street is
9 a Hope VI project where we're the partners of
10 Housing Authority called the
11 Capper/Carrollsborg.

12 VICE CHAIRPERSON COHEN: I'm very
13 familiar with that project, yes.

14 MR. NYHAN: I knew you were. I'm
15 sorry.

16 CHAIRPERSON HOOD: Okay, thank you.
17 Commissioner Miller.

18 COMMISSIONER MILLER: Thank you,
19 Mr. Chairman. I just had one question for Mr.
20 Lapan and maybe the Applicant's representative
21 if need be.

22 The relocation of the D.C. Water

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1 facilities, I know there's funds in the capital
2 budget for that but can you just put on the record
3 what the status is and the timetable for
4 relocating the facilities that would be
5 displaced by this project?

6 I'm glad they're going to be
7 displaced by this project personally, but do we
8 have a place to put them at yet?

9 MR. LAPAN: We're working on it.
10 There's no specifically identified site at the
11 moment.

12 There's a couple of sites that are
13 under consideration and due diligence has been
14 done and is continuing to be done and that's
15 obviously the key piece from the city's point of
16 view, and that's probably the best way I can
17 characterize the status right now.

18 COMMISSIONER MILLER: Is the goal,
19 though, to have that happen during the next
20 fiscal year? There are funds in the fiscal '14
21 budget?

22 MR. LAPAN: Yes, the goal is

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1 certainly to identify the location and have that
2 be acceptable to everybody and then build out the
3 timeline from there.

4 COMMISSIONER MILLER: Okay,
5 because we have in the Applicant's record
6 submission that they hope to begin construction,
7 I think in early 2014, so.

8 MR. LAPAN: Yes, I'm happy for the
9 Applicant to shed more light on that as well.

10 MR. NYHAN: Commissioner Miller, if
11 I could just add to that, we have offered to D.C.
12 Water to do an interim relocation of a portion
13 of their improvements -- not improvements, a
14 portion of their program that currently occupies
15 the future movie theater parcel right across the
16 street at The Yards.

17 So basically the idea is if it takes
18 a little while to do the permanent relocation,
19 we'd like to find a way to be able to jumpstart
20 at least the theater component.

21 COMMISSIONER MILLER: Thank you,
22 that's very helpful.

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1 CHAIRPERSON HOOD: Okay, now,
2 questions up here? Okay, does the Applicant
3 have any questions of Mr. Lapan?

4 MR. AVITABILE: No, we do not.

5 CHAIRPERSON HOOD: Okay,
6 Commissioner Garber, you have any questions of
7 Mr. Lapan?

8 (Off microphone discussion)

9 CHAIRPERSON HOOD: Okay, and Mr.
10 Viani, do you have any questions of Mr. Lapan?

11 (Off microphone discussion)

12 CHAIRPERSON HOOD: Okay. Mr.
13 Lapan, thank you very much. We appreciate you
14 coming in and providing testimony on behalf of
15 the Deputy Mayor.

16 MR. LAPAN: Thank you very much.

17 CHAIRPERSON HOOD: Thank you.
18 Okay, I guess we're ready to get started. Mr.
19 Avitabile.

20 MR. AVITABILE: Wonderful. Thank
21 you very much. I'm going to move back to
22 beginning. Good evening, Commissioners.

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1 CHAIRPERSON HOOD: Wait, I'm sorry.
2 Do we have any expert witnesses?

3 MR. AVITABILE: We do have. We
4 have a whole plethora of experts and we should
5 probably make sure that they're all recognized
6 as such.

7 We included all of their resumes in
8 Tab E of the very large book that was submitted
9 as a pre-hearing submission 20 days ago.

10 Many of these individuals have
11 already been recognized as experts by this
12 Commission before, including Mark Gilliand of
13 Shalom Baranes Associates, Rick Parisi from M.
14 Paul Friedberg and Partners and Erwin Andres
15 from Gorove/Slade Associates.

16 And so you do have their resumes
17 before you, but I think you've all recognized
18 them as experts in the past.

19 In addition, we also have Gerry
20 Renaud from RTKL Associates who is a principal
21 with the firm in their Dallas office and does
22 retail design all over the country.

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1 And we've included his resume in our
2 package of materials and we do ask that he be
3 recognized an expert in the field of
4 architecture.

5 CHAIRPERSON HOOD: So basically,
6 Mr. Avitabile, the only person we have is Mr.
7 Renaud, correct?

8 MR. AVITABILE: That's new. I
9 should also mention we do have Kyle Oliver from
10 Vika Capitol as an expert in civil engineering.
11 He won't be presenting.

12 CHAIRPERSON HOOD: We've accepted
13 him previously.

14 MR. AVITABILE: Yes, he's here as a
15 rebuttal witness if we need him.

16 CHAIRPERSON HOOD: Okay,
17 Commissioners, I think everyone has been
18 accepted as expert with the exception of Mr.
19 Renaud. We do have his resume. Any
20 objections? Any questions for him?

21 (Off microphone discussion)

22 CHAIRPERSON HOOD: No objections?

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1 Mr. Renaud, you've joined the other class now.
2 You've been accepted as an expert. Okay,
3 anything else, Mr. Avitabile?

4 MR. AVITABILE: No, sir.

5 CHAIRPERSON HOOD: Okay, we're
6 ready to begin.

7 MR. AVITABILE: Great. Thank you
8 very much. Good evening, Commissioners.
9 Thank you for the opportunity to present
10 testimony this evening.

11 For the record, my name is David
12 Avitabile with the law firm of Goulston & Storrs.
13 With me tonight is Phil Feola. We are land use
14 counsel to Forest City.

15 We're here tonight to present what's
16 really an exciting opportunity on the Anacostia
17 Riverfront to redevelop what is essentially an
18 industrial brownfield site into a mixed-use
19 development that capitalizes on major public and
20 private infrastructure in this portion of the
21 city.

22 That investment includes the

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1 ballpark to our west, the Anacostia River to our
2 south, The Yards development which is a
3 public/private partnership to our east and to
4 our north and, of course, our proximity to the
5 Metro Rail Station which is also to our north.

6 Briefly, to get started, this site
7 is currently, as I mentioned, an industrial
8 brownfield site that's used by D.C. Water for
9 various fleet maintenance and other activities
10 critical to keeping our water clean.

11 The site is currently in the Capitol
12 Gateway Overlay in Zone W-2 as you can see here.

13 We are proposing as a part of the PUD
14 a related rezoning that would rezone the bulk of
15 the sites the Capitol Gateway CR Zone District.

16 We are also proposing to downzone
17 the portion of the property that is along the
18 Anacostia River to the Capitol Gateway W-1 Zone
19 District, which we think is appropriate given
20 its proximity to the river and the program that
21 we have in mind for that portion of the PUD.

22 You'll hear more detail this

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1 evening, but briefly what we propose doing is
2 extending the street grid into the site to create
3 four development parcels.

4 The three parcels that you see on the
5 left along 1st Street south of N Street, N Place
6 I should say, are the G1, G2 and G3 Parcels. We
7 are here tonight seeking first-stage PUD
8 approval for those parcels.

9 There is one parcel that will be on
10 the east side of our proposed 1-1/2 Street, the
11 F1 Parcel. That's the movie theater parcel and
12 we are here seeking consolidated PUD approval
13 for that site.

14 And with that, I will turn the
15 presentation over to Alex Nyhan to present the
16 program and why we're here. Alex.

17 MR. NYHAN: Good evening, Chairman
18 Hood again and Commissioners. Thanks so much
19 for the opportunity to be here. We're really
20 excited about this project. We've been at it
21 for almost eight years and we're really excited
22 to be at this stage of the process.

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1 What I'd like to do is start briefly
2 with just a quick refresher on Forest City and
3 The Yards, which is next door, for any of the
4 Commissioners to whom that is new and then go
5 right into our proposal for the D.C. Water sites.
6 Let's go to the next slide.

7 Forest City has been working on the
8 public/private partnership of The Yards for
9 about eight years. It's a public/private
10 partnership among the federal government, the
11 District government and Forest City and we now
12 have our Yards Park which has been open about
13 three years. Go to the next slide.

14 We also have a few buildings open.
15 We opened the Foundry Lofts which has been a very
16 successful adaptive reuse building,
17 multifamily, the Boilermaker Shops which is a
18 retail building and then this building here
19 called the Lumber Shed in the Park will open
20 later this year.

21 So it's been a few years since I've
22 been before the Commission but this is what we've

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1 been up to in the meantime. So next slide,
2 please.

3 So here's the proposed program for
4 the D.C. Water sites. We have a movie theater
5 building and two multifamily buildings, over
6 street retail plus building the final phase of
7 Diamond Teague Park. This is our vision.

8 You also can see here in the
9 southeast corner a little bit of poetic license
10 that we took for something that we're very
11 excited about which is D.C. Water's, sort of
12 reflecting on the possibility of building an
13 administrative building above the O Street pump
14 station, so we'd love to see that happen.

15 This project is a result of an RFP
16 that the city ran when the city was debating
17 whether to do a baseball stadium or not and
18 Forest City was lucky enough to win that RFP on
19 December 12th, 2005.

20 At that time the debate in the city
21 was really will we get just a baseball stadium
22 or are we getting a baseball stadium plus a new

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1 neighborhood around it?

2 And now five years later, after the
3 baseball stadium opened, some of the other
4 development opportunities didn't materialize
5 but we're happy to say that this one looks like
6 it's on its way and all of the ones that Forest
7 City have been involved with have, in fact,
8 materialized since then.

9 As part of the RFP process through
10 the city, the city asked Forest City to conduct
11 a master planning process working in
12 collaboration with then Anacostia Waterfront
13 Corporation, Office of Planning, the Mayor's
14 Office as well as other developers who hired
15 Cooper, Robertson of New York. This is the
16 result of that master plan.

17 We then turned the master plan and
18 development strategy over to the city and after
19 that the project, this particular project, the
20 D.C. Water project, did lay dormant for a few
21 years.

22 There was the great recession, and

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1 there's really been three key things that have
2 happened over the last year or two that have
3 really brought this project back to life.

4 The first, as Mr. Lapan mentioned,
5 is that the Mayor and City Counsel approved
6 capital funding for the relocation.

7 The second, probably even more
8 important, is D.C. Water, they have very
9 dedicated, progressive leadership, new
10 leadership, and Forest City has worked very hard
11 over the last few years to earn their trust as
12 hopefully a competent and trustworthy partner.

13 We collaborated with D.C. Water to
14 build the bridge to Diamond Teague Park. We
15 also are collaborating with them to build some
16 infrastructure for their Clean Rivers Project.

17 The third key element that has
18 happened in the last couple years is movie
19 theater operators started banging down our door.

20 And so we ran a competitive process
21 with the would-be operators. We told them we've
22 got a great site for you. It's right between two

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1 sewer pump stations. You know, we think it's an
2 awesome opportunity, great views of the river.

3 And we also told them you're not
4 going to get any TIF or pilot subsidy like some
5 of these other deals around town and we drove a
6 pretty hard bargain, insisting on design
7 excellence.

8 And we're delighted that Showplace
9 Icon is here tonight as our tenant for this
10 project. Let's go to the next slide.

11 So those are really the three things
12 that have happened to bring this deal back to
13 life.

14 Our first phase is the proposed
15 movie theater building. You can see here RTKL's
16 design of this.

17 On the design team we really wanted
18 to create a marriage of the best of local and
19 international practices so we have our master
20 planner from The Yards, Shalom Baranes.

21 We've got our park designer, my
22 colleague for many years, Rick Parisi, who did

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1 Yards Park as the landscape architect for this
2 park.

3 But then we needed to basically kick
4 it up a notch in terms of the retail design so
5 we brought in RTKL from Dallas who's done some
6 phenomenal projects around the world to design
7 the movie theater. The next slide, please.

8 Here you can see the role of the
9 movie theater in creating an entertainment
10 anchor on the proposed 1-1/2 Street.

11 This is really a great opportunity
12 to create a better retail environment than might
13 be possible on 1st Street, Southeast, due to the
14 street section although, of course, we will
15 comply with the retail obligations there as
16 well. Go to the next slide.

17 The second phase of the project is
18 the multifamily over street retail and you can
19 see here the future views of those as well as
20 the Park in the foreground. Next slide, please.

21 The last point I'd like to make is
22 about the community participation process and

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1 community benefits.

2 We started with a very well-attended
3 meeting last fall that Commissioner Garber of
4 the ANC held in the community and this whole
5 architect team plus the operator came in and we
6 sat down and basically answered the community's
7 questions.

8 To summarize, the key question that
9 the community had was basically, to paraphrase,
10 hey, this looks great but how do we know that if
11 you put a movie theater here we're not going to
12 have some of the behavioral challenges that have
13 happened in another, you know, movie theater in
14 town?

15 And the operator very decisively
16 responded to those concerns with a description
17 of customer service, management training,
18 security, reserved seating, you know, food
19 quality, design quality, all the elements that
20 create a very quality but inclusionary
21 experience.

22 Coming out of that, we then met for

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1 additional discussions with the ANC
2 Commissioners culminating in the unanimous vote
3 from ANC 6D.

4 With respect to community benefits,
5 as part of that ANC negotiation there are two
6 that I'd really like to highlight.

7 The first is you can see here a
8 rendering of additional children's playground
9 equipment in the Park.

10 And the second is our workforce
11 intermediary. When we say workforce
12 intermediary, we mean Forest Center paying for
13 national thought leaders and consultants to find
14 the right organizations to train our residents
15 in our city to be matched with specific jobs,
16 with specific skills in a specific operator, so
17 train, place and retain District residents.

18 Here I've included a couple of shots
19 from the graduates of our culinary class this
20 past summer, two of whom have already accepted
21 offers at Harris Teeter, our grocery store at The
22 Yards.

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1 One reason I'm so excited about the
2 workforce intermediary is that it's something
3 that we're doing right now. We know it can be
4 successful.

5 We can't solve the world of
6 employment issues in town, but we do have a real
7 operator in the form of the theater operator
8 that's willing to work with us and we're
9 confident we can build on the success we've had
10 with Harris Teeter.

11 With that, I'd like to turn it over
12 to Mr. Gilliand to talk a little bit more about
13 the master plan. Thank you.

14 MR. GILLIAND: Good evening. Mark
15 Gilliand with Shalom Baranes Associates here.
16 As Alex mentioned, we've been working with
17 Forest City on this master plan for some time but
18 we've also had involvement in The Yards master
19 planning going back several years.

20 Just talk a little bit about the
21 existing site. The site is bounded by 1st
22 Street on the west, sitting opposite the

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1 ballpark.

2 The north boundary is N Place, not
3 to be confused with N Street which is a block
4 farther north. N Place is a public street that
5 links 1st Street over to Canal Street along the
6 west side of the main pumping station.

7 The eastern boundary of the site is
8 really defined by the continuing operations that
9 are envisioned long term of D.C. Water on the
10 site, their main pumping station as well as the
11 O Street pumping station that sits off
12 southwest.

13 Southern boundary is the Anacostia
14 River along the Anacostia Riverwalk Trail. You
15 know, just to the west and slightly down river
16 is the Florida Rock Development.

17 As it exists today, the site's
18 fenced off without any internal streets and it's
19 utilized by D.C. Water for field operations and
20 fleet maintenance.

21 And this has been mentioned. You
22 know, right now it's basically a brownfield

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1 industrial site. Next, please. You're too far
2 forward. There you go, thank you.

3 While not part of Forest City's
4 Yards project, the new sites are a logical
5 extension of that master plan.

6 They represent a unique opportunity
7 to link the vibrant mixed-use neighborhood that
8 I know you all have heard a lot about in the past
9 that's planned to the north all the way down to
10 the water's edge and extended over to the
11 ballpark.

12 The master plan is also a
13 demonstration of urban sustainability. It
14 repositions a low-density and impervious site
15 into a high-density, mixed-use development that
16 includes an expanded waterfront park. Next,
17 please.

18 This aerial photograph illustrates
19 the current intensity of parking and vehicular
20 storage that occurs on the site. You can also
21 probably make out along that northern boundary
22 sand and gravel storage bins that are there as

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1 well.

2 There are a number of existing
3 structures scattered about, varying from brick
4 structures to temporary trailers. None of the
5 buildings are historic.

6 These are some images of those
7 buildings. The largest of the existing
8 buildings on the site is the fleet maintenance
9 building which is shown in the upper right-hand
10 corner of this slide. As I'll explain a bit
11 later, portions of that existing structure will
12 be retained in place.

13 The site is complicated. It has
14 some challenges that are unique to its location.

15 I've mentioned the scattering of
16 existing buildings but there are also
17 significant sewer lines at varying depths that
18 cut across or run adjacent to the site. Some are
19 quite old and fragile.

20 So the design of new structures
21 needs to take this into account and basically
22 imposes some limitations on the below-grade

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1 construction.

2 Also the area shown in light blue
3 here, which creeps up from the river, is an area
4 that's within the 100-year floodplain.

5 So like The Yards project, we'll
6 need to elevate the south end of this site, in
7 some areas by several feet, in order to get any
8 new development parcels out of that 100-year
9 floodplain.

10 With any master plan, we usually
11 start by trying to find ways to exploit
12 connections to the surrounding neighborhood and
13 that's exactly what we've done here, looking at
14 the existing street grid and the proposed street
15 grid and pulled those in.

16 Of course, on the west end of the
17 site is 1st Street which is a public street that
18 already drives down from M to the edge of the
19 river.

20 1-1/2 Street, this new center of the
21 project, is a private street that's envisioned
22 as part of The Yards master plan, so the idea is

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1 to take that street and drive it also all the way
2 down to the river.

3 On the eastern edge, there's Canal
4 Street which exists as a public street north of
5 N Place, north of the site, up towards New Jersey
6 Avenue.

7 Although it's not currently
8 publicly accessible, I think the long-term plan
9 is that it will be publicly accessible and will
10 be extended as a visual easement down through the
11 portion of property that will continue to be
12 occupied by D.C. Water to the water's edge.

13 Potomac Avenue is also another great
14 opportunity to link, taking its terminus right
15 now, its eastern terminus at 1st Street, and
16 extending it farther to the east to make a link
17 to the new 1-1/2 Street.

18 And if you can make out the small
19 little red street that links 1st over to 1-1/2,
20 that's O Street. It was a public street at one
21 point in time. It was closed. It was obviously
22 closed also off to the west when the ballpark was

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1 built.

2 But the idea is to reinstate an O
3 Street segment as a private right-of-way to link
4 1st to 1-1/2.

5 And finally, you know, while not a
6 street, the Anacostia Riverwalk Trail is an
7 important connection and it does exist at the
8 southern end of our site.

9 With our new master plan
10 development, the idea is to enhance that
11 connection and make great connections over to
12 what Florida Rock has planned to the west.

13 So with the introduction of these
14 streets, these private streets, the property
15 takes on a block structure that yields four
16 development parcels.

17 I think Dave touched on these a
18 little bit earlier, but the F1 Parcel up in the
19 northeast corner is the movie theater parcel and
20 then on the west side along 1st Street moving
21 from north to south are three development
22 parcels which we call G1, G2 and G3.

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1 These parcels, when seen in the
2 context of The Yards' master plan, show what I
3 believe to be a logical extension of the urban
4 block structure down to the edge of the river.

5 The size of these blocks are very
6 walkable and support the vision of an active and
7 vibrant mixed-use neighborhood.

8 The private street widths on 1-1/2
9 and O Street are 70 feet wide and that matches
10 the typical street width that was approved as
11 part of The Yards' master plan.

12 And that 70-foot dimension is, you
13 know, I think a really terrific dimension that
14 allows for you to accommodate two-way traffic,
15 vehicular lanes that can be shared with bikes,
16 also have parallel parking on both sides to
17 support any street-level retail that you have
18 and then have ample sidewalks on either side, 16
19 feet in fact, that provide for a comfortable
20 pedestrian environment, as well as our LED
21 planting zones that Rick will talk about in a bit
22 more detail here coming up.

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1 The proposed heights are consistent
2 with the allowable and approved heights on
3 adjacent properties. G1 and G2 along 1st Street
4 are 130-foot tall structures.

5 F1 steps down to 100-foot height and
6 mediates from that 130-foot height down to the
7 height of D.C. Water's main pumping station, and
8 G3 has a 30-foot maximum building height, you
9 know, where it's up against the Park and the edge
10 of the river.

11 In the area surrounding the site
12 right now, just to give you a sense of some of
13 the allowable heights or approved heights, Yards
14 Parcel A up around M Street in New Jersey is
15 permitted 130-foot building height.

16 Ballpark Square, which I believe was
17 a PUD this Commission saw, on the west side of
18 1st Street was approved at 130 feet. Ballpark
19 is, of course, 130 feet.

20 And Florida Rock was approved with
21 varying heights extending up to 130 feet
22 maximum.

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1 As a consolidated PUD, the FAR for
2 the F1 Parcel is very defined. It's 5.37. For
3 the G1, G2 and G3 Parcels, we're asking for
4 maximums to design to with future second-stage
5 applications.

6 The requested density for G1 is a
7 maximum of 8.0, moving to the south G2 is 7.5 and
8 down to the edge of the river, asking for 0.5.
9 And I should say that those FAR calculations
10 exclude our new private streets.

11 VICE CHAIRPERSON COHEN: And on
12 your map you do have 5.73. You know, is it 5.37
13 or --

14 MR. GILLIAND: 5.73 I believe.

15 MR. AVITABILE: It's 5.73.

16 VICE CHAIRPERSON COHEN: Okay, you
17 just inverted.

18 MR. GILLIAND: I'm sorry.

19 VICE CHAIRPERSON COHEN: Thank you.

20 MR. GILLIAND: Thank you. This
21 diagram describes the zoning-required retail
22 locations in and around the D.C. Water sites.

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1 What's shown in red is
2 zoning-required preferred use frontages within
3 the Capitol Gateway Overlay which would impact
4 our sites with retail frontage being required
5 along 1st Street for G1, G2 and G3.

6 What's shown in blue are the retail
7 frontages required by the Southeast Federal
8 Center Overlay District. Let's go to the next
9 slide.

10 While, you know, we have that
11 requirement for preferred-use frontage, retail
12 frontage along 1st Street, we have aspirations
13 to do more.

14 This diagram, which focuses in on
15 the D.C. Water parcels, shows an idea about 1-1/2
16 Street being activated as a vibrant arts and
17 retail street taking a connection off of N Street
18 to the north and driving some active uses all the
19 way down to the river, linking to Potomac Avenue
20 and expanded Diamond Teague Park.

21 The F1 Parcel obviously has the
22 movie theater, a major kind of anchor in this

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1 retail arts vision.

2 And through some discussions with
3 the ANC we've made commitments on the G1 Parcel
4 which sits on the other side of 1-1/2 Street to
5 have the northeast and southeast corners of that
6 building, making the commitment.

7 We'd always envisioned that retail
8 was the right thing do to there but making a
9 commitment to do retail and also looking sort of
10 aspirationally about some ideas of retail along
11 Potomac Avenue as well.

12 Obviously with second-stage
13 applications for those buildings and sort of
14 laying them out, we'll come back with a more
15 defined plan at a later time.

16 This is an illustrative view looking
17 down 1-1/2 Street, down this kind of arts and
18 retail street, standing just north of the site
19 and looking towards the river.

20 With the exception of the movie
21 theater building that's on the left, that RTKL
22 will talk about and get later here, none of these

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1 buildings have been designed yet.

2 But we wanted to kind of show this
3 image as sort of illustrative, evocative of the
4 kind of place that we imagine 1-1/2 Street could
5 be.

6 Another aspect of the master plan
7 that will contribute to an active and
8 interesting streetscape environment is the
9 retention of portions of the existing fleet
10 maintenance building and its adaptive reuse into
11 retail.

12 The key plan in the upper left, you
13 can make it out, shows that kind of shaded area,
14 how that fleet maintenance building occupies the
15 G1 Parcel having frontage on three of the
16 streets.

17 While not historic, the retention of
18 this building does tell a story about the area's
19 industrial past. Existing building is a
20 high-volume interior baize and has large
21 expanses of glass at the street and we believe
22 is really ideally suited for retail.

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1 Those of you who might be familiar
2 with what Forest City has done in The Yards, with
3 the Boilermaker Shop in particular, might be
4 better able to kind of imagine what might be
5 possible with an adaptive reuse of this
6 structure.

7 The intent with the fleet
8 maintenance building is to save all of the
9 street-facing facades, to adapt the one
10 structural bay, or excuse me, one facade bay back
11 off of those three sites.

12 The extent of the retention will
13 continue, we believe, to allow the existing
14 structure to read as a building, you know, as a
15 structure with integrity.

16 And by doing the demolition in the
17 interior portions, it opens up opportunities for
18 increasing below-grade parking and being able to
19 realize the planned 350 new residences that
20 would sit above.

21 Another illustrative view as if
22 you're standing on 1st Street, your back to the

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1 ballpark looking to the east, looking towards
2 the movie theater and D.C. Water's main pumping
3 station beyond.

4 In the foreground on the right, you
5 can see the fleet maintenance building
6 incorporated into a new retail and residential
7 development.

8 As I noted earlier, with all the
9 below-grade challenges, you know, a site that
10 was once actually substantially within the river
11 and sits mostly on fill and portions of it are
12 still within the 100-year floodplain and with
13 the substantial sewer infrastructure that's
14 below the surface, below-grade construction is
15 limited.

16 For both the G1 and G2 buildings, one
17 level of below-grade parking is reasonably
18 achievable.

19 In order to provide a parking ratio
20 of one space for every two dwelling units, which
21 is needed for marketing reasons, our strategy is
22 to also locate a parking level above grade at the

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1 second level, above the street level, so that at
2 the street level it would feel much like any
3 other urban building.

4 You would have an entrance that
5 would get you to parking ramps. In this case the
6 parking ramp would go up and down from the street
7 level.

8 But as this diagram -- Phil, do you
9 have that? Oh, you've already got it. Wow,
10 okay -- shows intends to try to embed that
11 parking away from the facades to the extent
12 possible.

13 These buildings, again, haven't
14 been designed but the intent would be, like along
15 this edge behind that blueish/purplish color,
16 that would be screened by high bay retail, not
17 exposed to the street.

18 On the sides that are shown in the
19 orangish color, that would be screened by some
20 retail or, excuse me, some residential
21 functions.

22 But there may be some areas where

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1 that parking as shown in red may need to extend
2 out to the building facades and realize that it
3 would be very important in coming back to this
4 Commission to prove that that parking can be
5 adequately screened.

6 It would, again, be up 14/15 feet
7 above sidewalk grade but would need to be
8 screened and harmonious with the design of the
9 building above and the retail environment below.
10 Next. And the same issue with the G2 Parcel.

11 On to phasing. The first phase,
12 which is the buildout of the movie theater, the
13 F1 Parcel, improvements will be made to N Place
14 from 1st Street over to Canal Street.

15 And then a portion of 1-1/2 Street
16 will be constructed that'll extend a bit south
17 of the F1 footprint in order to provide access
18 to parking and loading for that building.

19 Phase 2 is actually going to be
20 probably a Phase 2A and a Phase 2B. Either G1
21 or G2 will be built next, to be determined.

22 And with the construction of that

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1 next phase building, O Street will be built, the
2 continuation of 1-1/2 will be built and Potomac
3 Avenue and some interim improvements will be
4 made to the Waterfront Park.

5 Phase 3 would look at a possible
6 future with a retail building in that G3 Parcel
7 and realization of the final park design at the
8 very southern boundary of the site.

9 So at this point I'm going to hand
10 off the mic to Gerry Renaud of RTKL and he's going
11 to talk a bit about the F1 Parcel, the movie
12 theater.

13 MR. RENAUD: Good evening,
14 Commissioners. My name is Gerry Renaud. I am
15 a principal with RTKL and responsible for the
16 design of the F1 block theater building.

17 I know we've seen this slide a number
18 of times before but a couple of things I wanted
19 to point out is that, you know, within the D.C.
20 area there are a number of iconic buildings, both
21 as monuments, as civic buildings and as private
22 buildings and our vision for the theater is that

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1 it becomes an icon as well.

2 And it effectively acts as the
3 anchor here, in particular at this intersection
4 of N Place and 1-1/2, an anchor for retail, an
5 anchor for the viability and the retail layer,
6 the ground on these levels. Next slide, please.

7 It's also a focal point. This is a
8 view down N Place from 1st Street and you can see
9 how it ties in both architecturally in terms of
10 scale, in terms of materials and, again,
11 extending that retail expression in a vibrant
12 streetscape. Thank you, next.

13 Again, in keeping with the existing
14 architecture that's already there, particularly
15 the historic pump station, there were some key
16 elements on it that we wanted to try and repeat,
17 not so much repeat but take as a cue in the way
18 that we are separating, dividing the elements of
19 the architecture on the F1 block.

20 Key to that, again, was sort of
21 separation of the roof and a strong expression
22 of a cornice and then a strong expression of a

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1 base.

2 You can see those lines as they
3 continue across our block and onto the G1 block
4 as well. Next slide.

5 There's another very important
6 aspect of the organization of the building and
7 it's taking a cue from the other industrial
8 buildings throughout the development, is that
9 they are typically organized around a central
10 spine.

11 In some cases those are expressed
12 with skylights on the roof, but typically it's
13 the primary access to the internal components of
14 the building.

15 So we've taken that same type of
16 organization and placed our central spine, the
17 main public access to all the cinemas from that
18 single space.

19 Another key element that we pulled
20 from the existing buildings was this large
21 storefront window at the end of that access and
22 it does a couple of terrific things for us.

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1 One is it opens up views from the
2 street into the building itself in trying to
3 engage the activities from the inside and make
4 them visible all the way from the street.

5 And here you can see the iteration
6 of that in a more complete view. That view is
7 basically going to extend into the building,
8 again, as far as we can possibly take it.

9 There's also a couple of things that
10 we did with the articulation of the building.
11 Obviously, you know, something that's 100 feet
12 tall and 200 feet long with most of its internal
13 components, I mean, it's a theater so it's very
14 inward-looking.

15 But we were taking those elevations
16 and articulating them as much as possible to make
17 them feel dynamic in what we know is a static
18 building.

19 Also meeting with the ANC, with OP
20 and with several other, and actually before you
21 the last time at the setdown, we took all those
22 comments to heart.

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1 We extended the expression of retail
2 there along the northern elevation with an arts
3 use there. It takes up one story and, again, to
4 take that pedestrian experience and extend it
5 into the building as much as possible.

6 And this shows you the way that some
7 of the materials are expressed from other
8 buildings, things that we really tried to use to,
9 again, articulate and break down the scale of the
10 exterior skin.

11 You can see there's a combination of
12 articulated aluminum panels. They're in
13 various widths. They're all ten feet tall.
14 But they're illuminated in strips at nighttime.

15 And then in the daytime -- I've got
16 a materials board here behind me as well. I know
17 with the lights off we can't quite see all those
18 components, but the idea is on the painted
19 surfaces of those, that we're using a paint that
20 changes its complexion in the sun as you move
21 past it.

22 Also we've articulated the garage.

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1 There's also a panel behind me as well of a mesh
2 and those mesh is applied to panels of varying
3 sizes that match the same ones as the upper
4 portion of the building.

5 This explains that a little bit
6 closer. There's also an illuminated panel that
7 is, again, it's illuminated at night but during
8 the day it also has a texture and a depth so even
9 with the lights off it still is articulated and
10 very interesting.

11 One of the key things about that
12 material too is that we're bringing it all the
13 way down to the street level, to the pedestrian
14 level.

15 So you can stand in front of it, have
16 your picture taken next to it and, again, there
17 was some comments that we had received from the
18 ANC to make that ground plane as interactive as
19 possible.

20 I had mentioned earlier, again, the
21 central spine organization of the space. What
22 we've done on the southeastern corner, this is

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1 a view from the boardwalk.

2 We've taken the lounge and dining
3 space of the cinema and expressed it out on the
4 exterior of the building and it's a two-story
5 space as you can see in the slide.

6 And immediately below that, we've
7 taken the illuminated panel and extended that
8 expression there to, again, to create a dynamic
9 aspect on the elevation.

10 This slide explains the
11 articulation of those panels a little bit more
12 closely. Again, they're ten feet tall.
13 They're various widths.

14 But they also project in different
15 depths up to eight inches from the exterior of
16 the elevation so, again, it's creating as many
17 dynamic pieces to the building as we could.

18 This is a section, a blowup of the
19 garage portion, where again the panels are the
20 same size. You can see the mesh in front of you.
21 And those, again, are the same scale as the metal
22 panel and it articulates that facade as much as

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1 we can.

2 One final element on the northern
3 elevation or, rather, on the western elevation
4 is the interjection of some landscape that's
5 growing up that metal mesh. Again, that comes
6 down to the street level so as a pedestrian you
7 can interact with it.

8 It's an extension of the Diamond
9 Teague Park, the idea of the green and letting
10 that grow up on the building itself and so,
11 again, we see that as a very interesting way of
12 tying in a landscape element onto the building
13 face.

14 This slide represents a section
15 through the lobby. Again, we were talking about
16 visibility all the way in. We've brought all
17 the vertical circulation, or at least the
18 visible circulation from the building and placed
19 it here within the lobby.

20 So those escalators will connect the
21 ground level, connect all the four levels of
22 parking up to the top two levels of the cinema.

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1 And so, again, taking the most
2 dynamic pieces, the pieces that are most
3 interactive, and brought them as close to the
4 face of the building as possible.

5 This plan is the ground floor plan.
6 Our two main accesses to the building that will
7 remain public would be off of N Place and 1-1/2
8 Street.

9 The southern boundary of the
10 building and then the eastern boundary of the
11 building will remain secure because they're part
12 of the D.C. Water site.

13 So we had to place all of our access
14 to the building on those two elevations except
15 for D.C. Water. We're in communication with
16 them to be able to access our loading and trash
17 access there from the south.

18 There are two vehicular lanes that
19 come in through one entrance off of 1-1/2 Street
20 and then the exit is there to the north with two
21 lanes exiting there.

22 You can see in the plan where we've

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1 lined the depth of the retail along the north
2 elevation and then, again, the expression of the
3 lobby there at grade.

4 This is the first-level floor plan
5 of the cinema itself. It's actually level five.
6 You can see the central space there. Again,
7 that's access to all the theater rooms with the
8 vertical circulation of the escalators there on
9 the left-hand side.

10 And then on the next floor, this is
11 basically a mezzanine level. It's also a second
12 level of theaters.

13 And along the southeastern corner of
14 the building, that's where we've placed the
15 lounge and dining space and that, again, has
16 another mezzanine up on the top of that to try
17 and gain as many views and as much activity there
18 on the southeast corner as possible.

19 And then this is the roof plan.
20 Seventy-five percent of it is actually a green
21 roof. It's mitigating rainfall and it's also
22 lowering the heat gain.

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1 You can see the central space there
2 is basically for mechanical. There's an
3 18-foot perforated wall around the perimeter of
4 it. Next slide.

5 So, again, this drops in F1 in the
6 overall development. Again, while being an
7 iconic building, we feel like it does
8 simultaneously fit in very well in the rest of
9 the development. Thank you.

10 MR. AVITABILE: All right, I think
11 we'll ask Bob Gallivan to next speak.

12 MR. GALLIVAN: Okay, good evening.
13 Members of the Commission, my name is Bob
14 Gallivan. I'm the director of real estate for
15 Kerasotes ShowPlace Icon Theatres.

16 We are a family-owned business.
17 We've been operating movie theaters since 1909
18 and we're now in our fourth generation of the
19 Kerasotes family operating the theaters.

20 At the height of our operation
21 size-wise we had 100 locations, you know, from
22 the Midwest to the West Coast with about 1,000

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1 screens.

2 About six years ago, we made the
3 decision that we wanted to introduce a different
4 type of moviegoing experience to the public.

5 What we wanted to do was to give our
6 current customers a better experience and,
7 probably more importantly, bring people back to
8 movie theaters and moviegoing who had quit going
9 for a number of reasons.

10 So what we wanted to do is we wanted
11 to create something that we like to think of as
12 a little more civilized activity than your
13 traditional movie theater going experience and
14 what would be probably closer to going to a
15 legitimate theater.

16 The theater that we're proposing, as
17 Gerry had mentioned, is on two levels. There
18 are three components to it.

19 The first level would be an
20 admission level for the general public and, you
21 know, anybody who would really want to go.

22 The second level would be only for

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1 21 and over. In order to access the
2 second-level auditoriums, you'd have to be 21.

3 Adjacent to those auditoriums is our
4 lobby lounge. The lobby lounge is an area
5 that'll, you know, serve alcoholic beverages as
6 well as heavy hors d'oeuvres, not full meals but
7 you can just go there and have sliders, paninis,
8 et cetera.

9 As opposed to a number of theaters,
10 we don't serve in the theaters. If someone
11 wants to bring their food into the theater,
12 they're more than -- again, this is only on the
13 second level.

14 If you want to bring an alcoholic
15 drink into the theater, you're allowed to bring
16 the alcohol drink into the theater. Again,
17 total 21 access on the second floor.

18 And, you know, this creates kind of
19 a long-term environment for people. They can
20 come before the movie and just relax and, you
21 know, then go in or after the movie if they want
22 to sit down, relax, chat about it, that gives

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1 them that opportunity as well.

2 What we tried to do is to create an
3 icon experience and this -- go to the slide
4 before that, please. The previous slide, there
5 you go. I'll just highlight a couple of bullet
6 points here.

7 One of the problems going to the
8 movies is waiting in line, not knowing if you're
9 going to get a seat. All of our seats on both
10 levels are reserved, okay?

11 You can reserve it at home on line.
12 You can print your ticket out. We have an app
13 that you can, you know, just access it on your
14 smartphone.

15 So what we've done is we've
16 eliminated the doubt whether you're going to get
17 a seat. We've eliminated the crush of people
18 coming and waiting half an hour before.

19 So, you know, if you know that you're
20 going to have a seat, you know where you're going
21 to sit, you know, even at home if there's 12 seats
22 left and you don't particularly like that one,

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1 you don't buy the ticket as opposed to saying,
2 oh, there's only first or second row. I don't
3 want to sit there.

4 So the reserved seating is very,
5 very important and as part of the reserved
6 seating our staff, our ushers will show you to
7 your seat. So it's kind of a throwback and
8 hearkening to the old days of just going and
9 having a civilized experience.

10 You know where you're going to sit.
11 A group of people, if you want to get eight, ten,
12 six people together, you can all have seats
13 together.

14 Let me just skip down to the
15 courteous behavior policies. On the first
16 floor no one under 17 is admitted after 7:00 p.m.
17 without their parent or legal guardian.

18 You can't have an older brother, you
19 can't have a boyfriend or a girlfriend. You
20 have to either be with your parent or a legal
21 guardian, okay, and that's strictly enforced.

22 There's no one admitted once a

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1 feature has commenced. The worst thing you can
2 have is you're five minutes into the movie and
3 people are disturbing you, particularly with
4 reserved seating.

5 And so, again, if you're going to a
6 legitimate theater, they're not going to let you
7 in until you're, you know, between the acts.

8 And then, you know, the others are
9 just really common sense issues, no children
10 under 7 admitted to PG or R rated after 7:00.

11 And finally, to avoid having us
12 really act as a babysitting facility, adult
13 admission prices are charged to children and
14 infants under 3. So we found all of these things
15 to be, you know, totally accepted in our other
16 locations.

17 And we have a next slide. This
18 shows our lobby lounge in Chicago. And in
19 Chicago we have the good fortune -- for anybody
20 familiar with Chicago, we're in the South Loop
21 on Roosevelt Road.

22 And we have, I believe it's 90 feet

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1 of windows on our lobby lounge overlooking the
2 Chicago skyline and the Sears Tower and it's
3 absolutely magnificent. It's been very well
4 received.

5 And here's an example of, you know,
6 the type of design that we would have. We would
7 carry through, you know, each location that
8 we're going to have will have a design that will
9 take advantage of the particular location.

10 And one of the things that made us
11 really excited about this location is the view
12 to the Anacostia River. When Gerry had pointed
13 out the two-level glass area, we just think
14 that's going to be absolutely spectacular.

15 So, again, one of the things that
16 really excited us is we wanted to be part of a
17 world-class facility, a world-class
18 development.

19 And, you know, our investment in
20 this property, we're not asking for any funds
21 from either the developer or the city. We're
22 going to be putting north of \$20 million in of

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1 our own money. It's going to be a spectacular
2 development.

3 And, you know, we look forward to
4 becoming part of the community also. You know,
5 Alex had talked about the employment, the
6 employment issues.

7 And we're in the South Loop of
8 Chicago. It's a very similar type of diverse
9 neighborhood and, you know, we've had these same
10 type of hiring policies there.

11 So we're excited about giving people
12 opportunities and becoming part of the
13 community, you know, whether it be through, you
14 know, assisting schools, having special
15 programs, having film festivals.

16 So with the type of investment, it
17 makes sense for us to become part of the fabric
18 of the community, hiring local, staying local
19 and just really involving ourselves in the
20 community.

21 You know, you're close to it. You
22 live here. This is an unbelievable location and

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1 we just feel very privileged that Alex, you know,
2 chose us to be the exhibitor.

3 So, you know, here we are and we're
4 very excited about it. That's it. I will hand
5 it over to Erwin Andres. You want to sit here?

6 MR. ANDRES: That's okay. Good
7 evening, Chairman Hood, members of the Zoning
8 Commission. Erwin Andres of Gorove/Slade
9 Associates.

10 I want to go quickly through these
11 slides. Some of these slides Mark Gilliland had
12 touched, so we'll go through these very quickly.
13 Next slide, please.

14 We coordinated with DDOT throughout
15 this process where we've done extensive
16 analysis, where we looked at 24 intersections.
17 We submitted our traffic report, had revised it
18 and had done our best to address their concerns.
19 Next slide, please.

20 With respect to access and
21 circulation, Mark had identified the street
22 network that we're putting in. Next slide.

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1 It's important that you understand
2 the street network associated with primarily the
3 F1 development when it first comes on line.

4 That component of the access and
5 circulation is only limited to two streets, N
6 Place to the north and 1-1/2 Street which runs
7 north/south.

8 As was mentioned before, at the
9 southwest corner of the F1 Parcel there is the
10 entrance into the garage. At the northeast
11 corner of that same parcel, is where the vehicles
12 exit the garage.

13 The connection of 1-1/2 Street to
14 the south allows for the deliveries to access the
15 D.C. Water site in order to access the service
16 and loading for the building. Next slide,
17 please.

18 In doing our analysis, we've
19 identified several improvements associated with
20 some of the streets, which include signal
21 retiming, which include a potential new signal
22 at N Place and 1st Street.

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1 And the other important components
2 of the mitigation is the transportation demand
3 management program where we've identified some
4 parking mitigation measures which include
5 unbundling parking and car sharing.

6 With respect to bicycle facilities,
7 we're adding bike parking and bike showers for
8 the retail.

9 We're also looking at implementing
10 a TDM Coordinator and doing traffic monitoring
11 throughout the project. Next slide, please.

12 With respect to the parking, we
13 looked at describing the parking into two
14 components.

15 The first component is the
16 residential component. On Parcels G1 and G2,
17 we're providing 300 spaces for 600 units. That
18 comes out to a parking ratio of 0.5.

19 Now, that 0.5 actually relates well
20 compared to some of the other PUDs that have been
21 approved by this Commission. It's on the lower
22 side but given its proximity to Metro as well as

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1 the density in this part of town we believe that
2 0.5 is appropriate for the residential
3 component.

4 With respect to the retail and the
5 theater, we're providing 331 spaces in the F1
6 Parcel.

7 The parking study that was done by
8 Walker Parking to identify what the total demand
9 would be, they identified a demand of 389.

10 We believe that the actual demand
11 would be closer to 331 based on our
12 transportation demand management initiatives
13 that we'd be implementing.

14 So with respect to that, we believe
15 that other than the peak times associated with
16 the movie theater, which are likely Friday and
17 Saturday evenings, there's going to be reserve
18 capacity for other uses in and around the F1
19 Parcel.

20 For example, during the day office
21 workers and matinee goers to the movie theater
22 would be able to share those parking spaces and

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1 we coordinated that with DDOT. Next slide.

2 So with response to the DDOT
3 conditions, DDOT identified six conditions.
4 Four conditions we've identified as conditions
5 that we would agree to and all four of these
6 conditions are located on this slide.

7 It's important to note that they
8 made a comment about the driveway. We will work
9 with them on a location of our driveway prior to
10 public space but, in essence, we've agreed with
11 DDOT in looking at that. Next slide, please.

12 The last two conditions are
13 conditions related to parking and performance
14 monitoring and the prohibiting of subleasing of
15 commercial spaces.

16 Leading up to this hearing, we
17 actually sat down and met with DDOT to resolve
18 these two conditions and essentially we came to
19 the following understanding, which they can
20 confirm with their testimony.

21 Some of the elements of this
22 understanding include the following: DDOT in

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1 their letter had concerns, not necessarily of
2 the amount of parking we're providing but they
3 had concerns about the traffic associated with
4 the parking during the off-peak times that the
5 parking would generate.

6 For example, in the non-peak times,
7 there would be other users who weren't theater
8 users that could potentially use the parking
9 garage.

10 And so we've committed to two
11 things. One, we would do an additional analysis
12 to show what the impact of those non-theater
13 users would be during the non-peak times.

14 And then the second thing we've
15 committed to is performing monitoring surveys so
16 that, you know, based on monitoring if there's
17 any impacts that would require additional
18 mitigation we are committed to implement that
19 mitigation.

20 So with those two components, we're
21 asking the Zoning Commission, we're making a
22 joint request with DDOT, that the record be kept

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1 open so that we can supply a post-hearing
2 submission that will address DDOT's issues which
3 DDOT, we have conceptually agreed with. Thank
4 you.

5 MR. PARISI: Good evening. I'm
6 Rick Parisi, managing partner of M. Paul
7 Friedberg and Partners, landscape architects,
8 New York City.

9 It's been some time since I've been
10 here for the Park and the bridge and the tower
11 and everything else that you see out there in The
12 Yards. I'm batting cleanup here so I have a few
13 minutes, but I have a lot to show you.

14 I'm going to step back really
15 quickly to some master planning principles, so
16 the sheet I have up there now shows The Yards Park
17 in green and the future park on the waterfront
18 for continuity.

19 It shows some of the visual and
20 vehicular and pedestrian connections from the
21 streets and then, again, it brings up the
22 continuation of the Anacostia River Trail, which

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1 is planned as a 22-mile trail and which we've
2 completed it with our bridges.

3 Lastly, I highlight a few things
4 here that are nodes that we've identified when
5 we started to plan this future phase.

6 The Yards is obviously a very active
7 node. It's programmed on many levels, for
8 sports events, other kinds of events, music
9 events, arts events and food events.

10 The stadium we all know, National
11 stadium, is a very important node and, lastly,
12 would be this new movie theater that we have
13 planned here, another activity node.

14 All these things tie back to our
15 planning principles and things we did in The
16 Yards and this plan here shows The Yards, the
17 materials and how we started to move that
18 materiality over to the new parcel and create
19 more of a connection visually and with materials
20 as well.

21 The slide I have up now will identify
22 the different materials. The roads that just

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1 popped in are asphalt areas. The intersections
2 are cobble and the crosswalks are Chameleon
3 granite.

4 Now, these are all very similar to
5 what we have at The Yards and, again, it ties back
6 to that whole planning principle.

7 The LID zones are throughout and
8 they are also granite, and the sidewalks are
9 precast in the retail areas and tinted concrete
10 in the residential areas.

11 This is an enlargement of 1-1/2
12 Street to show those materials, the LID
13 components. The pictures to your right are
14 actually pictures of The Yards which are
15 identical in planning.

16 This is an intersection of 1-1/2
17 Street and N Place showing the medallion which
18 is a granite medallion in the crosswalk, in the
19 center of the crosswalk.

20 Another enlargement of the F1 Parcel
21 showing the entry plaza that you saw in some of
22 these renderings, an enlargement of that.

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1 This is the Park and Potomac Avenue,
2 which Potomac Avenue will be much like the River
3 Street Gardens and the Water Street which is
4 actually a granite cobble.

5 An enlargement of the Park here
6 shows you the grade change that we made, that
7 Mark made reference to, as raising the finished
8 floors to above Elevation 13, above the FEMA
9 line. We have to transition down to Elevation
10 6 to make it to the pier back to the Park.

11 We did an extensive stormwater
12 management plan throughout this. What you see
13 here in green right now is what we talked about
14 before as the green roof on F1. It has a green
15 area ratio of 0.43.

16 Following that, we have our
17 stormwater management that includes LID zones
18 throughout and those are made up of the
19 bioretention tree pits which are planted and the
20 ones that I've shown you in the pictures before
21 and the permeable cobble paving. That's about
22 12,000 square feet of area.

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1 There's another 97,000 square feet
2 of green roof area on the G1 and G2 Parcels and
3 the Park is about 33,000 square feet.

4 So this site, interestingly enough,
5 I think you all know it, it's paved largely.
6 It's somewhat contaminated and has some old
7 buildings on it.

8 So there's 266,000 square feet of
9 site that we're dealing with including the roads
10 and what we've been able to do here is create a
11 53 percent permeable area from that site, so we
12 think it's a vast improvement for the cleanup and
13 the stormwater management.

14 These are the calculations which I
15 won't bore you with. We can come back to them
16 if you would like to see it.

17 This is an enlargement of the LID
18 zone, showing the custom benches, the paving
19 patterns, precast paving patterns and the
20 plantings.

21 These are enlarged pictures of The
22 Yards. The tree-planting plan is pretty

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1 diverse. We have a number of different species
2 of trees that coordinate with use. We are
3 adding 68 trees in the PUD and we're adding
4 another, a total of 101 trees including the Park.

5 The LID planting plans are all
6 native and we've had some success with the ones
7 that are in now and we're continuing that and
8 doing another few versions of that as well.

9 I'll leave you with some pictures of
10 The Yards, The Yards and its use and the
11 festivals that you've seen, many of you have been
12 at probably. These are the passive uses and
13 then some pictures taken throughout time up
14 until very recently.

15 MR. AVITABILE: All right, thank
16 you very much. I see I have less than two
17 minutes. I have about three or four minutes to
18 wrap things up. I hope the Commission would
19 indulge me if I run over a little bit.

20 I first wanted to start it by
21 summarizing the benefits and amenities of this
22 planning of development.

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1 I think it all starts with site
2 planning and land utilization as we described
3 throughout this evening's testimony, taking the
4 existing industrial brownfield site and turning
5 it into something that capitalizes on
6 substantial public and private investment all
7 around our site, the river, the ballpark, Metro
8 and public transportation and, of course, The
9 Yards.

10 We have a significant housing, an
11 affordable housing program here including 22
12 affordable housing units. That is an increase
13 over what could be accomplished on the site as
14 a matter of right.

15 The theater, I think as you've heard
16 tonight, is a very significant amenity, not just
17 an amenity in itself for this neighborhood but
18 also I think for the greater portion of both the
19 southern and the eastern areas of the District
20 which currently don't have a theater. This
21 would be the farthest out south and the farthest
22 east.

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1 The additional retail throughout
2 the PUD is also a significant public benefit and
3 I note that it includes the retail we
4 specifically committed to on 1-1/2 Street in
5 response to the ANC's request.

6 The sustainability, as Rick just
7 described, is another significant public
8 benefit.

9 I'll just hit a couple of the
10 highlights here in addition to just, as Rick
11 described, taking this existing impervious site
12 and adding all of that permeability, the green
13 roof on the movie theater, nearly 75 percent of
14 that roof is, I think the first time I've ever
15 seen a green roof that's quite that large in any
16 one of our projects.

17 And, as Rick noted, the F1 Parcel has
18 a total green area ratio of over 0.4. That's
19 nearly double what your recent regulations would
20 require for this site so it's significant.

21 The Park expansion, of course, is
22 obviously another sustainable benefit, not to

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1 mention the environmental remediation of the
2 entire site.

3 Finally the employment programs
4 that Alex described are quite significant and
5 that was also in direct response to some of the
6 conversations that we had with members of the
7 ANC.

8 The playground equipment in the
9 Park, again in response to what we heard from the
10 ANC.

11 And then, finally, some of the
12 preservation components, the fleet maintenance
13 building, the front bay that's preserved and the
14 extension of the Potomac Avenue right-of-way.

15 So my final comments, I just wanted
16 to kind of wrap up where we are with respect to
17 some of the other submissions you received in the
18 record this evening.

19 We are very thankful for the Office
20 of Planning's report in support. I wanted to
21 note they had two comments. First, they asked
22 for us to calculate the green area ratio, 0.43.

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1 And second, they noted that they
2 would want to see agreement with D.C. Water on
3 the loading issues, and you received the
4 supplemental submission from D.C. Water a couple
5 of days ago. It's in the record.

6 The first part of that submission
7 that deals with site coordination issues, we're
8 in full agreement with D.C. Water. We would
9 agree to all of the things that Dave noted we've
10 committed to in that letter and we would make
11 them conditions of this approval.

12 To that end, we would request
13 flexibility as a part of the PUD to continue to
14 modify the way our loading operations are set up
15 since it is on their property to accommodate
16 their needs as they continue to evaluate the
17 design of their future building and also their
18 operational needs.

19 But ultimately we know that we can
20 accommodate what we need to do in terms of
21 serving the building on their site and we'll work
22 with them to get there.

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1 We're very pleased with DDOT's
2 report in support. As Erwin indicated, we're
3 basically in agreement with all of their
4 conditions.

5 On the issue of the parking in the
6 F1 building, we are working with them to finalize
7 the assessment of the impact of that parking and
8 resolve any additional mitigation or tweaks to
9 the mitigation that's already been agreed to
10 that might be needed.

11 We're confident that we can jointly
12 work with DDOT to provide you with a supplemental
13 submission that would show we're in full
14 agreement on all those issues.

15 To that end, some of the issues in
16 the DDOT report, again, would require some
17 flexibility. They noted some questions about
18 the alignment of Potomac Avenue.

19 We're happy to continue to take a
20 look at that as we move forward with the design
21 and the future stage-two submission of the PUD.

22 But we would request flexibility to

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1 modify the alignment of Potomac Avenue and the
2 resulting adjustment to the shapes of the G2 and
3 the G3 Parcels that would result from any changes
4 that are required.

5 And, as Erwin also noted, they've
6 asked for us to reexamine and kind of shift the
7 location of the curb cut for the F1 Parcel on N
8 Place.

9 We're only off by a matter of a few
10 feet and with a couple of tweaks we think we can
11 get there by the time we get to the Public Space
12 Committee.

13 Finally, the ANC submitted a report
14 in unanimous support. We worked with them to
15 achieve that support.

16 Attached to their resolution is a
17 letter that we had submitted to them indicating
18 basically that we committed to all of the things
19 that they had asked for. Again, we would
20 proffer all of those commitments as conditions
21 of the PUD.

22 To wrap up, I did want to ask, as you

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1 undoubtedly saw in our supplemental submission,
2 we presented both our preferred design for the
3 F1 Parcel which consisted of taking that band of
4 material that separates the metal around the
5 parking from the metal panels above with a white
6 Corian panel. That's our preferred design.

7 In our discussions with the Advisory
8 Neighborhood Commission, members of the
9 Development Committee wanted us to look at other
10 alternatives as well.

11 We did look at those alternatives
12 and they asked us to share one of the
13 alternatives we looked at with you all. We have
14 done that.

15 We do continue to think that our
16 preferred design is the right design and I would
17 like to just briefly, if I'm not pushing my luck
18 too much, ask Mr. Renaud to briefly spend a
19 minute or so talking about the white Corian and
20 why we believe that that's the right design
21 within the context of the building.

22 CHAIRPERSON HOOD: While we're

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1 doing that, can we see both options, what you all
2 preferred and do we have what the ANC had asked
3 for?

4 MR. AVITABILE: We may not have
5 that. I know it's in the package.

6 CHAIRPERSON HOOD: Okay. But, I
7 mean, while he's talking through it, it's not on
8 the slide?

9 MR. AVITABILE: It's not on the
10 slide. I'll bring up the slide that shows our
11 building and we'll see if we can figure out if
12 we have an electronic version.

13 CHAIRPERSON HOOD: Okay.

14 MR. AVITABILE: Great. Thanks,
15 Alex.

16 (Off microphone discussion)

17 MR. AVITABILE: All right. We'll
18 look for that so that we can present both to the
19 Commission. While we're doing that, Gerry, if
20 you would just briefly start talking about why
21 --

22 CHAIRPERSON HOOD: Commissioner

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1 May is helping us up here. He said Tab C.

2 MR. AVITABILE: Tab C has that.

3 CHAIRPERSON HOOD: Which one are we
4 going to talk about first?

5 MR. GILLIAND: I believe the white
6 Corian version first.

7 MR. RENAUD: What we've selected as
8 a palette of the overall building was
9 combinations of whites of changing materials or,
10 rather, slightly changing colors on a metal
11 panel in particular.

12 But we felt like the Corian and its
13 white color was the most in keeping with the
14 overall palette and the most complementary with
15 the overall palette.

16 It is actually a soft-appearing
17 material and that comes all the way down to the
18 ground there between the retail space and the
19 lobby space.

20 So, again, we feel because of its
21 color, because of its materiality, because of
22 its blending in with the rest of the materials

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1 that are on the building it's the most
2 appropriate.

3 MR. AVITABILE: And I think for the
4 alternative design if you go to Page A20 of Tab
5 C that is the companion image that matches the
6 one that's on the screen but with the wood panel
7 that is part of the alternative design.

8 We recognize that it's a bit unusual
9 to present alternative designs to the Zoning
10 Commission but we did so because it was so
11 important to the ANC.

12 (Off microphone discussion)

13 COMMISSIONER MAY: Hold on. She's
14 holding the big metal mesh.

15 MR. AVITABILE: Got it.

16 (Off microphone discussion)

17 MR. RENAUD: That is the cover for
18 the parking portion of the building.

19 MR. AVITABILE: And then what we're
20 talking about is the --

21 COMMISSIONER MAY: I know what
22 you're talking about and I know what she's

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1 talking about, so.

2 MR. AVITABILE: Great, thank you.

3 COMMISSIONER MAY: I'm in the
4 middle. So we have these materials. Do you
5 have a sample of the wood paneling?

6 MR. RENAUD: I'm sorry, I do not,
7 not at this moment.

8 COMMISSIONER MAY: All right, what
9 is that?

10 MR. RENAUD: It's a Parklex. It is
11 actually wood on the very surface of it and it's
12 got a phenolic backing to it so it does actually
13 have wood on the wearing surface.

14 COMMISSIONER MAY: I mean, it's
15 really almost entirely a synthetic product so
16 that it --

17 MR. RENAUD: That's correct.

18 COMMISSIONER MAY: -- wears and
19 deals with the weather and doesn't fade or stain
20 --

21 MR. RENAUD: That's correct.

22 COMMISSIONER MAY: -- or anything

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1 like that, right?

2 MR. RENAUD: Right. That's why we
3 selected it as an alternative.

4 COMMISSIONER MAY: I mean, it's
5 panelized, right?

6 MR. RENAUD: Right.

7 COMMISSIONER MAY: What's the
8 module of the panels and how do you, are they --

9 MR. RENAUD: The panels aren't
10 quite as wide as what we can get in Corian but
11 they would approximate the same size, roughly
12 ten feet by five feet.

13 Now, it'll work more as a rain screen
14 rather than as Corian where basically with
15 Corian it can be seamed where the seam is
16 invisible. With the Parklex, however, they
17 would have - yes, that's one of the key
18 differences.

19 COMMISSIONER MAY: So there would
20 have to be a reveal -- oh, I'm sorry.

21 MR. RENAUD: Correct.

22 COMMISSIONER MAY: Is that what you

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1 would do, is a reveal as opposed to --

2 MR. RENAUD: Correct.

3 COMMISSIONER MAY: -- doing a
4 molding on it?

5 MR. RENAUD: More of a monolithic
6 look, yes. Yes, yes.

7 COMMISSIONER MAY: The way people
8 do their basement paneling jobs and like that.

9 MR. RENAUD: Absolutely.

10 COMMISSIONER MAY: Yes, okay.

11 MR. AVITABILE: I know it's no
12 substitute --

13 COMMISSIONER MAY: I'm sure it can
14 be done in a beautiful way. I'm sure.

15 MR. AVITABILE: I know it's no
16 substitute for the actual material, but in that
17 Tab C, Page A25, the photo of the material board
18 does include a photo that notes the Parklex
19 material.

20 CHAIRPERSON HOOD: Right. Okay,
21 Mr. Avitabile, you were going to the -- now, this
22 is what the ANC has asked to do, this --

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1 MR. AVITABILE: Yes, the ANC has
2 asked for the Commission to consider that
3 alternative design.

4 CHAIRPERSON HOOD: Okay, we just
5 did one. You're going to speak on the
6 alternative, right? Wasn't somebody getting
7 ready to speak?

8 MR. AVITABILE: I think we spoke.
9 We had spoken briefly about our preferred
10 design. I think we presented the alternative
11 design just as an alternative material and we
12 just talked a little bit about the wood.

13 CHAIRPERSON HOOD: Let me back up
14 because some of us don't do architecture all day
15 like Commissioner May. Run through that again.
16 What did the ANC ask for? What did you all
17 prefer and what did the ANC ask for?

18 MR. AVITABILE: Can I have the
19 pointer, please?

20 CHAIRPERSON HOOD: Just tell me the
21 page. Now I have the pages so if you just tell
22 me -- we don't have to go through the whole piece.

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1 I'm just curious.

2 MR. NYHAN: Okay so, Chairman Hood,
3 see this band where it says Icon there?

4 CHAIRPERSON HOOD: I understand.

5 MR. NYHAN: It goes up and over.
6 We're proposing that that be white and in our
7 discussions with the ANC Development Committee
8 they are asking for us to come up with some ideas
9 that basically seemed warmer and more natural,
10 more natural-looking materials.

11 So we said, look, this is what we
12 prefer. Here's why. But by the way, if you
13 want to see something that's more natural, we did
14 a version where that band is, instead, the wood
15 material that Gerry just mentioned and the way
16 it looks is on Page A20.

17 CHAIRPERSON HOOD: Okay. I got
18 you. All right. So that ANC, okay. Anything
19 else?

20 MR. AVITABILE: I think just that we
21 do believe that we've met the standards for
22 approval under the zoning regulations. I won't

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1 reiterate the reasons why. It's in our written
2 submissions and also in the Office of Planning
3 report.

4 We appreciate your time and we stand
5 ready to answer any questions. Thank you and
6 thank you for the additional time.

7 CHAIRPERSON HOOD: Okay, let me
8 just ask you, and I want to thank you all for your
9 presentation. It was very well done. Did you
10 go over in rehearsal today or whenever you did
11 your rehearsal?

12 MR. AVITABILE: No, we didn't. We
13 were actually a couple of minutes under.

14 CHAIRPERSON HOOD: So who was long
15 winded, more long winded?

16 MR. NYHAN: I'm sure that it's my
17 fault.

18 MR. AVITABILE: I won't sell anyone
19 out. I think --

20 CHAIRPERSON HOOD: I'm just
21 curious. I'm just curious.

22 MR. AVITABILE: -- everyone was so

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1 excited they added a little minute or two.

2 CHAIRPERSON HOOD: Oh, okay.

3 That's become one of my standard questions.

4 (Laughter)

5 CHAIRPERSON HOOD: All right, let's
6 open it up. Who would like to start us off?
7 Well, maybe we don't have any -- okay, question.

8 VICE CHAIRPERSON COHEN: Yes, we
9 have questions. Actually since we're on this
10 design, on A21, how long is that going to be an
11 empty lot, because it looks extremely unsafe to
12 me.

13 And having just those two, really
14 it's one city light, I mean, it just doesn't look
15 like it's something that we want to have without
16 some security.

17 MR. AVITABILE: That's all D.C.
18 Water's property. That's the area that's south
19 and east of their two pump stations and I believe
20 it's within their secure perimeter.

21 MR. NYHAN: Right.

22 MR. AVITABILE: The bridge from

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1 Diamond Teague Park to The Yards Park is south
2 of that and that is well-lit and secure but
3 that's part of the D.C. Water secure perimeter.

4 VICE CHAIRPERSON COHEN: I know but
5 you have people walking there and I was just
6 wondering, even though it's maybe not part of the
7 project, is that going to remain that way?

8 MR. AVITABILE: Well, I think
9 that's D.C. Water's staff. I mean, that's
10 really a question for D.C. Water. Ultimately as
11 they would develop the office building, they
12 might address that but that's their issue.

13 VICE CHAIRPERSON COHEN: Well, it's
14 really the city's issue, isn't it, when it's
15 safety?

16 MR. AVITABILE: Their water, yes.

17 VICE CHAIRPERSON COHEN: This may
18 also be a D.C. Water issue because there's an
19 independent consulting engineer that, I guess
20 once there's a disposition, maybe you could
21 explain to me what there actually, if there is
22 a disposition and they have to find that there

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1 is no negative impact on the viability of the
2 operations, when does that happen? I guess
3 after the move? I want to understand the timing
4 of that. It's in their party status criteria.
5 I forgot to ask that before.

6 MR. NYHAN: Commissioner Cohen, I'm
7 going to attempt to answer that although I'm not
8 aware and I'm sure one of the attorneys can
9 correct me.

10 Basically D.C. Water has the right
11 to continue to occupy until the engineer says the
12 proposed relocation game plan will have no
13 adverse impact on their ability to execute their
14 mission, whether its operations, security,
15 travel time, whatever the considerations may be.
16 Want to add to that?

17 MR. GILLIAND: No.

18 MR. NYHAN: So that's a
19 prerequisite, that that certificate has to be
20 issued, if you will, before we get the land.

21 VICE CHAIRPERSON COHEN: And so
22 that's dependent on their finding an alternative

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1 and that's dependent on it's underway and that's
2 very vague.

3 So it's just a great concern and
4 maybe we can get update on the city's efforts.
5 That would be very helpful to know because when
6 we do approve a PUD there's time limits, so I just
7 would like to know more if that's possible.

8 I was confused about your LEED
9 listing on A41, I guess somewhere in this
10 significant package, about water use and I think
11 that's really internal use that I'm referring
12 to.

13 In the theater, why can't we be a
14 little bit more environmentally sensitive in
15 water use within the theater to get more points
16 for sustainability?

17 MR. RENAUD: We certainly can.
18 We're actually the architects of the skin, of the
19 structure of the building, but we are working
20 very closely with the theater architect, the
21 internal components of the theater as well.

22 So we have concurrent goals but

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1 different responsibilities but, again, we are
2 working very closely with them to make sure that
3 they are achieving at least certification.

4 MR. NYHAN: Gerry, let me jump in.
5 I'm sorry, I need to jump in for a second. So
6 our scope is the core and shell of the building,
7 so that's what we're proposing to meet LEED
8 certification status on the movie theater
9 building.

10 The movie theater operator is not
11 under any requirements for their internal tenant
12 improvements to meet LEED.

13 VICE CHAIRPERSON COHEN: I know,
14 but I have to push for it anyway. Also, if
15 you're talking to the internal architect, could
16 you tell him that there aren't enough ladies'
17 rooms?

18 Seriously, because most of them are
19 down a lot of the time and I counted them on your,
20 you know, what you've given me and there aren't
21 enough, on behalf of the women in the audience
22 and myself.

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1 I'm very unfamiliar with the pump
2 station. I don't go down there to listen to it.
3 Does that make a lot of noise, the pump station?
4 I notice that you wanted to enclose it in the
5 building possibly. Did I look at something
6 incorrectly?

7 MR. NYHAN: No, I don't think you
8 did. It's just that it's D.C. Water that is
9 considering building the office building on top
10 of the pump station, and it's not that loud by
11 the way.

12 VICE CHAIRPERSON COHEN: Question I
13 guess on the transportation. Can you tell me a
14 little bit about the performance monitoring and
15 the timing because we're talking about 20 out
16 years, many out years when you're going to need
17 a traffic signal, is that correct?

18 MR. AVITABILE: Let me take a stab
19 at that first because this is part of what we're
20 talking about with DDOT right now.

21 What DDOT had originally suggested
22 in the report was that once the movie theater is

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1 complete, and that's 2016, we do two 6-month
2 studies and then based on those studies decide
3 whether or not a signal is required at 1st and
4 N Place.

5 What has happened since then, there
6 was also some questions that they raised about
7 the amount of parking within the F1 Parcel and
8 they were proposing some potential restrictions
9 on that parking.

10 We've since talked with them and
11 they've agreed, okay, we understand that you
12 need the full 331 parking spaces and that during
13 the day when it's not being used by the move
14 theater it might be used by other users, but that
15 also means there might be additional trips so
16 we'd like you to go study and analyze those
17 additional trips.

18 And it's really for them to
19 determine whether they want to ask us to provide
20 that signal up front or even sooner.

21 And so that's what we're working on
22 and that's what we'll provide the Zoning

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1 Commission, is more clarity on when that signal
2 might be provided.

3 So actually the signal isn't in the
4 out part of 2025 when the whole project will be
5 built out. The signal is an issue that might
6 come up on the near side, and if I've misstated
7 anything I'm sure Mr. Henson will supplement
8 what I've said.

9 VICE CHAIRPERSON COHEN: I was just
10 wondering why we're pushing out the design of the
11 public realm when I think that that would help
12 you in marketing your residential units. I'm
13 just curious as to why that's pushed out further.

14 I mean, it may be economically
15 infeasible until everything's up and running but
16 it just seems like it would help marketing, not
17 having construction after you've moved in.

18 MR. NYHAN: You're referring to the
19 Park south of the G2 Parcel?

20 (No response)

21 MR. NYHAN: I agree with you. It's
22 a little bit tricky for us because we have to

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1 forecast when the relocation's going to happen
2 and when we can do G1 and then G2 but, in general,
3 the ability to build the public realm definitely
4 will help us convince people to want to live
5 there.

6 I think your question is, you know,
7 hey, why can't you just commit to build the Park
8 sooner? It's tough for us to make that
9 commitment without knowing the overall
10 relocation timing.

11 VICE CHAIRPERSON COHEN: I'm going
12 to ask the Applicant this question, DDOT as well,
13 and that has to do with, I read this on DDOT's
14 report I believe, that the Applicant
15 underestimated the overall trip generation
16 emanating from this project. Can you address
17 that?

18 MR. ANDRES: Well, with respect to
19 our analysis, we don't think we did, you know.
20 In terms of the scenarios that have been
21 identified, we looked at different scenarios
22 during the week, different scenarios during the

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1 weekend, different scenarios on game day and
2 we've looked at the trip generation associated
3 with that.

4 I think the element that DDOT had
5 identified where they identified a potential for
6 us underestimating trips is associated with the
7 comment that they made in their report.

8 What we said was that during the peak
9 times there's going to be peak trip generation,
10 primarily associated with the theater.

11 During non-theater times, which
12 are, you know, during the day when office workers
13 might potentially use it or matinee where the
14 theater parking is going to be less utilized,
15 there may be potential other users who might come
16 in and swoop in and use those spaces.

17 So what DDOT asked us to do, which
18 we are going to supplement in our post-hearing
19 submission, is take into account that traffic
20 that's sort of swooping in and using up some of
21 those spaces.

22 So, you know, I think we

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1 straightened out that understanding with DDOT in
2 our subsequent meetings and we're looking to
3 address that moving forward.

4 VICE CHAIRPERSON COHEN: A question
5 about the cobblestones. Are those going to be
6 the uneven cobblestones that women like me trip
7 over all the time if I wear anything bigger than
8 a sneaker?

9 MR. PARISI: No, these are sawn
10 finished cobblestones like the ones in the
11 photos that I showed you for the LID panels. You
12 can walk on them. It's heel proof. No joint is
13 larger than a quarter inch, so.

14 VICE CHAIRPERSON COHEN: Okay.
15 Again, on behalf of women, thank you. Oh, and
16 the picture showed overhead lines. Are there
17 any plans to underground some of those wires?
18 Not these beautiful pictures, I'm just saying
19 the existing conditions. I can probably find
20 where I saw those.

21 MR. GILLIAND: I think any
22 utilities that are associated with the new

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1 development parcels, all those utilities will go
2 underground as part of the new street
3 construction around those development parcels.

4 VICE CHAIRPERSON COHEN: Okay,
5 thanks. I think those are my questions. Thank
6 you, Mr. Chairman.

7 CHAIRPERSON HOOD: Okay, thank you.
8 Who would like to go next? Go in our usual
9 order, Commissioner May. That's our usual
10 order.

11 COMMISSIONER MAY: Thanks. Just
12 following up on the overhead wires. I think if
13 they're overhead wires they have to be on private
14 property because they're not allowed to have
15 overhead wires in this part of the city.

16 VICE CHAIRPERSON COHEN: Did you
17 see the pictures?

18 COMMISSIONER MAY: I saw pictures
19 with some overhead wires but they look like
20 they're internal to the D.C. Water site, at least
21 the ones that I could see but maybe I didn't, you
22 know, if you show me other pictures maybe I can

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1 tell you.

2 I mean, there shouldn't be any
3 above-ground utility wires in this part of the
4 city, period. They just shouldn't even exist.

5 Okay, so just out of curiosity, the
6 very beginning of the presentation you mentioned
7 that you're doing some work for D.C. Water for
8 the Clean Rivers Project. What are you actually
9 doing? Tell me you're going to drive the big
10 machine that's making the tunnel.

11 MR. NYHAN: No.

12 COMMISSIONER MAY: Because I'll be
13 upset because I wanted to do that.

14 MR. NYHAN: They've told me I'm much
15 too mediocre to be allowed to drive that. But
16 we have been contracted by D.C. Water to build
17 some of the underground sewer connections that
18 basically help the stormwater get to the main
19 versus --

20 COMMISSIONER MAY: So the laterals
21 that lead to the drop shafts, the big drop
22 shafts.

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1 MR. NYHAN: Basically, yes.

2 COMMISSIONER MAY: Where is there
3 going to be a big drop shaft in this area? Is
4 it going to be on their existing property?

5 MR. NYHAN: I'm not sure.

6 COMMISSIONER MAY: I see nodding
7 heads in the audience.

8 MR. NYHAN: Is it the Tingley Square?
9 Is that where the drop --

10 (Off microphone discussion)

11 COMMISSIONER MAY: North of the
12 historic pump?

13 MR. NYHAN: The Tingley station,
14 just north of that manned pump station.

15 COMMISSIONER MAY: Right, okay. I
16 mean, it sounds like there are two pump stations
17 there, the historic one and then the one that
18 they might build the new headquarters over.

19 MR. NYHAN: Yes, right.

20 COMMISSIONER MAY: Okay. So I may
21 be jumping the gun on behalf of Commissioner
22 Turnbull but I have a big question about the

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1 screen and the parking and the parking being on
2 the upper levels.

3 I mean, first of all, doing
4 something like this is just so unusual. It just
5 raises all sorts of questions and we just don't
6 see that around here.

7 You certainly see it in plenty of
8 other cities. You see it in the suburbs and you
9 see town center developments where, you know,
10 you've got retail and then on the second floor
11 you've got parking.

12 You know, you look up and you see an
13 opening that you think is a window and it's not
14 really a window. It's just an opening and
15 there's parked cars behind it.

16 And certainly you're not going to
17 have that kind of a feel here. It'll be more
18 like other urban parking, above-ground parking
19 situations.

20 But, nonetheless, those raise
21 issues as well. Is this the entirety of the
22 screen that's going to be blocking the view of

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1 the vehicles?

2 What I'm concerned about is what
3 happens with headlights, you know, because
4 that's going to go right through that screen and,
5 you know, if I have the apartment across the way
6 I'll be really bummed out.

7 MR. RENAUD: No, exactly. In fact,
8 we've taken that into account in the structural
9 system because we're so pressed on height to be
10 able to get the double-height theater space and
11 then the four levels of parking below that.

12 What we've done was we've taken the
13 perimeter beams and turned them up so they
14 effectively become, not only are they
15 structural, they also block the headlights and
16 so then the screen goes out beyond that, you
17 know, another six/eight inches or so.

18 COMMISSIONER MAY: So how high are
19 those going to be?

20 MR. RENAUD: They were, I believe 36
21 inches at the present time.

22 COMMISSIONER MAY: Okay. I

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1 presume this is a stainless steel screen?

2 MR. RENAUD: It is.

3 COMMISSIONER MAY: Is it A304 or
4 316? I mean, do you know? I assume it's 304
5 which is the standard grade.

6 MR. RENAUD: I don't know off the
7 top of my head, no.

8 COMMISSIONER MAY: I'm looking for
9 somebody to test my vast knowledge of stainless
10 steel screens. I'm working on another project
11 that involves some stainless steel and I spent
12 a lot more time studying it than I really ever
13 thought I would.

14 MR. RENAUD: Yes, yes.

15 COMMISSIONER MAY: Well, you know,
16 you should check out 317.

17 MR. RENAUD: Cambridge Metals is
18 the supplier that we've been working with. In
19 fact, it's an original design. They haven't
20 done this one before.

21 They've modified it for this
22 application so we're using a series of flat wires

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1 instead of round. And, anyway, there's been a
2 number of modifications to it to make it, again,
3 fit with the design.

4 COMMISSIONER MAY: Okay. Well, it
5 looks handsome on its own. It's going to be a
6 lot of it and this is, it'll be interesting to
7 see how it works out in terms of the overall
8 design of the building.

9 You were talking about the height
10 limit, so you're limited to 100 feet by the
11 Height Act, is that what it is? You've got an
12 80-foot right-of-way somewhere?

13 MR. RENAUD: That's correct.

14 COMMISSIONER MAY: Okay. It's
15 really unfortunate because, I mean, you wind up
16 with just a great big, pretty square box and it
17 would be interesting if there could have been
18 more done with the surface than, you know, moving
19 in and out a few inches, if there was more way
20 to express what was going on in the inside.

21 I do really like the idea of having
22 a very large expression of the theater entrance

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1 there because that's sort of a move in a very
2 modern way that's reminiscent of what used to be
3 done very often where, you know, the marquee of
4 a theater was then signaled with a much larger
5 move in the facade of the building that really
6 said this is a special public place.

7 This is going to be a really special
8 public space because it's just, I mean, if it
9 wasn't for the other buildings you'd see it for
10 miles, so I like the idea of that.

11 It's very, very bright it seems, and
12 I'm hopeful that what we're seeing in these
13 renderings is, you know, it's not going to make
14 the people who live around it feel like they're
15 living on Times Square or across the street from
16 Gallery Place where there have been complaints
17 about the bright screens and things like that.

18 So, I mean, I know you don't have any
19 video screens and things out there but it's a
20 very bright-looking building the way it's been
21 rendered here.

22 And I hope that it's still going to

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1 be a comfortable fit with the housing that's
2 going to surround it, especially if this is the
3 first thing that goes up.

4 You don't want to try to sell condos
5 across the way and then have trouble because, you
6 know, it's like that Seinfeld episode with the
7 sign across the way that kept Kramer up all
8 night, you know. You don't want that.

9 Sorry. I'm out of practice. It's
10 been since July since I've done one of these
11 things so I'm --

12 MR. NYHAN: Could I just briefly,
13 quickly respond to that?

14 COMMISSIONER MAY: Yes, please.

15 MR. NYHAN: So, you know, we'll own
16 the four blocks around there.

17 COMMISSIONER MAY: Yes.

18 MR. NYHAN: So we'll be the worst
19 punished if we don't get the lighting design
20 right on this, Gerry.

21 COMMISSIONER MAY: Right. Well,
22 and I'm just looking out for you.

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1 MR. NYHAN: Thank you.

2 COMMISSIONER MAY: I'm not looking
3 out for the neighbors so --

4 MR. NYHAN: Thank you very much.

5 COMMISSIONER MAY: So I am a little
6 concerned about how this building meets the
7 street on the streets that are not currently
8 public.

9 But you're building a block building
10 and in the future I could very easily see the
11 street between your building and the main
12 pumping station and the street between your
13 building and the O Street pumping station, which
14 may eventually become the D.C. Water
15 headquarters.

16 I mean, those are some really blank
17 facades on the first level and I understand
18 there's not a lot you can do given the program
19 that you have but, you know, it's almost
20 unfortunate because you're kind of sealing the
21 fate.

22 It would have been a nice thing to

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1 be able to have a future opportunity for, you
2 know, more street frontage here and, who knows,
3 maybe you won't wind up using all those parking
4 spaces and in the future you can retrofit
5 something into there.

6 But you're also kind of sealing your
7 fate with the location of the loading dock, so.

8 MR. NYHAN: We're slightly
9 constrained obviously and, you know, for us the
10 more streets that can be public and animated the
11 better. But, you know, we're trying to be a good
12 neighbor and D.C. Water has real security issues
13 there.

14 COMMISSIONER MAY: I understand.
15 On to parking for a second and the whole issue
16 of, you know, how many spaces you have and DDOT's
17 concern about how this was going to generate a
18 lot of extra trips and so on.

19 I mean, first of all, I was kind of
20 surprised to see that because there are a lot of
21 good grades in the studies of the intersections
22 and what's failing, what's passing.

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1 And there were only a couple that
2 were really a problem, but the rest of them I
3 thought were pretty good, certainly compared to
4 a lot of things that we see.

5 But I'm curious, given that this is
6 now D.C. Water's fleet and they park a lot of
7 vehicles there, I mean, what's their current
8 trip generation like? Did you look at that and
9 how it might compare to how these buildings will
10 generate trips?

11 MR. ANDRES: Yes, we did. We've
12 done counts with the existing activity related
13 to D.C. Water's functions and a lot of their
14 functions actually are constant throughout the
15 day.

16 You know, you have some employees
17 coming in in the morning and then trucks coming
18 in and out during the day and then you have
19 employees leaving in the evening and then after
20 5 or 6 o'clock it becomes very quiet.

21 So, you know, does that trip
22 generation activity relate to, say, office

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1 workers who might potentially use the garage?
2 Maybe the portion of D.C. Water's employees do
3 but not to that extent.

4 So in essence, you know, personally
5 I think both activities, whether it's commercial
6 workers coming or D.C. Water's employees coming
7 in and out during that morning peak hour, are
8 relatively in the same range.

9 So what we're doing with DDOT is
10 identifying other users that might come in and
11 use the garage on top of what D.C. Water is
12 generating.

13 COMMISSIONER MAY: Yes. So, you
14 know, in terms of the trip generation from the
15 site right now compared to what we see in the
16 future, I mean, is it going to be substantially
17 more or substantially more at certain times of
18 the day but otherwise not that different? How
19 would you characterize it?

20 MR. ANDRES: You know, if I were to
21 characterize it, you know, actually once the
22 whole area is fully developed it'll obviously be

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1 significantly more than what's there today but
2 the infrastructure --

3 COMMISSIONER MAY: When you say the
4 whole area, you mean the entire site?

5 MR. ANDRES: The entire site and the
6 rest of The Yards.

7 COMMISSIONER MAY: And the
8 surrounding around it, okay.

9 MR. ANDRES: Yes, absolutely.
10 But, you know, there are opportunities here
11 where we're taking advantage of some of the
12 reserve capacity that you're talking about
13 because when F1 is built and not anything else
14 is built yet there are some parking lots that are
15 going to be displaced because they're either
16 going under development or areas for staging for
17 future construction.

18 Those lots are, in essence, being
19 relocated to some of the F1 reserve capacity that
20 will take place during the day so it's, in
21 essence, almost shifting of traffic from other
22 lots that are essentially going away because of

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1 future construction projects.

2 COMMISSIONER MAY: Right. Okay.
3 So the last question I have is about the phasing
4 of the project overall.

5 I read bits and pieces of it and
6 maybe you talked to it more in your presentation
7 but I don't really quite get when each phase, you
8 actually expect them to happen at this point or
9 what your best estimation is and what we need to
10 plan for for the order. I mean, what are you
11 thinking?

12 MR. NYHAN: So F1, the movie
13 theater, it's my job to get it built as fast as
14 possible.

15 COMMISSIONER MAY: Right.

16 MR. NYHAN: And we think the
17 realistically fastest time we could get it open
18 is 2016 and the fastest time we could possibly
19 start it is next year and that assumes that we
20 do the interim relocation of D.C. Water program
21 that currently occupies the F1 site to The Yards
22 across the street.

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1 The phasing for G1 and G2 obviously
2 is a function of the permanent relocation that
3 the District is leading and, you know, the demand
4 for multifamily is strong now. We've got
5 first-hand experience with The Yards, so if it
6 were up to us we'd start one of those buildings
7 immediately.

8 I guess the steps that need to happen
9 in order for us to be able to start are
10 identifying a permanent relocation plan, and
11 then once we have that plan, hiring an architect,
12 design the building, coming back for Stage 2 and
13 then getting a building permit.

14 So, you know, if the District and
15 D.C. Water come to agreement in the next year,
16 call it, then a few months after that we'd be back
17 in here for the Stage 2. Sorry that I can't be
18 more specific but that's my best guess.

19 COMMISSIONER MAY: All right, so
20 let's go to the other end of the spectrum. I
21 mean, do we have any reason to believe that it's
22 going to take the District five years to come to

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1 an agreement on relocation of D.C. Water? I
2 mean, is that in the realm of possibility?

3 MR. NYHAN: I sure hope not and I
4 will say that we're closer today than we've ever
5 been in terms of Forest City worked very closely
6 with D.C. Water. We've had several
7 coordination meetings with them.

8 Forest City works very closely with
9 the Deputy Mayor's Office. This is the first
10 year that counsel approved funding for it.

11 And I know there are high-level
12 meetings that happen between the executive and
13 D.C. Water. So I'm very hopeful it won't take
14 five years.

15 COMMISSIONER MAY: Okay. I think
16 that's it for my questions. Thank you.

17 CHAIRPERSON HOOD: Vice Chair, you
18 have something you want to --

19 VICE CHAIRPERSON COHEN: Yes, I
20 just wanted to jump in and point out that under
21 Tab B there are existing conditions under A4 and
22 A5 which show overhead lines. They're usually

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1 related to, you know, the views on Canal Street
2 looking south and on N Place, Southeast, looking
3 east.

4 Those are the ones, you know, that
5 caught my attention so that's why I asked the
6 question and want to make sure that they will be
7 removed.

8 MR. NYHAN: I can assure you that
9 any land that's controlled by Forest City, all
10 electrical lines will be underground.

11 VICE CHAIRPERSON COHEN: Who
12 controls those sites then?

13 (Off microphone discussion)

14 COMMISSIONER MAY: Just looking at
15 these pictures, if you look at them closely, I
16 mean maybe, you know, somebody on your team wants
17 to look at these closely.

18 But the way I look at it these are
19 all part of land that's controlled by D.C. Water.
20 It's mostly on the property of the main pumping
21 station I think.

22 VICE CHAIRPERSON COHEN: Thank you,

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1 Mr. May, for answering that question.

2 COMMISSIONER MAY: I'd be very
3 surprised if there were any city facilities or
4 any Pepco or anything like that, Pepco or cable
5 that's on a street. You can have them in an
6 alley but you can't have them on a street.

7 VICE CHAIRPERSON COHEN: Thank you.

8 COMMISSIONER MAY: Okay.

9 CHAIRPERSON HOOD: Any other
10 questions, Commissioner Mr. May? I'm sorry.
11 Mr. Turnbull.

12 COMMISSIONER TURNBULL: Wow, my
13 brother, Commissioner May. Well, thank you for
14 your presentation. I think this is a
15 significant project in an area of town that we
16 are obviously eager to develop.

17 My first question is really is it
18 true I can only get the bacon popcorn in the VIP
19 area?

20 MR. GALLIVAN: No, no. No, no. If
21 you want it in the lower area, if you're over 21
22 you can go up there, okay?

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1 COMMISSIONER TURNBULL: I see, and
2 bring it down.

3 MR. GALLIVAN: Exactly.

4 COMMISSIONER TURNBULL: So I can
5 have regular popcorn anywhere, okay.

6 MR. GALLIVAN: Exactly.

7 COMMISSIONER TURNBULL: I was just
8 curious. Now, the Icon in Chicago, the way you
9 described it it's down on Printers Row, down from
10 Printers Row in Chicago?

11 MR. GALLIVAN: I'm not from
12 Chicago. No, it's not. It's on Roosevelt
13 Road. It's right near UIC. To the south is
14 Comiskey Park, whatever it is, White Sox.

15 (Simultaneous speaking)

16 MR. GALLIVAN: And then to the north
17 you're looking at Manny's in that area there.
18 It might have been Printers Row at the time.
19 It's right on Roosevelt Road. We're next to
20 Target on one side and then a Whole Foods.

21 COMMISSIONER TURNBULL: How many
22 screens are there?

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1 MR. GALLIVAN: Sixteen screens.
2 That's a very large theater. It was designed
3 probably six years ago. The world has changed.
4 We have 90,000 square feet there because that's
5 what we had and we have about 3,800 seats so it's
6 a much larger facility than we're talking about
7 here.

8 COMMISSIONER TURNBULL: Same kind
9 of setup?

10 MR. GALLIVAN: Same kind of setup
11 but here, from a seating point of view, we
12 probably would be three generations by the time
13 this gets open from a design level.

14 What we have now, everybody who's
15 been there, I mean, my biggest sales pitch is to
16 have people come and enjoy it, to experience
17 going to a movie there, experience our staff,
18 experience going to the lobby lounge.

19 But I think, you know, based on,
20 we've been open three and a half years there and
21 we have another one up in St. Louis Park which
22 is near the Twin Cities. They opened kind of

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1 simultaneously.

2 So you learn from your mistakes.
3 Everybody, you know, can improve upon things and
4 the good news is if we're going to be opening in
5 2016 we'll, through the design phase we're
6 constantly learning, you know, we're being
7 exposed. RTKL has done an amazing job on the
8 exterior and I think, you know, we can carry that
9 theme through.

10 And we'll work very closely with the
11 city and, you know, whatever is endemic to the
12 area and that we can pick up on things that are,
13 you know, important or special to The Yards, to
14 the Anacostia River.

15 I mean, we're in business to, you
16 know, to blend in. We want to become part of the
17 community, and I know there was a question about,
18 you know, the lighting. We want to be good
19 neighbors. We don't want to have something
20 that's just going to, you know, like Kramer.

21 And we're a destination. People
22 don't drive by, oh, there's a big light.

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1 There's a blinking sign. Let's go in. We're a
2 destination. We want to set the tone at the door
3 and we'll carry that through throughout the
4 whole theater.

5 You know, if you ever happen to be
6 in Chicago, I would invite people. You know, if
7 you want to contact us, that's great. We'd love
8 to give you a tour. If you want to go
9 unannounced and just see what's it like and to
10 experience, we welcome that.

11 COMMISSIONER TURNBULL: Thank you.
12 Getting back to that lighting on the garage as
13 Commissioner May had brought up, you've got a
14 section on A31 and you've got the upturned
15 concrete beams showing. Is the other lighting
16 in the garage going to be exposed or just bare
17 bulb fluorescent or what are we going to see?

18 MR. RENAUD: No, there will be
19 illumination at the center of the drive bay and
20 typically those are shielded fixtures, so the
21 idea is to be able to light the driving space and
22 basically shield to the exterior.

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1 We haven't made the final selections
2 of all the, you know, interior components yet but
3 it will definitely be a shielded fixture.

4 COMMISSIONER TURNBULL: Yes but, as
5 Commissioner May was getting into, I think one
6 of the things that if it's done right I think it's
7 going to be fine.

8 But there are so many garages where
9 you have a mesh or something and all you see is
10 a skeleton of all the cars and you see the bare
11 bulbs, you see the rather glaring fluorescent
12 light back there and it's very unattractive.

13 And I think as this is to be an icon
14 and we're looking at a point and fitting in with
15 the neighborhood, I'm a little bit concerned
16 about how that's going to really look.

17 I mean, I understand what you're
18 trying to achieve. I wonder if you could
19 improve upon this section by placing a car in
20 there, showing in a future submission for us to
21 document where this is.

22 And could you possibly simulate what

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1 that would look like from the inside, what your
2 view, what your idea is of what we're going to
3 see when we look up at night?

4 MR. RENAUD: I believe that we can
5 model it, yes.

6 COMMISSIONER TURNBULL: Okay. I
7 think that that would help bring us a comfort
8 level as to what we're going to see when we look
9 up at that mesh.

10 I understand what you're trying to
11 do and I think you're getting there. I'm just
12 a little antsy just looking at the overall scope
13 of the project, what you're trying to do. If we
14 could see something, that might help us a little
15 bit better.

16 MR. RENAUD: I understand. It's a
17 very big concern of ours as well that we'll, you
18 know, mitigate as much as possible.
19 Absolutely.

20 COMMISSIONER TURNBULL: Okay.
21 Then getting to the other lighting in the
22 building, you got your strip lighting and then

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1 you guys are laying panels. Are they point in
2 place lighting, static lighting or, the panels
3 aren't going to be changing colors?

4 MR. RENAUD: No. In fact, we've
5 limited the spectrum to a purple color. Those
6 are on the illuminated panels.

7 COMMISSIONER TURNBULL: Right.

8 MR. RENAUD: These are the ones
9 you're referring to?

10 COMMISSIONER TURNBULL: Yes, yes.

11 MR. RENAUD: Yes. That is a very
12 controlled light. We were looking potentially
13 at the opportunity of having -- because they're
14 LEDs, they can be programmable to where they
15 interact cohesively.

16 So in other words, you could
17 potentially create some patterns of basically
18 turning on or off but in a very subtle way. We
19 have that opportunity. We're not quite sure if
20 we want to go with movement.

21 COMMISSIONER TURNBULL: Yes, I
22 think you got to be careful --

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1 MR. RENAUD: Absolutely.

2 COMMISSIONER TURNBULL: -- on
3 something like that.

4 MR. NYHAN: I'm pretty sure we don't
5 want to go with movement.

6 COMMISSIONER TURNBULL: Okay.
7 Well, thank you. That's for the record. I
8 could just see that becoming very Las Vegas-like
9 or something which isn't quite, I think, the
10 character you want here.

11 I guess the other thing, getting
12 back to the timing. We're looking at F1 24,
13 2016. G1 is a throw out, 2017 maybe.

14 MR. NYHAN: I think realistically
15 it's more like a 2018 --

16 COMMISSIONER TURNBULL: 2018.

17 MR. NYHAN: -- delivery and the next
18 one about a year later.

19 COMMISSIONER TURNBULL: Oh, so G2
20 could be like 2019 or '20?

21 MR. NYHAN: Yes, I mean, the issue
22 is the relocation.

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1 COMMISSIONER TURNBULL: Right.

2 MR. NYHAN: Once we get the
3 relocation done, it's just a simple absorption
4 question of, hey, do you want to lease up and can
5 we sort of open G2?

6 COMMISSIONER TURNBULL: Okay.

7 MR. NYHAN: And, you know,
8 absorption's not going to be an issue based on
9 what we've seen so far at The Yards.

10 COMMISSIONER TURNBULL: Okay. Mr.
11 Chair, I guess those are my major questions.

12 CHAIRPERSON HOOD: Okay, thank you.
13 Mr. Miller.

14 COMMISSIONER MILLER: Thank you,
15 Mr. Chairman. I just wanted to thank you for
16 your excellent presentation.

17 I've only been here about 11-1/2
18 months but that really was one of the best
19 presentations, including all the materials that
20 you provided, that I've seen since I've been
21 here. I don't mean to sound like a cheerleader
22 but I think that's what I am here tonight.

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1 And for your responsiveness to the,
2 we'll hear from the Advisory Neighborhood
3 Commission, we'll hear from DDOT and OP, but you
4 really have addressed each of their issues, in
5 my view, very substantially and significantly.

6 And you provided information in
7 response to concerns the Commission expressed at
8 the setdown, including myself, on the
9 above-grade parking which I do share the
10 concerns of my fellow Commissioners about.

11 But if it was just the water table,
12 my comment at the setdown was southeast
13 shouldn't be any, I mean, if you can do
14 underground parking in Georgetown, you ought to
15 be able to do underground parking in southeast
16 at The Yards.

17 But the information about the D.C.
18 Water pumping station's infrastructure that's
19 below there and they're already spending
20 billions to do other infrastructure
21 improvements, I'm not sure we could relocate
22 those particulars to the streets that you're

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1 creating.

2 So I think you provided a lot of
3 information which explained why you need to do
4 that above grade, although I do share the concern
5 about it being a precedent for this whole area,
6 a precedent that started with the Nationals. Of
7 course, these are much more attractive. You've
8 got the wrapping with retail.

9 So but I think the additional
10 information that Commissioner Turnbull asked
11 for would be helpful, to see how it is being
12 screened, what you see from the outside of those
13 cars coming in and out with the lights.

14 I don't know if there are any
15 additional opportunities for screening with
16 green. You did add green to that building. I'm
17 not sure I understood, I guess I didn't pick up
18 on exactly where that --

19 MR. RENAUD: It was to the western
20 elevation on 1-1/2 Street.

21 COMMISSIONER MILLER: And that goes
22 from the ground up to --

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1 MR. RENAUD: Up to the expression of
2 that garage. I believe it's two stories and
3 that location's about 20 feet.

4 COMMISSIONER MILLER: So what's
5 behind that green?

6 MR. RENAUD: That's parking.

7 COMMISSIONER MILLER: That is
8 parking?

9 MR. RENAUD: Yes.

10 COMMISSIONER MILLER: So I don't
11 know if you can do additional greening of that
12 screening but I would be interested if it can be
13 done.

14 When I've seen it in other cities,
15 if it can last through the winter, it does make
16 it a lot more attractive. You don't realize it
17 is parking as much.

18 So I just wanted to comment on the
19 overall PUD with the four parcels. I mean, this
20 is a very exciting redevelopment of this
21 industrial area with this iconic movie theater
22 that doesn't exist in the District of Columbia

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1 -- no movie theater exists, as you pointed out,
2 in the eastern half of the city -- with the 600
3 housing units, with the improvements to the Park
4 and connecting the traditional street grid of
5 the city with the new private streets and
6 extending Potomac Avenue as well.

7 On the private streets, they'll be
8 fully accessible to the public? They'll
9 function as public streets?

10 Is there an easement that is being
11 given to the District for its usage? There's
12 some kind of memorandum of agreement that
13 they're going to allow traffic to go through
14 there? And maybe somebody can answer how --

15 MR. FEOLA: Well, I think we would
16 entertain that as part of the PUD, as a
17 requirement of the PUD. It is fully intention
18 of Forest City to open them to the public, not
19 put up gates or restrict them in any way.

20 But because Forest City's going to
21 maintain them, fix them, you know, plow them,
22 whatever, I don't see a role for DDOT to be

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1 involved in terms of an easement. But we
2 certainly can make it a condition of the PUD
3 which would make them public.

4 COMMISSIONER MILLER: Right.

5 MR. NYHAN: I would just add to
6 that. You know, we do have some private streets
7 at The Yards and D.C. Water has asked for and we
8 have agreed to various easements where D.C.
9 Water needs to get in to fix something. That's
10 totally fine.

11 COMMISSIONER MILLER: And on the
12 1-1/2 Street, I think I read somewhere, I don't
13 know if it was in our record or I just saw it
14 somewhere. I guess you're not supposed to bring
15 up something if you saw it somewhere else, but
16 I'm not sure where I saw it.

17 CHAIRPERSON HOOD: You saw it in the
18 record.

19 COMMISSIONER MILLER: It's all in
20 the record. I saw it in the record. Thank you
21 for correcting me, Mr. Chairman.

22 I think somebody commented that why

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1 isn't it called First Place instead of 1-1/2?
2 Having worked on 13-1/2 Street for many decades,
3 I don't have problems with half streets.

4 But is it already named? Is it
5 officially named? How did you arrive at the
6 1-1/2 versus First, you have an N Place right on
7 the other side between N Street. Do you think
8 it's less confusing? You think it's more
9 iconic?

10 MR. AVITABILE: Did it come from The
11 Yards, Mark?

12 MR. GILLIAND: Yes, I believe it's
13 a carryover from the way we were calling that
14 street in The Yards master plan. It's been the
15 way we've been referring to it for a while, that
16 half street over there, you know, running into
17 the ballpark. Just took that to 1-1/2 Street.

18 COMMISSIONER MILLER: It makes
19 sense.

20 FEMALE PARTICIPANT: No, it
21 doesn't.

22 COMMISSIONER MILLER: Well, you

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1 know, either with 1st Place or with 1-1/2 I think
2 you would know that it's between 1 and 2. I've
3 been to some of the -- you said, Mr. Gallivan?

4 MR. GALLIVAN: Gallivan.

5 COMMISSIONER MILLER: Gallivan.
6 I've been to some of the theaters that have
7 reserved, although I'm not sure it was one of
8 yours, and it is a very exciting and very
9 different type of experience and so I'm pleased
10 that you're coming to the District. Is this
11 your first venture on the East Coast or --

12 MR. GALLIVAN: We've committed to
13 Seaport Square in Boston. We've committed to a
14 site in New York City. We have a couple in New
15 Jersey that we're looking at, but this is among
16 the first on the East Coast.

17 We've committed to sites too in the
18 bay area, one in Mountain View by Google's
19 headquarters, one in San Jose at Valley Fair
20 mall. We have in Laguna Hills, California, and
21 we have one in Del Mar, California. So we're
22 going basically from coast to coast.

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1 When we first started this, in this
2 new venture, both Tony and Dean Kerasotes, the
3 owners of the company, said they don't want to
4 build anyplace that they didn't want to go and
5 visit.

6 So we're not going to be building 30
7 of these. You're going to have a limited
8 number. There are very few markets that can
9 support this.

10 So we really want, you know, and I
11 hate to keep using the word iconic, we want
12 iconic locations.

13 You know, our current theater in
14 Chicago overlooks the Sears Tower. It's just
15 spectacular. There's four or five, you know,
16 high-risers and, as I said, there's I think 85
17 feet of wall there in our lobby lounge. It just
18 glows at night.

19 So that's why this site really
20 excited us. When we saw that we could have that
21 southeastern view on two levels, I mean, it's
22 just going to be beautiful. It's going to glow

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1 at night.

2 Not only will it read well from the
3 outside, at night, when various things are going
4 on, I just think it's really going to be
5 spectacular. It's going to be an addition to
6 the area.

7 We're not trying to be a restaurant.
8 I mean, some of these reserve-seat theaters are
9 restaurants that have a few theater seats.
10 We're a movie theater. This is an amenity. The
11 lobby lounge is an amenity.

12 We want to serve our customers, a
13 wide diversity of customers, whether you have,
14 you know, little kids to a Little League or
15 whatever.

16 So, again, where we are in Chicago
17 we have a very diverse crowd, from the very young
18 to the very old, you know, all races, creeds,
19 ethnicity, so it's been very, very successful.

20 And we do really well on a wide
21 variety of movies. Just where we were at
22 Roosevelt Collection, for the first three years

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1 that we were open we were the only tenant open
2 in the center and we consistently on opening
3 weekends would be in the top five throughout the
4 country, and this with no help whatsoever.

5 And we've become a destination for
6 people in Chicago. I live about 40 miles west
7 of the city and I know people anecdotally who,
8 you know, don't know me or whatever who have gone
9 there from, you know, the western suburbs, the
10 Hinsdales, the Burr Ridges.

11 And Tony and Dean Kerasotes live on
12 the north side of Chicago and it's about a
13 20-minute ride and there's, I think, 20 units in
14 their building and not because they're there,
15 that's the theater of choice.

16 So it's just such a nice experience
17 and we've really, quote, "grown the pie." We
18 feel that there's probably 70 percent, 70 to 80
19 percent more business being done.

20 You know, there are competing
21 theaters within a couple miles but their grosses
22 haven't been significantly reduced so we're

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1 getting people going to the movies who haven't
2 been going. It's such a nice experience.

3 We even have people who live in,
4 there's some apartments right near there who
5 even come to our lobby lounge. That's kind of
6 their go-to place.

7 It's kind of a fun place. It's not
8 pretentious. We have TVs for the ball games or
9 whatever. We even had a wedding there. I don't
10 know if I'd want to get married there but we even
11 had a wedding reception there.

12 So, you know, corporate, we have a
13 lot of corporate events, a lot of studio events.
14 We've had a lot of stars there. We've had, I
15 don't know, couple hundred screenings,
16 pre-opening screenings, by studios and that's
17 one of the things that we can bring to the area.

18 We do well in alternative content,
19 anywhere from boxing matches up to the
20 Metropolitan Opera. You know, the Metropolitan
21 Opera is sold out and there's people who have to
22 sit in the same seat year after year. God help

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1 you if that seat isn't available.

2 So, you know, we've become part of
3 the community. It's not just your
4 neighborhood, you know, go down to, you know,
5 we're not a babysitting facility. We're an
6 entertainment facility.

7 And I think with the alternative
8 content, that's going to be more prevalent as
9 time goes by. You're going to be able to see
10 more things just in movies, you know, special
11 events through Fathom or whomever.

12 And having digital just makes the
13 world so much easier. In the old days -- the old
14 days, a few years ago, you had the films on big
15 platters that you had to splice and whatever.

16 Now you just get a disk or download
17 it or whatever and you're able to do that. You
18 know, maybe during the day you play one thing and
19 at night you play another thing. So
20 the industry really has changed and what we're
21 trying to do is to be on the cutting edge.

22 And every chair in the theater, no

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1 matter if it's on the first floor or second
2 floor, will be a plush leather chair. It won't
3 be your traditional theater chair.

4 We're dealing with a manufacturer
5 now and that's one of the things that we've been
6 struggling with, is which is the proper chair.

7 The ones upstairs on the second
8 level will be fully reclining. It's just really
9 nice. But they'll all be beautiful chairs.
10 They'll all be probably better than any chair
11 you've sat in in a movie. I know in Washington,
12 in this market.

13 So what we want to do is we want to
14 be cutting edge. We want to set the tone, so.

15 VICE CHAIRPERSON COHEN: And we
16 need to move on.

17 MR. GALLIVAN: Okay.

18 COMMISSIONER MILLER: I look
19 forward to coming to that destination as an
20 alternative to driving out to Fairfax, to the
21 similar type of theater, although it's not as
22 attractively designed, but a similar type of

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1 theater out in Fairfax.

2 One of the things that Fairfax and
3 that Mosaic District did have, which I guess you
4 are constrained from having because of the
5 sewer, D.C. Water, is they have a big screen on
6 one of the blank walls showing for free some
7 retro movies.

8 We were going to see another movie,
9 but there's a lawn in front and people had their
10 little chairs that they pulled up and I think
11 Rain Man was showing. We were going into a, you
12 know, first-run movie.

13 But it was just interesting, just
14 watching the public interact, you know, that
15 maybe couldn't afford or just wanted to sit
16 outside.

17 But I guess there's no opportunity
18 for that with where the pumping station, unless
19 you acquire more of D.C. Water's property.

20 MR. NYHAN: That's probably a new
21 challenge that we don't need to try to take on
22 at this point but I do think, you know, it's not

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1 right there but Yards Park is probably the best
2 opportunity for us to do that, you know, working
3 with a bid, having a fence.

4 COMMISSIONER MILLER: Are you
5 getting screens? Are they doing Screen on the
6 Green now?

7 MR. NYHAN: They've been doing the
8 screenings in the plaza where the DOT building
9 is but, you know, over 50,000 people visited that
10 park last year for Friday-night concerts and I
11 think adding screenings is just the next step.

12 COMMISSIONER MILLER: Yes. Just
13 two quick other final points, Mr. Chairman. Let
14 me commend you all on the workforce intermediary
15 and I think that's going to be part of getting
16 District residents into the jobs that are
17 available in the theater.

18 How many jobs are going to be
19 available in the theater and have you quantified
20 the value of your contribution to the workforce
21 intermediary?

22 MR. NYHAN: I want to take the

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1 second one first, Bob. I think the overall
2 investment for the workforce is going to be
3 somewhere around 250,000 bucks that we pay to get
4 the workforce intermediary up and running.

5 The great thing, though, is the
6 training organizations already get federal
7 funds to execute the training, so it's basically
8 us paying the consultants to run that.

9 MR. GALLIVAN: In the theater we
10 project there'll probably be about 185 jobs,
11 both full-time and permanent part-time jobs, and
12 at any one time on the weekend we'll probably
13 have about half of those on staff.

14 We overstaff rather than the typical
15 movie theater that you'll see, particularly
16 where we're seating people. We don't want
17 people to wait in lines.

18 And then you have the lobby lounge
19 area, so you'll have a number of opportunities
20 from the entry-level first jobs, you know, for
21 kids up to, you know, full-time theater
22 managers. You'll have full-time bartenders.

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1 You'll have wait staff. You'll have cooks.

2 So given the type of operation we
3 have, you just have a myriad of different
4 disciplines that kids can get into or people who,
5 you know, want to have limited hours, whether it
6 be the young people or seniors or whatever.

7 COMMISSIONER MILLER: Sorry to
8 interrupt, but what's the number?

9 MR. GALLIVAN: About 185.

10 COMMISSIONER MILLER: Okay, thank
11 you. And finally, Mr. Chairman, on the
12 environmental sustainability and green aspects,
13 I think the green roof is fantastic.

14 Let me commend you, Mr. Parisi, on
15 all the landscaping that you designed that's
16 currently there. It really is fantastic and I
17 look forward to seeing the product of this effort
18 as well and the Park.

19 And I would hope that you would be
20 able to get up to, on the movie theater I see
21 you're up to the equivalent of 42 points or
22 something and there's 16 I think possible points

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1 additional.

2 If you just get 8 more, you'll get
3 the Silver. It'd be great if you can do, if that
4 is possible, sustainable measures to get to a
5 LEED Silver if that's at all possible. Thank
6 you, Mr. Chairman.

7 CHAIRPERSON HOOD: Thank you.
8 Let's talk about the large entry portal. Let's
9 go back to the movie. I know she said we need
10 to move on, but I was enjoying that because I was
11 getting the Icon experience.

12 MR. GALLIVAN: Okay.

13 CHAIRPERSON HOOD: So we're going
14 to go back.

15 MR. GALLIVAN: Okay, that's great.

16 CHAIRPERSON HOOD: Let me just say
17 --

18 COMMISSIONER MAY: Can I say I was
19 really enjoying that too.

20 CHAIRPERSON HOOD: Yes.

21 COMMISSIONER MAY: And I was
22 imagining what it would have been like.

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1 CHAIRPERSON HOOD: Let's come back
2 to it.

3 COMMISSIONER MAY: The idea of a
4 drink and a comfortable seat and, I mean, where
5 were you when I had to sit through all those
6 Pokemon movies?

7 MR. GALLIVAN: Sitting in an
8 uncomfortable seat in a theater.

9 CHAIRPERSON HOOD: So I'm trying to
10 understand a little better, the large entry
11 portal I think is what you called it or you
12 alluded to it.

13 From the street what am I going to
14 see, because when I look at the picture I just
15 see like escalators or whatever I see here and
16 a platform. What am I going to see? What am I
17 going to experience? What's going to invite me
18 in, besides the movie? Besides the movie.

19 MR. RENAUD: Right. Well, behind
20 each of the parking levels, you know, you're
21 seeing basically the back of the theater and what
22 we're imagining there is basically a neutral

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1 wall but it'll be illuminated with LEDs.
2 There's a similar application at the Chicago
3 theater and then --

4 MR. NYHAN: As you're walking in the
5 front door.

6 MR. RENAUD: Right. So you're
7 walking in the front door. There's basically
8 glazing behind you. There's glazing up above
9 you to protect the doors from the weather. And
10 there'll be -- I can't remember.

11 CHAIRPERSON HOOD: Let me back up.
12 I know we want to go through the front door. I'm
13 talking about I can see it from the street. I
14 can see in it, right?

15 MR. RENAUD: Right.

16 CHAIRPERSON HOOD: I'm talking
17 about that experience.

18 MR. RENAUD: Yes. You'll see
19 basically the activity of people at the
20 concessions, on the second level walking into
21 the theaters on those levels. You'll be seeing
22 an animated ceiling.

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1 Again, we're not in control of all
2 the interior design but the anticipation is that
3 there'll be, you know, something very
4 interesting in terms of lighting features
5 interior.

6 But the most important thing for us
7 was to see that activity of people moving around.

8 CHAIRPERSON HOOD: So you see the
9 activity and that'll be the key point to inviting
10 me in. Okay. That's what I wanted to clear up.

11 I notice part of this is the first
12 stage and I know, Mr. Avitabile, you and Mr.
13 Feola wouldn't do this to me but I have a habit
14 of asking at the second stage, if I'm still
15 around, I have a habit of asking questions that
16 we approved at the first stage.

17 And some other counsels have told
18 me, oh, you already approved that but we're going
19 to answer it, so I'm going to ask it now.

20 Let's talk about the, I have a habit
21 of asking about traffic questions later on and
22 I'm sure Mr. Andres or whoever, but the, I know

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1 we didn't have a rendering but on MP 16 I'm just
2 curious how all that's going to work.

3 How does the 55-foot truck, how does
4 it go in and out, you know, that whole
5 circulation piece. It's on MP 16. I'm sure you
6 may not have a slide of it. I'm sorry you don't.
7 But you did have it in your submission, the one
8 with the many pages.

9 MR. AVITABILE: Let's see if we can
10 find it. First thing I'd note is what we've done
11 in the master plan is we've shown 55-foot trucks
12 because that's, A, the zoning requirement when
13 you have over 50 units and also just that's the
14 most conservative, that we would have trucks
15 that large.

16 And what we wanted to do is make sure
17 that we could accommodate those trucks, and,
18 Mark, correct me if I'm wrong, being able to come
19 in, pull into the site, turn around and pull back
20 out.

21 Once we go forward with the actual
22 design of the building, we may decide, discover

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1 that we can accommodate different trucks.

2 So the first predicate here is that
3 we're showing you the worst-case scenario where
4 we have the full tractor-trailer that needs to
5 come into the site and service the site.

6 CHAIRPERSON HOOD: So this is the
7 worst-case scenario? Okay, because that's what
8 I was wondering, because I was wondering how it
9 was going to do all these different turns and
10 flips and whatever else it's doing here. I'm
11 glad to know this is a worst-case scenario.

12 MR. AVITABILE: But I think one of
13 the things we also wanted to make sure, that
14 consistent with DDOT's policy the trucks are
15 able to come in, pull into the site, unload and
16 then turn around and come out front first.

17 And so that's part of the reason why
18 you see the drawings come out the way that they
19 do, because we're making sure that they can make
20 those maneuvers. We're still looking for it.

21 CHAIRPERSON HOOD: It's MP 16, is
22 what I'm looking at.

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1 MR. AVITABILE: I know where it is.
2 Hold on.

3 CHAIRPERSON HOOD: I'm not sure
4 which tab it's under. Tab C.

5 MR. AVITABILE: We're looking at it
6 now. It's from the earlier submission and part
7 of what it's showing is the old D.C. Water, the
8 old loading plan for the F1 Parcel where the
9 loading was on the east side.

10 We're now putting it on the south
11 side of the building and that'll be part of the
12 consolidated portion of the PUD.

13 CHAIRPERSON HOOD: So we'll have
14 another bite of the apple on this?

15 MR. AVITABILE: For the G1 and the
16 G2, yes. When we come forward with the final
17 design of the G1 and G2 --

18 CHAIRPERSON HOOD: So you're not
19 going to do me like the other counsels for
20 another applicant, tell me, say, well you
21 already approved it. You can't ask any
22 questions on that, even though I could do it but

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1 I'm just --

2 MR. AVITABILE: I suspect DDOT
3 would also weigh in and make sure that whatever
4 we're showing is appropriate and operates
5 safely.

6 CHAIRPERSON HOOD: Okay. Let me
7 talk about the parking spaces and the Icon
8 experience so to speak. I've learned something
9 new tonight.

10 But anyway, I notice that, I think
11 it's DDOT's recommendation or maybe it was the
12 Applicant, you all, I'm not sure. But the talk
13 about the parking spaces and the programmatic
14 way of just using the parking for the movie
15 theater only.

16 Is it going to be paid parking? If
17 I go to the ball game and I want to find somewhere
18 to park and I'm one of those looking for a cheap
19 way to go find somewhere to park, how is that
20 going to work? I think in the submission it said
21 it's still being worked out. How is that going
22 to work?

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1 MR. NYHAN: So my business deal with
2 Bob is that theater patrons have to have first
3 dibs on the garage because the theater operator
4 actually wanted many more parking spaces than
5 this.

6 So the first piece is theater
7 patrons, we're working on actually developing an
8 app where theater patrons will be able to buy
9 their tickets and parking space at the same time
10 so they know beforehand they're going to have a
11 space.

12 CHAIRPERSON HOOD: So it's going to
13 be paid parking?

14 MR. NYHAN: It'll be paid parking
15 but the key piece is that if you come to a ball
16 game you'll have to pay much more than you would,
17 I mean, for movie theater it'll be a validated
18 rate, a much lower rate.

19 And then so the priorities and the
20 way that the whole model is built for the parking
21 garage, movie theater number one, number two is
22 other street retail, number three is daytime

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1 office workers and number four is baseball
2 games.

3 CHAIRPERSON HOOD: And baseball
4 games would probably be like, I guess, the
5 competitive rates that are going on now pretty
6 much.

7 MR. NYHAN: Correct. And there are
8 only eight games, at least based on last year's
9 schedule, that compete on the peak time with the
10 movie theater with movies.

11 CHAIRPERSON HOOD: Let me see. I
12 think a lot of my questions have been answered
13 by my colleagues. See if I can find my question
14 sheet. That's all I have. Any other follow-up
15 questions? Okay, let's go --

16 VICE CHAIRPERSON COHEN: I have
17 one. I'm sorry.

18 CHAIRPERSON HOOD: Oh, well, let me
19 just say this. I want to associate myself with
20 Commissioner Vice Chair Cohen about the ladies'
21 issues, so I wanted to make sure that's on the
22 record.

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1 VICE CHAIRPERSON COHEN: Thank you.

2 COMMISSIONER MAY: Were you also
3 going to mention the bike parking thing?

4 CHAIRPERSON HOOD: You know, I made
5 a statement that I thought they needed -- I know
6 people probably find this strange that I'm
7 saying this. I thought they needed additional
8 parking for bicycles so, anyway, I'll just throw
9 that out there and let the bicycles take it from
10 there.

11 VICE CHAIRPERSON COHEN: My
12 question really is not so much targeted to this
13 project but you've had experience and we don't
14 get much feedback.

15 On your prior efforts, I understand
16 that you had the success with the summer school
17 cooking class. Have you met all of your
18 obligations that you committed to, you know, on
19 employee or minority workers? Have you met all
20 those obligations that you committed to in prior
21 PUDs? Curious.

22 MR. NYHAN: Would you like me to

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1 give a little more detail? Okay, so Yards Park,
2 and I don't have all these stats memorized so
3 bear with me, but Yards Park, first of all, what
4 are our obligations?

5 Our obligations are, number one, 35
6 percent contracting to CBEs and then, number
7 two, our best efforts so that 51 percent of the
8 new hires go to District residents.

9 In addition to those two
10 requirements, we do two voluntary programs.
11 One is called Metro Protégé and the other is the
12 workforce intermediary.

13 In terms of the compliance piece of
14 the contracting, Yards Park was \$14.9 million of
15 \$25 million of construction contracts went to
16 the CBE community.

17 We've hit at least 35 percent in all
18 our projects so far which include Yards Park,
19 Foundry Lofts, Boilermaker Shops and we're
20 currently on track to hit, actually to exceed
21 that requirement on our other two projects under
22 construction which are Lumber Shed and Twelve12.

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1 In terms of District resident, we
2 have also met those goals although I will say in
3 absolute numbers terms, because it's
4 construction, the net new hires are not always
5 as much as obviously the economist's forecast
6 because folks have their own staffs. I don't
7 know if that's enough detail or --

8 VICE CHAIRPERSON COHEN: Well, I
9 think that it's detail that is helpful to share
10 with us since, again, we don't get the feedback
11 and I think you should be very pleased with your
12 record so it would have --

13 MR. NYHAN: We'll we're not
14 satisfied.

15 VICE CHAIRPERSON COHEN: It's very
16 important to us.

17 MR. NYHAN: That's why we're doing
18 the workforce intermediary because, for us, 51
19 percent is, I mean, there's still 49 percent to
20 go which is why we do the workforce intermediary.

21 VICE CHAIRPERSON COHEN: I know but
22 you're at least hitting your targets and that is

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1 something that I think sits well with the
2 Commissioners here.

3 CHAIRPERSON HOOD: Thank you. Any
4 other questions? Mr. Turnbull.

5 COMMISSIONER TURNBULL: Yes.
6 Thank you, Mr. Chairman. I just have one last
7 -- if you could go back to your phasing diagram.

8 And maybe you covered it and I didn't
9 catch it. The loading dock is right here,
10 right? Are you accessing loading temporarily
11 from this end or are you still going to come
12 around?

13 MR. AVITABILE: We're permanently
14 accessing it from 1-1/2 Street. Our plan is --

15 COMMISSIONER TURNBULL: Right
16 here?

17 MR. AVITABILE: Right. We are no
18 longer going to use the former Canal Street.

19 COMMISSIONER TURNBULL: Yes. I
20 mean, the rendering here is sort of out of date
21 then.

22 MR. AVITABILE: No, no. That's

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1 correct.

2 COMMISSIONER TURNBULL: That is
3 correct?

4 MR. AVITABILE: That is correct and
5 what we were doing is right there, right where
6 --

7 COMMISSIONER TURNBULL: You're
8 going to break in right there.

9 MR. AVITABILE: Essentially it's
10 right on line with O Street across the street.

11 COMMISSIONER TURNBULL: Oh, okay.
12 All right. All right, thank you.

13 CHAIRPERSON HOOD: Any other
14 questions? Also, I want to thank you for all the
15 hard work that you did working with the ANC and
16 I know you all have agreed to everything they
17 have on here and I'm sure that Mr. Garber will
18 speak about that when he comes forward.

19 Okay, is there any cross examination
20 by the ANC? Make a space for him. We want to
21 get you on the mic so when your Commissioners say
22 that you weren't here at least you're on the mic

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1 and on the record.

2 MR. GARBER: All right, really I was
3 just hoping maybe the architect could speak a
4 little bit more about the wood alternative
5 design.

6 It's a little disappointing that it
7 wasn't part of the presentation because it was
8 presented as an option and, as an ANC, we decided
9 not to speak directly towards that architectural
10 element of the building, rather to say we
11 encourage them to continue to consider that
12 option.

13 One thing that was important, as you
14 know, for the neighborhood through all of our
15 discussions was that this building represented
16 in some ways both the industrial heritage of the
17 neighborhood and the way that the neighborhood
18 interacts with the river and kind of its natural
19 boundary.

20 And so that wood element spoke to
21 people, to kind of at least that natural element
22 and brought an element that was different than

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1 kind of the typical cold, metal building style
2 that you see in many other places in the
3 neighborhood.

4 Somebody had spoken about how the
5 wood panel would force there to be some kind of
6 greater separation between the panels.

7 In my research of the Parklex
8 building material, it didn't seem like that was
9 something that was completely evident at least.
10 You described it more as a rain screen than
11 something that was seamed together.

12 Could you just elaborate any more
13 about the building material so that the Zoning
14 Commission and anybody else involved could just
15 be a little bit better informed?

16 MR. RENAUD: Yes, the Parklex
17 material, it's a panelized system so there are
18 some limits to the size of the panel itself.

19 Ultimately the panels, they become
20 butted to each other so there's not a physical
21 connection between one and the other, so
22 generally that gap is around a quarter of an inch

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1 to half an inch so it's relatively small.

2 And where I characterized it as a
3 rain screen means that basically water can get
4 behind it and so our vapor barrier, our barrier
5 for water coming into the building is
6 essentially behind it. That doesn't really
7 affect its performance at all.

8 It does have natural wood within it
9 but it's been basically impregnated with an
10 acrylic material to make it withstand the
11 weather and, again, that was why we had selected
12 it as a potential alternative.

13 MR. NYHAN: Can I just add the wood
14 alternative is in the materials we submitted to
15 the Commission and, you know, if the word comes
16 down that that's what it is, then we'll live with
17 it.

18 MR. GARBER: Yes. Going on to a
19 different issue, when you were talking about the
20 green wall on 1-1/2 Street around the parking
21 garage entrance, in your description of it you
22 described it as if it was kind of a vine growing

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1 up the building rather than I think what we had
2 talked more about which is more of an in-place
3 actual green wall where the vegetation was
4 growing out from the side of the building, which
5 I know is the preferred thing from the ANC's
6 perspective, but could you speak to that any
7 more?

8 MR. RENAUD: Of course. Our main
9 objective for the building and the materials
10 that we select for it are they not only perform,
11 you know, for years and years.

12 So part of making them perform well
13 is we want to select materials that are as little
14 maintenance as possible because we understand
15 that, you know, over time maintenance can slip.
16 It's something that, you know, it's not inherent
17 with the building and its natural performance.

18 So we're anticipating if those vines
19 are actually supported by the ground rather than
20 something that's hung off of the building, it's
21 very much easier to irrigate, very much easier
22 to propagate and literally easier to maintain.

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1 Again, if we want to use it, we want
2 it to be alive, we want it to be vibrant, we want
3 it to not look dead in certain times of the year.

4 Just kind of extending that
5 question, one of the reasons we've applied it to
6 the west elevation and not to the north elevation
7 is because of the sunlight.

8 It just has so much more exposure to
9 the sunlight from the east or the west or the
10 south than it would from the north and, again,
11 that's why we've applied it there.

12 MR. GARBER: So are you saying then
13 that it would not be a green wall? It would be
14 vegetation growing up the wall?

15 MR. RENAUD: Correct.

16 MR. GARBER: Okay. Alex, do you
17 have any further comment on that? Just to
18 clarify, I mean, this is --

19 MR. NYHAN: You know, the
20 commitment I made is that it would not be a vine
21 growing up from the ground.

22 So if we need to, Gerry, to make this

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1 a condition, if the Commission decides to make
2 this a condition of the approval, that's
3 certainly the business commitment that I made to
4 the ANC so we basically need to find a way to make
5 sure it doesn't die.

6 MR. GARBER: I appreciate that.
7 That's all the cross examination that I have.

8 CHAIRPERSON HOOD: All right, thank
9 you very much.

10 MR. GARBER: My testimony.

11 CHAIRPERSON HOOD: Okay, thank you
12 very much. We'll call you back up later for your
13 testimony. Does D.C. Water have any cross?

14 (No response)

15 CHAIRPERSON HOOD: Okay. Let's go
16 to the Office of Planning's report and DDOT.
17 We'll start off with Ms. Thomas and then Mr. El
18 Amin, I believe, or Mr. Henson.

19 MS. THOMAS: Good evening, Mr.
20 Chair, members of the Commission. Karen Thomas
21 with the Office of Planning, and this has been
22 a thorough presentation by the Applicant

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1 tonight. We'd essentially rest on the record of
2 our report.

3 We are in support of the first-stage
4 and second-stage PUD and we think that the movie
5 theater would be an inviting addition to the
6 emerging Capitol Riverfront neighborhood.

7 And we think the public benefits are
8 commensurate and commendable with the
9 flexibility requested, and that's all I have and
10 I'd be happy to take any questions.

11 CHAIRPERSON HOOD: Thank you very
12 much for your report. Mr. El Amin.

13 MR. EL AMIN: Thank you, Mr.
14 Chairman, fellow Commissioners. Fleming El
15 Amin with DDOT.

16 I just wanted to briefly highlight
17 our position as we stated in the report, just
18 some highlights of it, touch on a little bit
19 about our coordination with the Applicant to
20 date and discuss a little bit where we are with
21 things now.

22 Again, our original report, we had

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1 requested the Applicant conduct a performance
2 monitoring within six months of the summer
3 opening.

4 With that, if the monitoring
5 indicated a need for a signal at 1st Street and
6 N Place that that would be installed with DDOT's
7 oversight.

8 Also we requested that the Applicant
9 provide an updated comprehensive transportation
10 review and reevaluation of traffic impacts in
11 conjunction with any Phase 2 submissions for
12 approval.

13 Additionally we had also requested
14 that there be a reduction of approximately 100
15 spaces in the parking proposed for construction
16 of Phase 1 and we also did request prohibition
17 on subleasing of parking spaces.

18 Since that time, we met with the
19 Applicant and have learned that, you know, all
20 331 spaces are needed for the theater, Phase 1.

21 We understand that and agree that
22 the proposed parking supply will be fully

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1 utilized for the theater use and it should be
2 adequate for the demand, so we're generally in
3 agreement with that.

4 The Applicant also mentioned
5 earlier about the daytime office workers that
6 might be utilizing the deck during the day.

7 So we initially had the condition
8 about the no subleasing. We're generally okay
9 with that, granted that they account for the
10 trips that will be added to the network during
11 the daytime for the parking deck.

12 The initial analysis did not include
13 that and obviously that would be important as we
14 fully assess the traffic impacts in the area.

15 So upon that review, we would like
16 to provide an updated report to the Commission,
17 also update our position statement based on this
18 updated evaluation as a post-hearing
19 submission.

20 Just to give you some insight, based
21 on the information we've received to date we will
22 likely be requesting a traffic signal at 1st

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1 Street and N Place prior to the actual opening
2 of the cinema the way things are looking
3 regarding the traffic.

4 And also we will likely be asking for
5 additional monitoring with respect to the
6 additional trips, the office trips, so we'll
7 want to know, you know, the ins and outs on those
8 and if they're still meeting their mode split
9 targets related to that, and that concludes my
10 testimony.

11 CHAIRPERSON HOOD: Thank you very
12 much. Thank you both, Ms. Thomas and Mr. El
13 Amin. Commissioners, any questions of either
14 one, Office of Planning or DDOT? Vice Chair
15 Cohen.

16 VICE CHAIRPERSON COHEN: Thank you,
17 Mr. Chairman. I have a question for DDOT.

18 With regard to Potomac Avenue and
19 South Capitol Street, which is operating at a
20 level of service of F during the p.m. peak and
21 E during the a.m. peak, what are you going to
22 suggest to do with that?

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1 MR. EL AMIN: Yes, you may be aware
2 that we have a major capital improvement project
3 for South Capitol Corridor, in particular at the
4 intersection of Potomac and 1st.

5 There's going to actually be a
6 traffic oval and so the signalization will
7 change and the actual operation of that
8 intersection will improve, and the Applicant did
9 actually model that and it does show
10 improvements at that intersection.

11 In the interim, there will be some
12 revisions to the signal because the cinema will
13 be here before those improvements are installed,
14 but long term we do have a different geometry at
15 the intersection entirely.

16 VICE CHAIRPERSON COHEN: So when is
17 this all going to happen? Maybe I missed it
18 somewhere.

19 MR. HENSON: Excuse me, Jamie
20 Henson with DDOT. We're actually moving
21 forward right now, working toward finalization
22 of a program to construct the bridge which would

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1 also include ovals on both sides.

2 As far as the construction timeline,
3 if I remembered correctly, it would probably
4 overlap the Applicant's construction timeline
5 and I believe we're thinking opening '16/'17. I
6 don't know exactly for sure but I think that's
7 the timeline we're thinking.

8 VICE CHAIRPERSON COHEN: So people
9 will suffer until that time, is that correct?

10 MR. HENSON: There's delay across
11 the city. We're a very popular place.

12 VICE CHAIRPERSON COHEN:
13 Understood.

14 CHAIRPERSON HOOD: Any other
15 questions? Okay, does the Applicant have any
16 cross of either one, DDOT or Office of Planning?

17 MR. AVITABILE: No, we do not.

18 CHAIRPERSON HOOD: And does the ANC
19 have any cross of either one?

20 (No response)

21 CHAIRPERSON HOOD: Okay. And does
22 D.C. Water have any cross? Okay, let's go to

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1 Commissioner Garber, ANC's report, ANC 6D.

2 MR. GARBER: Thank you for giving us
3 the opportunity to talk tonight. Sharon was
4 very kind to help us out at various points over
5 the past couple weeks.

6 I believe you all have seen the
7 letter that we submitted as well as the letter
8 that Forest City gave us in return which speaks
9 pretty directly to most of the issues that we had
10 discussed with the Applicant regarding this
11 project, and I'll speak specifically and a
12 little bit off the cuff on some of these.

13 But essentially, at the ANC's
14 request, Forest City has refined the design of
15 the F1 building by adding that green wall which
16 we discussed.

17 And we had discussed specifically a
18 green wall, rather than vegetation growing up
19 the wall, which is why we did not include that
20 as one of our conditions.

21 They have considered creative and
22 dynamic lighting effects other than the original

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1 rainbow panels proposed and they have considered
2 alternative materials for sections of the F1
3 facade.

4 First, I wanted to clear up just a
5 little mistake in the Applicant's package.
6 They indicated that the ANC had specified that
7 they change the color of the panels to purple.
8 That's not something that we had discussed.

9 We had just talked more generally
10 about looking into other options for the panels,
11 making them closer to the sidewalk and
12 potentially making them more of a feature of the
13 building.

14 And our second point, we had asked
15 Forest City to continue to consider the
16 alternate design direction for the movie
17 theater, which replaces the white Corian band
18 with the wood accent panel.

19 One of the Design Review Committee
20 for the neighborhoods main comments starting
21 early on was that the building was large and
22 square and somewhat imposing and cold in

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1 building materials.

2 And there was a hope that with some
3 of the evolution of the design that we'd see a
4 little bit more relation to some of the Navy Yard
5 industry aesthetic, a little bit more relation
6 to the natural aesthetic being about half a block
7 from the river.

8 But, again, understanding that
9 there's a balance between kind of ANC comments
10 and the architecture of buildings, we didn't
11 want to do too heavy of a hand.

12 But in an informal poll after being
13 shown both of the options, members of the Design
14 Review Committee and just residents polled very
15 anecdotally on Facebook, the vast majority of
16 people preferred the wood design alternative,
17 but I understand that the Applicant is still
18 pushing for the white.

19 In our discussions, Forest City also
20 agreed to reprogram the undefined
21 retail/residential space flanking the
22 residential lobby on the northeast and southeast

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1 corners of Parcel G1 specifically for retail use
2 and asking that that space not be given over to
3 residential or residential amenity space as
4 shown.

5 We believe making this space retail
6 only will strengthen that corridor. These
7 spots are directly across the street from the
8 theater.

9 People in discussions tonight and
10 whenever anybody's talking about a new movie
11 theater now they reference Mosaic District in
12 some ways.

13 And one of the beautiful things
14 about that little area is that the movie theater
15 is kind of right in the middle of a retail
16 district.

17 And I think, instead, if we allowed
18 flexibility and allowed there to be space for
19 residential amenities across the street from the
20 movie theater, I think it would be a missed
21 opportunity for the neighborhood.

22 That retail corridor is also the

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1 direct line to the river and I think having
2 stepping stones of activity along 1-1/2 Street,
3 whether it's movie theater or these retail
4 spaces, is an important draw down to that natural
5 amenity.

6 The next thing that we discussed
7 with them was about the fleet maintenance
8 building, which they have agreed to retain the
9 facade of. That's something the ANC was very
10 pleased to hear about.

11 Kind of the building very much
12 defines that portion of 1st Street and it has
13 quite a strong character in the neighborhood.
14 It's not designated historic but we're pleased
15 that they have decided to preserve that.

16 And we just ask that the same kind
17 of preservation program that happened in some of
18 their other buildings in the historic section of
19 the neighborhood be applied to this building as
20 well so that we're seeing kind of the same level
21 and high design aesthetic at the fleet
22 maintenance building.

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1 One of our other asks that they
2 seriously consider was there's three buildings
3 on the site that are proposed to be demolished,
4 which are the concrete fabrication shop, the
5 welding shop and the carpenter shop, which are
6 all located along 1st Street and essentially
7 Anacostia River and they are going to be
8 demolished to make way for the continuation of
9 Potomac Avenue.

10 There have been some other examples
11 around the city where demolished buildings of
12 some architectural character have had their
13 building materials incorporated into future
14 development.

15 Most recently, which was part of our
16 submission, was the Atlantic Plumbing building
17 adjacent to the 9:30 Club which is having its
18 bricks and some of its steel incorporated as
19 interior design elements.

20 One of the things, as I mentioned
21 before, that the neighborhood has really rallied
22 around is the industrial aesthetic of the Navy

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1 Yard neighborhood as indicated by the quick
2 lease-up of Foundry Locks and the fact that all
3 of the new retail that's come into the
4 neighborhood is being drawn towards the older
5 industrial buildings in the neighborhood.

6 We feel that it would be unfortunate
7 if we lose three buildings with kind of that
8 similar aesthetic completely.

9 And if there is a way to incorporate
10 some of those building materials from the
11 demolished buildings into the new development,
12 whether in interior or exterior elements, that
13 would be a preferred thing to happen.

14 There was also a point made for
15 Forest City to seriously consider. If they are
16 going to be building a G3 building on that
17 expanded Diamond Teague Park, some of these
18 smaller buildings that they're proposing to
19 demolish are similarly dimensioned as what they
20 would be proposing to build and so just asking
21 them to consider potential for relocating one of
22 those buildings to that site instead.

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1 We also asked that Forest City
2 include dedicated playground equipment at the
3 expanded Diamond Teague Park.

4 Yards Park is an incredible amenity.
5 Canal Park is an incredible amenity for the
6 neighborhood and there are some great water
7 features that families and children are drawn to
8 in both those places.

9 What the neighborhood is lacking is
10 some actual, defined play equipment in public
11 space.

12 So whether that's swings or slides
13 or climbing equipment, something that's
14 non-water related, we're asking that something
15 be included as part of the expanded Diamond
16 Teague Park.

17 And that's something that Forest
18 City agreed to do, but we left it up to them
19 without much specificity so that they could
20 design that in a creative way on their own.

21 Lastly we asked that Forest City
22 program the roadway of Potomac Avenue,

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1 Southeast, and 1-1/2 Street, Southeast, in such
2 a way to visibly express that the roadways are
3 shared between a variety of users, most notably
4 bicyclists and automobile drivers.

5 On Potomac Avenue, Southeast, the
6 most appropriate way to do this may be with
7 painted sharrows on the roadway. The expansion
8 of Potomac Avenue is a narrowed roadway than the
9 rest of Potomac Avenue.

10 On the portion of Potomac Avenue
11 between 1st Street and South Capitol Street
12 there is a dedicated bike lane which probably
13 would not fit into the expansion because it's
14 narrowed but just making sure that all users of
15 the roadway would feel welcomed in this new part
16 of the neighborhood.

17 Lastly we asked Forest City to enter
18 into an MOU with ANC 6D and/or the ANC 6D
19 Community Benefits Coordinating Counsel
20 regarding supported employment and jobs for the
21 20003 and 20024 zip codes for 6D residents that
22 will focus on training, placement and retention

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1 of candidates.

2 And additionally that Forest City
3 Washington will work to amend their existing
4 First Source Agreement or sign a new First Source
5 Agreement with the D.C. Department of Employment
6 Services.

7 We did vote unanimously, 5 to 0, to
8 support their application with these conditions
9 and with these specific asks.

10 CHAIRPERSON HOOD: Thank you,
11 Commissioner Garber. I'm not really sure how
12 Number 10 is going to get accomplished. Maybe
13 I'm missing something.

14 I know previously when you came in
15 front of the Commission about -- you're saying
16 supporting the training. You're not saying
17 just jobs for folks in 20003 and 20024 zip codes.
18 You're not saying that. You're saying have
19 training supporting that area as far as job
20 retention, correct?

21 MR. GARBER: Could you clarify the
22 --

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1 CHAIRPERSON HOOD: What I'm saying
2 is when I first read this it looks like you're
3 asking them to really gear jobs towards those who
4 live in these zip codes, and what actually are
5 you asking? Maybe I'm reading into this more
6 than what's there.

7 MR. GARBER: That's a good
8 question. I know the --

9 CHAIRPERSON HOOD: Let me just say
10 this because really, if we do that, it's illegal.

11 MR. GARBER: Okay.

12 CHAIRPERSON HOOD: We've been
13 through that before. Okay, you understand
14 that. So you're just doing the training for
15 those areas?

16 MR. AVITABILE: Exactly. It's the
17 program that Alex described that we already have
18 in place with Harris Teeter.

19 CHAIRPERSON HOOD: Okay. And the
20 reason why I wanted to bring that up, because we
21 went through that once before and I didn't want
22 the expectation to be there and if you come down

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1 for our proposed action, you don't hear that, you
2 say, oh, they didn't even listen to us. So I
3 wanted to make sure that's clear.

4 MR. GARBER: No, I appreciate that
5 and I know that we dealt with that with Southwest
6 Waterfront too and there was that same
7 clarification then, so I appreciate that.

8 CHAIRPERSON HOOD: Okay. Okay,
9 good. All right, and thank you very much. You
10 all did a good job in getting a lot of this.

11 And I will tell you that I'm not sure
12 where my other colleagues are but I do like the
13 recommendation from the ANC as far as the brown
14 as opposed to the white, so take it for what it's
15 worth. Put it out there. I said that twice
16 tonight.

17 Okay, let's open it up. Any other
18 comments? Commissioner May.

19 COMMISSIONER MAY: I just have one
20 question about the wood paneling. We saw it in
21 what was submitted to us. Did the ANC actually
22 have a chance to review this proposed design?

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1 MR. GARBER: It was also submitted
2 to us, so yes.

3 COMMISSIONER MAY: It was. And, I
4 mean, is this exactly what you were expecting or,
5 I mean, is it --

6 MR. GARBER: Actually we didn't ask
7 for specifics necessarily. We asked that they
8 consider using materials that were softer or
9 that had a natural bent to them.

10 COMMISSIONER MAY: Okay. So, I
11 mean, do you like what they produced in the end?

12 MR. GARBER: I do like what they
13 produced in the end.

14 COMMISSIONER MAY: Okay. And when
15 I say you, I mean collectively you. I mean, it's
16 the consensus you?

17 MR. GARBER: We voted unanimously
18 to support the statement that is in your hands
19 right now, so yes.

20 COMMISSIONER MAY: This exact
21 version?

22 MR. GARBER: Yes.

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1 COMMISSIONER MAY: Right. Okay,
2 just want to be clear that it was this exact
3 version as opposed to having --

4 MR. GARBER: Yes, this is actually
5 the only version of this alternate plan that we
6 had ever seen so this is the exact version.

7 COMMISSIONER MAY: Okay, good.
8 Thank you.

9 CHAIRPERSON HOOD: Okay, Vice
10 Chair.

11 VICE CHAIRPERSON COHEN: Thank you.
12 I just want to also compliment the ANC on their
13 negotiation capabilities. They certainly have
14 had a lot of training with many PUDs and they're
15 tough PUDs and I think your report tonight was
16 very complete and very useful.

17 Maybe I'm making an assumption about
18 the employment and jobs for 2003/2024. I'm
19 assuming that's Greenleaf and James Creek
20 covered in those?

21 MR. GARBER: Well, actually those
22 zip codes were specifically mentioned in this

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1 comment because ANC 6D crosses into both 224 and
2 2003. And so those zip codes are actually
3 larger than the ANC itself, 2003 includes a large
4 portion of Capitol Hill as well.

5 VICE CHAIRPERSON COHEN: Okay, but
6 are you really focused on some of those
7 particular properties that are located --

8 MR. GARBER: The purpose of this
9 comment I think was largely directed towards the
10 --

11 VICE CHAIRPERSON COHEN: Public
12 housing.

13 MR. GARBER: -- Housing Authority
14 properties in Southwest Waterfront
15 neighborhood.

16 But, for example, Potomac Gardens I
17 believe is in 20003 as well, and my neighborhood
18 specifically is part of the Capper/Carrollsborg
19 redevelopment. There are a number of people of
20 varying incomes.

21 VICE CHAIRPERSON COHEN: Okay.
22 No, it's what I thought actually, so thank you.

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1 CHAIRPERSON HOOD: Okay, thank you.
2 Any other questions? Commissioner Miller.

3 COMMISSIONER MILLER: No. Thank
4 you, Mr. Chair. I just want to associate myself
5 with your comments and the Vice Chair,
6 complimenting the work of the ANC.

7 And also complimenting the work of
8 the Applicant in responding and working with the
9 ANC to address their concerns.

10 And I do want that green wall to be
11 able to be alive so there may need to be some
12 flexibility there but --

13 MR. GARBER: Somehow they do it at
14 pretty much every other part of the world, so.

15 COMMISSIONER MILLER: But we don't
16 want to just paint it green, you know.

17 And I associate myself with the
18 Chairman's remarks. This is a very subjective
19 thing. Beauty is in the eye of the beholder. I
20 understand the arguments on each side, but I
21 think the wood paneling is a favorable, it does
22 bring a warmer, and complementary with the

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1 historic nature of this area, so I do prefer the
2 wood paneling.

3 And I compliment the Applicant for
4 presenting a picture. They could have
5 presented a picture that was pretty ugly. We've
6 seen that in the past when neighbors have asked
7 something to be considered, and they didn't.
8 They presented something that was a really
9 attractive alternative and so I appreciate that
10 as well.

11 CHAIRPERSON HOOD: Other comments.

12 COMMISSIONER TURNBULL: Mr. Chair,
13 I want to echo comments of my colleagues and my
14 only other comment is that I'm not convinced
15 about the wood color.

16 I'm worried about longevity of the
17 materials. I think the architect made a good
18 case for what they're using and what it is and
19 I sort of like the contrast of the gray and the
20 white.

21 But I don't know whether we should
22 hold them or not. I mean, that's up to them I

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1 think. I have no predilection one way or
2 another to impose something on this.

3 CHAIRPERSON HOOD: All right, well,
4 we can discuss that and maybe we'll take two
5 votes, you know. You never know what happens up
6 here. Okay, any other questions?

7 Okay and, Mr. Turnbull, you and I
8 both have had architectural training so, you
9 know, we have different opinions.

10 COMMISSIONER TURNBULL: Of course,
11 absolutely.

12 MR. GARBER: Could I make a quick
13 comment on that?

14 CHAIRPERSON HOOD: Sure.

15 MR. GARBER: One of the concerns
16 which I guess hasn't been addressed by the design
17 team necessarily but from members of the
18 community about the white was that as a color
19 that's something that can be tarnished pretty
20 quickly potentially.

21 And so the thought was that maybe the
22 wood would even hold up better longer term than

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1 something that would potentially get dirty
2 easier.

3 CHAIRPERSON HOOD: Okay, thank you.
4 Any other questions? Let's see if we have any
5 cross. Mr. Avitabile, have any cross?

6 MR. AVITABILE: No, I do not.

7 CHAIRPERSON HOOD: D.C. Water have
8 any cross?

9 (No response)

10 CHAIRPERSON HOOD: Okay, thank you
11 very much. We appreciate you coming down and,
12 again, the hard work that the ANC did and also
13 with the Applicant. The Applicant worked too
14 so, thank you.

15 MR. GARBER: Yes, they worked very
16 well with the ANC as well.

17 CHAIRPERSON HOOD: Okay. All
18 right, let me just see if we have any
19 organizations or persons who are here in support
20 who would like to testify? Any organizations or
21 persons who are here in opposition?

22 Okay, Mr. Avitabile, do you have any

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1 -- I don't know what you can rebut other --

2 MR. AVITABILE: I think the only
3 rebuttal would be the point that Mr. Nyhan wants
4 to make about the durability of the white Corian.
5 So, Gerry, if you just want to quickly address
6 that point.

7 CHAIRPERSON HOOD: I probably could
8 do that but I'll let him --

9 MR. AVITABILE: Sorry.

10 MR. RENAUD: Yes, one of the reasons
11 for, well actually there are many reasons for the
12 selection of the Corian in that application.

13 It is an impermeable surface.
14 Obviously it was originally designed for kitchen
15 countertops so it performs extremely well
16 against stains, against anything that can
17 potentially land on it. It does not absorb any
18 other material. In fact, it repels it.

19 The other thing is typically when
20 there's a material that's seamed, generally
21 those are the areas that start to collect dirt
22 and soil.

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1 And the fact that we can actually
2 seam the Corian together, that makes it go away
3 basically. It's welded together so the seam
4 goes away.

5 So, again, there are a number of
6 reasons that we've selected it and we feel like
7 it's really a quality material and will last for
8 many, many years and perform exactly the way we
9 expect it to.

10 CHAIRPERSON HOOD: Okay, do we have
11 any questions?

12 COMMISSIONER MAY: Yes.

13 CHAIRPERSON HOOD: Commissioner
14 May.

15 COMMISSIONER MAY: So it's seamed
16 so you get long continuous spans of the material,
17 but you have some very long spans. Do you have
18 control joints in them somewhere or something?

19 MR. RENAUD: Well, again, one of the
20 other great aspects of the material is it does
21 not expand or contract.

22 COMMISSIONER MAY: At all?

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1 MR. RENAUD: Over the distances
2 that we're using it, basically we're looking at
3 it ten feet tall. Just to apply it, obviously
4 it's going to come in sheet sizes so that you can
5 physically apply it to the building.

6 It will have, you know, joints. I
7 think ultimately you don't want a stretch of
8 material that's 200 feet long, I mean, just
9 physically keeping it in there.

10 So, yes, there will probably be
11 maybe five or so joints along that 200-foot long
12 dimension. When you see those, it's relatively
13 imperceptible.

14 COMMISSIONER MAY: Yes. So are
15 there likely to be slip joints or something, I
16 mean, as opposed to something that's caulked? I
17 mean, if it's caulked it's going to wind up being
18 visible.

19 MR. RENAUD: It wouldn't be
20 caulked. We're working with the manufacturer
21 and supplier to understand, you know, exactly
22 where any joints or any expansion material or

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1 anything like that needs to happen.

2 Obviously we want it, again, to
3 perform, to not fall off the building, to do
4 exactly what we expect it to do so, you know,
5 we're working together with the manufacturer to
6 understand all those components of it.

7 COMMISSIONER MAY: Yes, okay.

8 CHAIRPERSON HOOD: Questions up
9 here? Okay, do you have any cross on rebuttal?
10 Mr. Garber, any cross on rebuttal? Rebuttal
11 only, only what he spoke about.

12 (No response)

13 CHAIRPERSON HOOD: Okay. You can
14 come back. We're going to cross on rebuttal.

15 MR. GARBER: And this is going to be
16 just rebuttal, not cross, correct?

17 CHAIRPERSON HOOD: Yes, what you're
18 doing is crossing him on what he mentioned about
19 the difference and why, the durability of what
20 they're recommending versus -- any questions you
21 have on what he said.

22 MR. GARBER: Okay. The Parklex

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1 wood material is also essentially a synthetic
2 material which, do you have experience using
3 this in the past where it has shown that wear and
4 tear or is this -- I think the desirability of
5 the wood over the Corian is that just, again, it
6 has that kind of natural element, kind of tying
7 together different elements from the
8 neighborhood whereas the Corian would be a
9 completely artificial material. But do you
10 have any further comment on the actual
11 durability of the Parklex?

12 MR. RENAUD: The durability is very
13 good and there is a natural component to the
14 Parklex itself but, again, it's been protected
15 by a couple of layers against UV, against
16 basically deterioration so it does perform very
17 well too.

18 I'm not sure if you put them head to
19 head if one, you know, is going to last 75 years
20 and the other one has a life expectancy of 20
21 years. I don't know that exactly but I can
22 certainly find the information.

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1 You know, again, the panels of the
2 Parklex are going to have to be smaller, and
3 that's fine. I mean, ultimately that could work
4 with the design as well.

5 You know, we wouldn't have selected
6 something that would fall apart in, you know, a
7 year and a half. And, again, it's why we didn't
8 go with a strictly wood type of material. It is
9 something that's designed to be outside.

10 CHAIRPERSON HOOD: Any other cross?
11 Okay, Vice Chair.

12 VICE CHAIRPERSON COHEN: Since both
13 of these materials are manufactured, can you
14 check into their toxicity as well?

15 MR. RENAUD: Of course we can, yes.

16 CHAIRPERSON HOOD: Let's see, does
17 D.C. Water have any cross? Okay, thank you.
18 You have closing remarks?

19 MR. AVITABILE: I wanted to ask one
20 question on redirect of Mr. Renaud. Just
21 simply, just to kind of close this out, why from
22 a design perspective do you prefer the white to

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1 the wood?

2 MR. RENAUD: We felt like the
3 overall palette, staying in sort of more of a
4 neutral, you know, from gray to white palette was
5 more consistent, that and together with the
6 metal, the stainless steel mesh. To a certain
7 extent we felt like the wood was a bit alien in
8 that application.

9 We did feel like when it was in the
10 ceiling application, because we are planning, if
11 we were to go with that particular location, we
12 would apply it to the ceiling. But then when you
13 place it in a wall condition, in our minds, it
14 didn't sort of follow through with the concept.

15 In other words, you know, it makes
16 sense that you would have something, sort of a
17 metal kind of outside skin and then potentially
18 the underside of it could be wood. We felt like
19 in that application it sort of makes sense.

20 But then when you take it and place
21 it in a vertical condition, it didn't seem as in
22 keeping with the original idea of the skin as a

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1 Corian would.

2 MR. AVITABILE: Thank you. With
3 that, I'm happy to close. I don't really have
4 much to say in closing other than I think we feel
5 that we've met the burden of proof for both
6 approval of the first-stage PUD and the
7 consolidated PUD and the related zoning map
8 amendment.

9 We appreciate the support that we
10 have from the Office of Planning, from DDOT, from
11 the ANC, from D.C. Water and the Deputy Mayor's
12 for Planning and Economic Development Office.

13 I hope this isn't presumptuous but
14 I wanted to at least ask the Commission if they'd
15 be so inclined to consider a bench decision in
16 this case.

17 And what we're thinking here is we
18 know that you're going to have a very busy couple
19 of months coming up ahead and if we were to wait
20 the typical pattern for proposed and final
21 action, final action tends to fall right when
22 we're all going to be here talking about the

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1 bigger picture on the zoning regulations.

2 And we were thinking that if you were
3 in a position to take proposed action tonight,
4 there are a few items we know we have to come back
5 to you with but we're confident we could come
6 back to you with them, work with DDOT to come back
7 to you prior to final action.

8 I hope I didn't overstep my bounds
9 by putting the request on the record but we
10 appreciate the consideration of the application
11 and your vote, whether it's tonight or in the
12 near future. Thank you.

13 CHAIRPERSON HOOD: Thank you,
14 that's kind of what I think that my colleagues
15 and I were thinking about, busy schedule, but I
16 didn't know anybody was going to come down and
17 use that one. That's a good one. That was
18 good. That was good.

19 Okay, Commissioners, I think for me
20 the only outstanding issue -- and I think this
21 is flavored right to go for final, I mean, go for
22 not final, go for a bench decision tonight as Mr.

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1 Avitabile has requested, not necessarily due to
2 our schedule because this is Zoning Commission.
3 We can handle anything, but due to the fact that
4 I think that the case was made.

5 I think this was very well fleshed
6 out, very well done. I know there were some
7 differences it looked like. The only
8 difference I see is whether we use the wood or
9 the -- and I don't know. I'm not sure.

10 Let me just open that up and see
11 where everybody's thought pattern is on that,
12 but I do think this is flavored right for a bench
13 decision tonight. Mr. Turnbull.

14 COMMISSIONER TURNBULL: Mr. Chair,
15 I'll just reiterate my comments. I mean, I
16 appreciate the ANC's comments and what they're
17 trying to do.

18 I think that the architect, that the
19 team has made a good point for what they're
20 trying to achieve and the materials that they've
21 picked from a durability standpoint, an
22 aesthetic standpoint.

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1 You can weigh them up and down. I
2 would not want to hold the Applicant to pick
3 something like that. I think they ought to, I
4 mean, if they want to have further discussions
5 with the ANC, that's fine. But I'm fine to let
6 them stand with their selection.

7 CHAIRPERSON HOOD: Okay. Thank
8 you, Mr. Turnbull. Mr. May.

9 COMMISSIONER MAY: Yes,
10 specifically on the wood, first of all, I don't
11 see any difference in the durability of the
12 materials. I believe that you can get either
13 one of them to last as long as you'd like.

14 I do agree that the white is going
15 to, there's some greater tendency to show some
16 dirt as it collects.

17 I don't know what kind of exposure
18 it'll get, whether you'll get any kind of
19 streaking of water or if, you know, soot collects
20 on the side of the building, it rains down.

21 I mean, in theory the designers will
22 think about all these things and understand

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1 exactly how the water will flow in the building
2 and you don't wind up with a building that just
3 becomes dirty looking over time.

4 But, I mean, you want to think that
5 but then again there are examples across the city
6 of very brightly colored buildings, very white
7 buildings, winding up looking very bad after a
8 very short time because the designers did not
9 fully understand how water moves on the face of
10 the building and how dirt collects.

11 And, I mean, this is a very stark,
12 modern building and, you know, I don't claim any
13 expertise on how well it's going to perform in
14 this way.

15 But I think it's very important that
16 it look good all the time without having to go
17 out there with power washers all the time to hose
18 it down, so anyway.

19 With regard to the wood itself, I am
20 very sympathetic to the idea of warming up the
21 building because I do find the building overall
22 to be a cold end of the spectrum, but I think

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1 that's clearly the design intent.

2 The idea of doing something that's
3 a little bit warmer I think does have some appeal
4 but I think that introducing wood, particularly
5 wood in this fashion, is probably not the best
6 way to go.

7 I think that the large spans of wood
8 paneling, the very long stretches of it I think
9 are, I mean, they may look kind of wood colored
10 and they may actually have wood in the product,
11 but it's not really going to feel like wood
12 because it doesn't have the dimension of wood.

13 I mean, wood is, you know, has
14 dimension that's, you know, it could be large
15 timbers and 12 inches by 12 inches but the large,
16 flat sheets, while they can be used in some
17 circumstances and it makes sense, it's logical
18 to the design, I don't think it necessarily makes
19 sense here.

20 But I absolutely agree with the ANC
21 that warming it up would be a good thing. I'm
22 just not sure that this is really the right way

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1 to do it.

2 I would be open to the idea of a
3 different design submission being made and maybe
4 the Applicant working a little bit more with the
5 ANC to maybe find some alternative that
6 addresses the concern of warming it up without
7 necessarily forcing it into, you know, using a
8 wood or wood-like product.

9 But then again, I'm also okay with
10 simply approving what the Applicant has
11 proposed.

12 Again, I totally agree with the
13 ANC's concern that it's just not a very warm
14 building and not very sympathetic to the
15 neighborhood in that regard, but I'm not
16 convinced that the wood solution is the right way
17 to go.

18 CHAIRPERSON HOOD: Okay. Vice
19 Chair, you want to weigh in?

20 VICE CHAIRPERSON COHEN: I think
21 it's a modern building and I think that the wood
22 will detract from the building. It doesn't

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1 really go with the modernism and I think the
2 proposed white is appropriate.

3 But I understand, again, the ANC's
4 concerns about the neighborhood and let's just
5 hope that the parcels that are going to be
6 designed for the residential reflect a greater
7 combination of that neighborhood.

8 So I would keep the theater the way
9 it is, how it's been designed, because it just,
10 I think the wood will detract from the beauty of
11 that building.

12 CHAIRPERSON HOOD: Okay.
13 Commissioner Miller, did you want to weigh in?

14 COMMISSIONER MILLER: No. I think
15 I've already expressed my preference for warmth
16 and wood.

17 CHAIRPERSON HOOD: Okay. Maybe I
18 missed that. Did you say wood or what the
19 Applicant --

20 COMMISSIONER MILLER: What the
21 Applicant presented as the woody warmth
22 alternative.

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1 CHAIRPERSON HOOD: Okay. Why
2 don't we do this. I kind of liked what I heard
3 from Commissioner May and actually Commissioner
4 Turnbull alluded to it, is the -- unless you all
5 want to vote. Somebody can make a motion and,
6 you know, I know when we're outnumbered but I'm
7 just trying to think.

8 Everybody seems to, for the most
9 part, seemed to kind of agree with the ANC and
10 I think Commissioner May hit it, even though Mr.
11 Turnbull started it when he said that we need to
12 maybe give them a chance to look at some other
13 alternatives, some other solutions, some other
14 type of material.

15 I would be open to that because if
16 I take a vote tonight I'm going to do two votes,
17 one on that and one on the project.

18 For me it's not a show stopper, but
19 for me it's something I think, the ANC brings a
20 good point that has been stated even before I
21 said what I said.

22 And, again, for me the folks that

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1 live in the neighborhood, even though I know
2 people like me may come over for that Icon
3 experience, but they're the ones who endure.

4 The rest of us will go back home and
5 look at something. Well, you don't know what I
6 look at but, anyway, you don't want to look at
7 what I have to look at.

8 But, anyway, the folks in the
9 neighborhood have spoken and I think we should
10 try to find a way to mitigate at least that piece.
11 That's just my opinion.

12 COMMISSIONER MAY: So, Mr.
13 Chairman, without actually making a motion, I
14 would suggest that maybe I could make a motion
15 to take proposed action to approve this PUD and
16 encourage the Applicant to continue to work with
17 the ANC to develop a design that addresses the
18 ANC's concern about warming up the palette or
19 warming up, you know, making the building feel
20 more comfortable in the neighborhood and that
21 that be presented as an alternative to the
22 Applicant's preferred design that we could vote

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1 upon at final.

2 CHAIRPERSON HOOD: Okay, I like
3 that. Any objections, Mr. Turnbull?

4 COMMISSIONER TURNBULL: Yes, I
5 could go with that.

6 CHAIRPERSON HOOD: Okay.

7 COMMISSIONER TURNBULL: I mean, my
8 concern is sort of echoing Commissioner May's
9 concern earlier, is that what we don't want to
10 have is we went through years and years of having
11 Formica that looked like wood on countertops.
12 You don't want Formica wood on the building.

13 If it's going to be wood, it should
14 look like wood and I think, as Commissioner May
15 said, there's a quality to it. So you don't want
16 something totally phony.

17 But I think the idea of maybe warmth,
18 the colors, doing something with the color and
19 doing -- I think maybe that's the option that the
20 ANC is looking for, some warmth.

21 I think trying to introduce
22 something woody maybe is maybe going too far.

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1 But I would agree, I could second Commissioner
2 May's proposal.

3 CHAIRPERSON HOOD: And maybe for me
4 the color was the issue. Commissioner May, if
5 you can make that motion and we'll go over some
6 of the things we're looking at for final, since
7 we have such a busy schedule, Mr. Avitabile, and
8 I want to thank you for looking out for us.

9 MR. AVITABILE: I try.

10 COMMISSIONER MAY: So I will make a
11 motion but before we do I would also suggest that
12 Mr. Avitabile, the next time he brings a case
13 before us, I mean, has the agreement of the
14 Office of Planning and DDOT and the Applicant has
15 agreed to address all those conditions and the
16 ANC is in favor and the Applicant has agreed to
17 the ANC's condition, that Mr. Avitabile should
18 not be shy about asking for a bench decision.

19 We may not be willing to do it.
20 Usually we've thought about it by this time.
21 Don't be afraid, so.

22 CHAIRPERSON HOOD: Actually for

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1 full disclosure, that decision was made before
2 you asked, but anyway.

3 COMMISSIONER MAY: Exactly, and
4 we're always looking to lighten our schedule
5 into the future if we can do it and do justice
6 to the projects.

7 So I would move that we take proposed
8 action to approve Zoning Commission Case 13-05,
9 Forest City Sefc, LLC, first- and second-stage
10 PUDs and related map amendments at Squares 744S
11 and 744SS, with the proviso that the Applicant
12 continue to work with the ANC to address the
13 ANC's concerns about warming up the design of the
14 building and that the Applicant be open to submit
15 an alternate design to address those conditions
16 that we would vote upon at final.

17 COMMISSIONER TURNBULL: Second.

18 CHAIRPERSON HOOD: Okay, it's been
19 moved and properly seconded. Any further
20 discussion?

21 (No response)

22 CHAIRPERSON HOOD: All those in

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1 favor.

2 (Multiple ayes)

3 CHAIRPERSON HOOD: Any opposition?
4 Not hearing any, Ms. Schellin, would you record
5 the vote?

6 MS. SCHELLIN: Yes, staff approves
7 the vote 5 to 0 to 0 to approve proposed actions,
8 Zoning Commission Case No. 13-05, Commissioner
9 May moving, Commissioner Turnbull second,
10 Commissioners Hood, Cohen and Miller in support.

11 CHAIRPERSON HOOD: Okay, Ms.
12 Schellin, do we need to run down the list of
13 things that we need?

14 MS. SCHELLIN: No, I don't have a
15 lot on the list so I'm thinking either I missed
16 something, especially because I don't have Mr.
17 May's name on here very often, so that means
18 something's wrong.

19 COMMISSIONER MAY: I said I was out
20 of practice. I was out of practice.

21 MS. SCHELLIN: Yes. I have from
22 Commissioner Cohen to give an update on the

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1 city's efforts on moving forward, I think with
2 D.C. Water with their, I think she wanted an
3 update on what they're doing.

4 (Off microphone discussion)

5 MS. SCHELLIN: Okay, on their
6 relocation. Mr. Turnbull asked with regard to
7 Section A31 if they could improve on this section
8 by placing a car in the section and then simulate
9 what it would look like at night.

10 Commissioner Miller would like to
11 see the LEED reach the Silver level since they're
12 so close.

13 Again, Commissioner Miller would
14 like for them to provide information on
15 attainment of the CBE and other goals for their
16 prior projects if they could just provide
17 something for the record.

18 MALE PARTICIPANT: That was Cohen.

19 MS. SCHELLIN: Yes.

20 VICE CHAIRPERSON COHEN: Yes.

21 MS. SCHELLIN: Cohen, yes. And
22 then Commissioner May, if they could develop a

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1 design that addresses the ANC's concerns to warm
2 up the design to be voted on at final action.

3 VICE CHAIRPERSON COHEN: And more
4 ladies' rooms.

5 MS. SCHELLIN: I think that's at
6 second stage.

7 CHAIRPERSON HOOD: That's all
8 right, we'll ask for it.

9 MR. AVITABILE: The only other item
10 is, of course, the DDOT and our supplemental
11 report and DDOT's supplemental report. I don't
12 want Mr. Henson to give me a dirty look.

13 MS. SCHELLIN: So DDOT's
14 supplemental report and then your response to
15 it?

16 MR. AVITABILE: It will likely be
17 and we'll likely be in agreement, I would hope,
18 and we'll probably just submit at the same time.

19 MS. SCHELLIN: Okay.

20 CHAIRPERSON HOOD: All right,
21 anything else?

22 COMMISSIONER MILLER: I wanted them

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1 to consider expanding the green wall area,
2 whatever that green wall is, if it would provide
3 more screening of the vehicles.

4 CHAIRPERSON HOOD: Okay, anything
5 else? Okay, all right. Ms. Schellin, are we
6 all straight?

7 MS. SCHELLIN: Yes. The dates for
8 the submissions would be October 3rd by 3:00
9 p.m., response date by the parties would be
10 October 10th by 3:00 p.m., draft findings,
11 facts, conclusions of law would also be by 3:00
12 p.m. October 10th and then we can consider final
13 action on October 21st. If you want to take
14 final action in November, we can give you more
15 time.

16 COMMISSIONER MAY: Is that enough
17 time to do a little more work on the design?
18 Pretty fast, October 3rd.

19 MS. SCHELLIN: Oh, do you want final
20 action in November?

21 COMMISSIONER MAY: We got nothing
22 going on in November.

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1 (Off microphone discussion)

2 CHAIRPERSON HOOD: Did you say you
3 need ten minutes to talk? Oh, I thought you said
4 ten minutes. You all can finish it by then.

5 (Off microphone discussion)

6 MR. AVITABILE: We'd like to make
7 sure we take the time to look at this and look
8 at it right so we were thinking if we had until,
9 I think Halloween is when we think we might be
10 ready to come back with that alternative design.

11 That gives us enough time to do a
12 full study and look at the alternatives and give
13 the Commission something, October 31st plus or
14 minus. So I guess we'd be looking at --

15 CHAIRPERSON HOOD: November, first
16 meeting in November.

17 (Off microphone discussion)

18 MR. AVITABILE: We would be okay if
19 the vote was in December if you don't have the
20 time in November, because we submit at the end
21 of October and then the --

22 MS. SCHELLIN: We would prefer that

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1 you go to December instead of November.

2 MR. AVITABILE: Okay, that's fine.

3 MS. SCHELLIN: Okay, so --

4 CHAIRPERSON HOOD: Wait a minute.

5 We can always do a --

6 MS. SCHELLIN: No, no.

7 CHAIRPERSON HOOD: Everybody's
8 laughing.

9 MR. AVITABILE: Remember that
10 workload.

11 MS. SCHELLIN: Yes. We are all
12 remembering. He might have forgot.

13 CHAIRPERSON HOOD: Thirty minutes
14 one day ain't going to hurt us, believe me.
15 Okay, because we're going to be here till 12
16 o'clock.

17 MS. SCHELLIN: So then we can give
18 you till November, to give you more time, give
19 you until November 12th. So then parties would
20 have until the following Tuesday since that
21 Monday is the holiday.

22 So November 12th and then November

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1 19th for responses and draft findings, facts,
2 conclusions of law also November 19th and then
3 we would take this up on December 9th.

4 CHAIRPERSON HOOD: Okay.

5 MS. SCHELLIN: Mr. Garber, you got
6 that?

7 CHAIRPERSON HOOD: We can always do
8 --

9 MS. SCHELLIN: DDOT left.

10 (Off microphone discussion)

11 MS. SCHELLIN: Okay.

12 CHAIRPERSON HOOD: All right, so we
13 have anything else, Ms. Schellin?

14 MS. SCHELLIN: No. You can go home
15 now.

16 CHAIRPERSON HOOD: Okay, I want to
17 thank everyone for their hard work on this case
18 and this hearing is adjourned.

19 (Whereupon, the hearing in the
20 above-entitled matter was concluded at 10:05
21 p.m.)
22

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