

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

-----:
 IN THE MATTER OF: :
 :
 DC BALLPARK 2 LLC - CAPITOL : Case No.
 GATEWAY OVERLAY DISTRICT : 10-31
 AT SQUARE 700 LOTS 37, 38, :
 39, 45, 46, 803 :
 -----:

Thursday,
October 10, 2013

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

The Public Hearing of Case No. 10-31
by the District of Columbia Zoning Commission
convened at 6:34 p.m. in the Jerrily R. Kress
Memorial Hearing Room at 441 4th Street, N.W.,
Washington, D.C., 20001, Anthony J. Hood,
Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

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

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OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JOEL LAWSON
MATT JESICK

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF
PRESENT:

JAMIE HENSON
JONATHAN ROGERS

The transcript constitutes the minutes from the Public Hearing held on October 10, 2013.

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

2 6:16 p.m.

3 CHAIRMAN HOOD: Okay. Good evening,
4 ladies and gentleman. This is a public hearing
5 of the Zoning Commission for the District of
6 Columbia for Thursday, October 10, 2013. My
7 name is Anthony Hood. Joining me is Vice Chair
8 Cohen, Commissioner Miller and Commissioner
9 Turnbull. We are also joined by the Office of
10 Zoning staff, Ms. Sharon Schellin, the Office of
11 Planning staff, Mr. Lawson and Mr. Jesick,
12 District of Department of Transportation Mr.
13 Henson and Mr. Rogers. This proceeding is being
14 recorded by a court reporter and is also webcast
15 live. Accordingly we must ask you to refrain
16 from any disruptive noises or actions in the
17 hearing room.

18 The subject of this evening's
19 hearing is Zoning Commission Case No. 10-31.
20 This is a request by DC Ballpark 2 LLC for
21 approval, for review approval under the Capitol
22 Gateway Overlay review for property located at

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1 Square 700.

2 Notice of today's hearing was
3 published in the DC Register on July 19, 2013.
4 Copies of that announcement are available to my
5 left on the wall near the door. The hearing will
6 be conducted in accordance with provisions of 11
7 DCME 3022 as follows: Preliminary matters,
8 Applicant's case, report of Office of Planning,
9 report of other government agencies, if any,
10 report of the ANC in this case is 6D,
11 organizations and persons and support,
12 organizations and persons in opposition,
13 rebuttal and closing by the Applicant. The
14 following time constraints will be maintained in
15 this meeting. The Applicant has asked for 30
16 minutes, organization is five minutes,
17 individuals three minutes.

18 Again, all persons appearing before
19 the commission are to fill out two witness cards.
20 These cards are located to my left on the table
21 near the door.

22 Please turn off all beepers and cell

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1 phones so nothing disrupts these proceedings.
2 Would all individuals wishing to testify please
3 rise and take the oath. Ms. Schellin, would you
4 please administer the oath.

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

10 CHAIRMAN HOOD: At this time the
11 commission will take up any preliminary matters.
12 Does the staff have any preliminary matters?

13 MS. SCHELLIN: We do. The
14 Applicant, besides their proffered expert
15 witness, they have a couple of waver requests.
16 They made a filing today advising (1) that they
17 are withdrawing their loading variance request
18 which doesn't require any waiver but they are
19 asking for a waiver from the posting. They
20 posted for 20 days instead of 40 days. And so
21 they are asking for a waiver of that and a waiver
22 of filing the affidavit of posting also which is

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1 required to be filed 30 days prior to the
2 hearing. So I would ask permission to consider
3 that.

4 CHAIRMAN HOOD: Okay.
5 Commissioners, any objections to the two
6 requests for the waivers? Any objections? I
7 think the record is complete especially with
8 dealing with ANCI, so I don't have any problems
9 with waiving both of those issues. Anything
10 else? Ms. Schellin?

11 Okay before we get started I just
12 wanted to say the commission was deeply saddened
13 to hear the passing of one of the commissioners,
14 Mr. Ron McBee and which we were just informed.
15 He's worked hard in this city. I've been around
16 here since 1998. I know he's always advocating
17 for his community. So he will sorely be missed
18 and I'm sure a lot of constituents of ANC 60. So
19 what I would like to do is just take a moment of
20 silence.

21 [Pause]

22 CHAIRMAN HOOD: Okay. Thank you.

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1 Okay. If we can begin Mr. Hughes.

2 COMMISSIONER TURNBULL: Mr. Chair,
3 did we go over the witnesses?

4 CHAIRMAN HOOD: That's what I was
5 going to do.

6 COMMISSIONER TURNBULL: Oh sorry.

7 CHAIRMAN HOOD: We're going to go
8 to Mr. Hughes and see who he had to offer as an
9 expert. Is that what you are talking about Mr.
10 Turnbull, expert witnesses?

11 COMMISSIONER TURNBULL: Yes.

12 CHAIRMAN HOOD: Okay.

13 MR. HUGHES: We're good.

14 CHAIRMAN HOOD: I don't usually
15 use that. You are not the one I have to use that
16 on.

17 MR. HUGHES: Thank you Mr. Chair.
18 Yes as a preliminary matter, I should introduce
19 myself. Dennis Hughes for the record with
20 Holland & Knight. I am joined to my right by Ms.
21 Amy Phillips, Monument. And to my far right,
22 Chris Garwood of Davis, Carter Scott Designs.

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1 In the audience we have Mr. Dan VanPelt who the
2 commission is familiar with the Gorove/Slade
3 Associates. I would like to request the
4 commission qualify Mr. Garwood as an expert
5 witness in architecture and Mr. VanPelt as an
6 expert in traffic analysis. To that end we have
7 resumes in our pre-hearing statement filing.

8 CHAIRMAN HOOD: Okay, thank you
9 Mr. Hughes. Commissioners, Mr. VanPelt has
10 already been previously accepted. And let's
11 look at Mr. Garwood. Any concerns in
12 architecture? Mr. Turnbull?

13 COMMISSIONER TURNBULL: Thank you
14 Mr. Chair. I don't see on this and maybe its
15 just missing but Mr. Garwood are you a licensed
16 architect?

17 MR. GARWOOD: I'm not actually at
18 this point. I'm actually in the process of
19 taking the exams.

20 COMMISSIONER TURNBULL: We usually
21 have that as a prerequisite. I mean we've
22 usually been fairly, pretty strict about that.

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1 CHAIRMAN HOOD: We will hear
2 you're testimony. We won't proffer you as
3 expert. Any objections to that, moving in that
4 fashion?

5 VICE-CHAIR COHEN: I think he has
6 significant experience that is pretty relevant.
7 But if there is a standard that we hold, I'll go
8 along with it.

9 CHAIRMAN HOOD: All right. So
10 unless there are any more objections. We don't
11 have a problem with not proffering his expert.
12 But we will hear your testimony and when you meet
13 that threshold you come back and see us and we'll
14 oblige you, possibly. I never say what's going
15 to happen because I never know. Okay so Mr.
16 Turnbull are we okay?

17 COMMISSIONER TURNBULL: Yes.

18 CHAIRMAN HOOD: Okay. All right.
19 We can move forward.

20 MR. HUGHES: Thank you Mr. Chair.
21 We appear before you as mentioned this evening
22 for review of proposed construction in the CG

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1 overlay capitol gateway pursuant to Section 1610
2 of the zoning regulations. The property that we
3 are here to talk to you about tonight is located
4 at the northeast corner of the intersection of
5 South Capitol Street and N Street, Southeast in
6 Square 700. We are immediately to the north
7 across N Street from Nationals Park. We are
8 also bounded by Van Street on the east and M
9 Street to the North. The property is
10 rectangular in shape and measures approximately
11 30,000 square feet and is zoned CG overlay
12 capitol CR mixed use, commercial/residential
13 district. As Mr. Garwood will describe in
14 greater detail in a few moments, the Applicant
15 proposed an 11-story commercial building
16 contemplated for office and retail uses
17 including ground level floor and ceiling heights
18 of approximately 14 feet. There will be three
19 levels of below grade parking for approximately
20 186 vehicles and 50 bicycles, with parking and
21 loading access from Van Street.

22 The project provides an innovative

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1 and appropriate design response to this
2 important transitional location and importantly
3 given itself capitol frontage. The building
4 further efforts to establish South Capitol as a
5 monumental boulevard.

6 Before proceeding further, I would
7 like to confront the commissions and receive the
8 Applicant's September 20 pre-hearing statement.
9 That statement is located at Exhibit 27 of the
10 record and sets forth the Applicant's position
11 with respect to the project's appropriateness in
12 the CG overlay as well as compliance with Section
13 1603, 1605 and 1610 of the zoning regulations.
14 We are pleased to note that the project is
15 supported by the Office of Planning. We've met
16 and discussed the project with Mr. Lawson and Mr.
17 Jesick on a number of occasions, particularly
18 Mr. Jesick. And since the application was
19 initially filed, I want to thank OP for its
20 comprehensive report and the support for the
21 project. In the report, OP request the
22 Applicant provide certain additional

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1 information and undertake some further study,
2 particularly with regard to loading facilities.
3 And I'm pleased to report as we noted as a
4 preliminary matter that the Applicant, as a
5 result of that further study has been able to
6 provide compliant loading facilities and
7 withdrawn the variance request. With regard to
8 Office of Planning's request of additional
9 bicycle parking be provided on site, which was
10 also requested by the Department of
11 Transportation. The Applicant has now
12 increased the amount of on-site bicycle parking
13 from ten to 50 spaces.

14 Finally OP asked for more clarity on
15 the articulation of the at risk northern wall of
16 the building. And Mr. Garwood will get into
17 detail in is presentation of how that's being
18 treated. We've also had numerous productive
19 discussions with the Department of
20 Transportation and we appreciate the input we've
21 received from that office. We believe we are in
22 agreement with the DDOT regarding elements of an

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1 acceptable loading management plan. We also
2 appreciate recommendations from DDOT regarding
3 transportation demand management measures.
4 And to that end as I've said a couple of times
5 now, we dramatically increased the amount of
6 bicycle parking provided on-site as well as
7 showering and changing facilities within the
8 building.

9 And finally we are very pleased to
10 note the unanimous support of the application
11 from advisory neighborhood commission 6D. We
12 met informally with interested commissioners in
13 August and in a public meeting September of this
14 year. And I share your comments of Commission
15 McBee's passing. We'd ask that the commission
16 grant the ANC, the gateway to which its entitled
17 and with that somewhat lengthy background I
18 would like to introduce again Amy Phillips of
19 Monument and ask her to share her testimony.
20 Thank you.

21 MS. PHILLIPS: Good evening. Thank
22 you for hearing us tonight. My name is Amy

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1 Phillips. I am with Monument Realty and we
2 represent the owner and develop of the DC
3 Ballpark 2 LLC site at the intersection of South
4 Capitol and N Street Southeast. Monument
5 serves as asset manager to DC Ballpark 2 LLC who
6 is the successor in interest to the former owner
7 MR Ballpark 2 LLC. The former members of MR
8 Ballpark 2 LLC included affiliate MacFarlane
9 Partners, Lehman Brothers and Monument Realty.
10 Lehman Brothers also acted as lender and
11 following the recession was ultimately forced to
12 foreclose on the property. Lehman then assigned
13 the property to a Lehman affiliate, the current
14 owner DC Ballpark 2 LLC.

15 Monument again still serving as
16 asset manager, has been a Washington DC based
17 developer since 1998. Our offices are located
18 at 1700 K Street. Our portfolio of completed
19 projects in the district includes Columbia
20 Center on 15th Street Northwest, Potomac Place
21 Condominiums at 4th and I Southwest, the
22 conversion of the former Congressional

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1 Quarterly building in DuPont Circle and the
2 office of Residential which is now known as the
3 Dumbarton. Franklin Square North Office at 13th
4 and L and 55 M Street in the Capitol River Front
5 which is a LEED Gold building, just a few blocks
6 away from the subject property. Monument and
7 its partners began investing in the Capitol
8 River Front neighborhood nearly ten years ago.
9 We are excited to be a part of the extraordinary
10 changes in the area and are also deeply saddened
11 at the passing of Commission McBee. We've
12 worked with him for many years. We've also
13 worked with Davis Carter Scott here to develop
14 what we believe is a visually exciting building
15 which works with color and the layering of
16 elements to blend in the differing context of the
17 neighborhood. First the festivity of the
18 ballpark and planned path street develop as well
19 as the stately, reimagined South Capitol Street
20 Boulevard. The materials and massing were
21 considered with the intent of maximizing the
22 potential for retail in close proximity to the

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1 ballpark, as well as the intent of the capitol
2 gateway overlay and creating a formal piece of
3 avenue along South Capitol Street. The red
4 banding at the second and third floors enhances
5 the potential for retail and reinforces the
6 pedestrian trail. The translucent and
7 illuminate accent highlight the buildings
8 layers and emphasis the more formal entrance
9 along South Capitol Street. The same precast
10 materials are incorporated on all four sides of
11 the building blending unity to the palette at
12 the base for the more impactful features. And
13 among other green features the project will have
14 a green roof. Monument and Davis Carter Scott
15 first began designs for the site in 2010 and have
16 worked together with feedback from the
17 government agency including Office of Planning
18 and DDOT as Dennis has mentioned. And while we
19 don't have a tenant for the site today, we are
20 seeking approval to allow flexibility to move
21 forward when that time comes. We believe this
22 building and site will respond well to the

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1 ballpark and a part of the new South Capitol
2 Street streetscape. I will now turn it over to
3 Chris Garwood at Davis Carter Scott to speak more
4 on the design.

5 COMMISSIONER TURNBULL: Before you
6 start. Do you have a sample board of materials?
7 Well you are good.

8 MR. GARWOOD: Chairman Hood,
9 fellow commissions. Thank you for the
10 opportunity to present this project to you
11 today. My name for the record is Chris Garwood
12 with Davis Carter Scott. Davis Carter Scott has
13 been in business for 45 years now. We and I have
14 worked on multiple properties downtown
15 including 901 Newark Avenue, 1101 K Street, a
16 separate team within my firm did complete 55 M
17 Street, which is within an eighth of a mile of
18 this property. Looking at where this site lies
19 within the context. There are a lot of
20 important adjacencies here, starting with the
21 monumental Civic Boulevard of South Capitol
22 Street. And then of course as Amy mentioned, a

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1 festive atmosphere of the Nationals Ballpark and
2 then to our east across Van Street the half
3 street development, which is already come before
4 you previously. And then directly to our north
5 is a public storage building, which may be is an
6 unfortunate but a context but hopefully that
7 will change someday. A couple of images here.
8 Image number one taken from the corner of N
9 Street and South Capitol. You can see the BP
10 Canopy that is still on site there. This was a
11 gas station site and therefore is a brown field
12 site for us as we develop. That actually in
13 terms of achieving our LEED goals does help
14 although it is more work for the developer/owner
15 to undertake. You see the public storage is
16 pretty prominent directly to the north of our
17 property. Our development actually comes right
18 up to the property line, along the curb cuts just
19 to the south of the public storage building.
20 Image number 2 is taken from street side,
21 basically standing right in front of the main
22 gate for Nationals Park. Image 3 which of

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1 course has immediate importance to the
2 development of this site. The South Capitol
3 Street corridor and then image 4 taking a look
4 south toward the ballpark and you can see the
5 public storage peeking in to the lefthand side
6 of the image. This is a consolidation of
7 multiple lots and an alley. But it is important
8 to point out here and I will point on the screen
9 the existing curb cut that extends from east to
10 west connecting South Capitol to Van Street that
11 is directly north of our development and
12 immediately south of the public storage
13 building.

14 Quick zoning summary. We are
15 achieving a 9.5 FAR. We are observing the 1 to
16 1 setbacks as will see along South Capitol Street
17 with the stepping of the building. We will have
18 more images to show you that in detail. We are
19 respecting the 60 percent frontage along South
20 Capitol Street as well as the public space
21 requirements adjacent to our entry. We are
22 required to park 162 cars. We are currently

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1 going to have three levels into the ground and
2 parking 186. As mentioned previously we are now
3 meeting the loading requirements and not
4 requesting a variance from those. And we have
5 actually recently extended our bicycle parking
6 within the building. Instead of just meeting
7 the based threshold of nine spaces. We are now
8 at 50 spaces. The total development size is a
9 little more than 281,000 square feet and roughly
10 9,400 square feet of potential retail/office.

11 So take a look at the grand floor
12 plan and I'm actually going to start from the
13 north end of the site which is on the left hand
14 side of the page here. And Van Street as it has
15 been presented with other properties, is really
16 the business side or the functional side of many
17 of these buildings developed either with a half
18 street or along our block between Van and South
19 Capitol. As that existing curb cut exists just
20 south of the public storage, it made sense to try
21 to meet the spirit of DDOT's requirements and
22 create a pedestrian relief zone just directly to

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1 the south. We consolidated the loading
2 basically into a 24 foot wide curb cut, stacked
3 the loading days. And then are providing
4 directly to the south another pedestrian refuge
5 zone. And then the garage entry. This
6 arrangement was worked on with DDOT and Office
7 of Planning and did offer some compromises,
8 especially some of DDOT's base rules. But at
9 the end of the day I think the benefit, we will
10 see actually what the benefits were. The first
11 is that by consolidating all of those functional
12 uses to the northeast corner of the site, we were
13 actually able to provide a fairly large
14 continuous potential retail space extending
15 along Van Street, N Street and then wrapping the
16 corner on South Capitol. I think its not
17 insignificant that we were able to wrap the
18 retail as far down Van Street as we can. Nobody
19 wants to really deal with that. That street is
20 an alley. It is going to have a lot of truck
21 traffic and other functional things happening.
22 I think there is a benefit here for the space

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1 consolidation. But you wrap around the
2 building onto North Capitol Street. We have a
3 relatively modest building lobby slightly off
4 center from the building center but will be
5 prominent therefore in being offset from the
6 corner of N Street and South Capitol. And then
7 directly to the north we have located additional
8 office area. The utilities around this site are
9 primarily located on N Street and South Capitol.
10 In working with DDOT and anticipating PEPCO
11 requirements we have placed the vaults on South
12 Capitol side of the project and do plan to
13 execute a landscaping and screening and curbing
14 around those to effectively shield them from
15 regular pedestrian view.

16 A couple of quick diagrams section
17 through the building. This is the east/west
18 section with South Capitol Street on the
19 lefthand side and then Van Street on the
20 right-hand side. You can see how the facade
21 extends up to the guardrail on the 10th floor 110
22 feet, at which point we start our setback at 45

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1 degrees. We step back the terrace off of the
2 11th floor to accommodate that setback. And
3 then the building roof and parapet step back even
4 further. We'll see how that plays out in the
5 building. As I mentioned three stories of
6 garage below grade.

7 As we look at the north/south
8 section, one of the things that's important here
9 is that we actually extended the floor to floor
10 height of the ground floor so that we have the
11 potential for up to 14 foot clear or a little bit
12 more underneath the structure, which allows for
13 a fairly generous retail space. Obviously it
14 will be usable for the office that's in the
15 northwest corner. The mechanical penthouse is
16 set back more than 30 feet on three sides and on
17 the north side its over 55 feet.

18 As we start to take a look at the
19 architecture many of the queues on the facade
20 really are generated by a number of the proposals
21 that you had seen come across your desk
22 previously as well as sort of the functional

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1 adjacency of the ballpark, the need for extended
2 retail, extending that festive atmosphere. So
3 one of the first moves that we've made was to
4 create this base detail that fairly well echos
5 the anticipated retail space, both on South
6 Capitol and this detail wraps all the way around
7 on N Street and onto Van Street. It
8 encapsulates the second floor slab and fourth
9 floor slaps and is very much intended to bring
10 a little better pedestrian scale to the base of
11 this office building. Office buildings aren't
12 always so generous with their scale as you enter
13 the pedestrian environment. Directly to the
14 north or to the left of the frame, I'm pointing
15 to this area now, that is our main building
16 entrance. We've extended three ledges over top
17 and have a translucent architectural panel sort
18 of vertical application of the building that
19 extends out. So it is very clear where the
20 building entrance is. This was done in
21 anticipation that the retail could end up
22 hopefully being very vibrant and we didn't want

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1 to lose the office entry in the mix. The rest
2 of the facade above there along South Capitol
3 Street is very staid, regular, very planar. And
4 that's done intentionally to help set off some
5 of the moves that we've made along Van Street and
6 N Street. The view looking up the South Capitol
7 corridor. I'll talk a little bit about the
8 layering now. You can see where the building
9 entry is set back to the left of the red frame.
10 We've extended that setback up to the fourth
11 floor, which again gives us more relief in
12 layering along the South Capitol and N Street
13 facades. We actually along N Street we move
14 from a ribbon window treatment and layer in
15 actually a curtain wall and additional aluminum
16 frame to the right of that which extends up from
17 just above the red frame and over to the floor
18 level of the 11th floor, just above the 10th floor
19 terrace. This allows us to really start to
20 integrate the setbacks required with the design
21 of the N Street facade and allows the N Street
22 facade to have a lot more open texture that very

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1 much is in context with the urban texture that's
2 been well previously at 55 M Street and half
3 street properties.

4 Now we swung over, we are just north
5 of the parking garage. I think that's Lot B,
6 just to your left. We get a view up Van Street
7 as we go just from the road of the red frame where
8 the retail space that extends along Van Street.
9 Obviously we get to an area where you are going
10 to have the entries to the garage loading and
11 other back of house spaces. Very regular office
12 building facade along that frontage again. As
13 you approach the corner it starts to loosen up
14 and we start to reapply those layers and really
15 make the south facade of the building a bit more
16 whimsical and contextual with the adjacent
17 development.

18 Now standing in front of the
19 ballpark entrance we've actually placed in here
20 some of the context of the Akridge's Half Street
21 development residential. A couple of things
22 that we did in this view and you can see it's very

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1 prominent. If you look to the corner of South
2 Capitol and N Streets, here we actually have
3 angled that bit of facade and created a bit of
4 a projection. It seemed like a relatively
5 subtle but important gesture at that corner.
6 That corner being an entry into this district,
7 without actually placing a tower element or
8 something much more onerous at that corner. You
9 can clearly see the retail frame wrapping around
10 the building here. Taking a look at the facade
11 treatment of the building, as mentioned it is
12 primary precast concrete. We have a lot of, a
13 number of aluminum accents on the building. As
14 I pointed in the chair, the concrete that I'm
15 pointing out as well as the spandrel running
16 below the ribbon windows are the same type of
17 concrete. The spandrel running below the
18 office windows has a ripped application or
19 ribbed pattern to the spandrel itself. The
20 north facade because we are building right up to
21 the property line, that is basically a facade at
22 risk. One of the things that we've done is try

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1 to carry some of the articulation and rhythm of
2 the other three facades of the building over onto
3 that facade and providing a pretty descent
4 amount of relief in terms of a spandrel column
5 expression versus the sort of where a punched
6 window would have been. In order to preserve
7 the benefits of the top, benefit for the top
8 floor we actually set back the building at the
9 top two floors along that entire side and wrapped
10 the extended canopy around that corner. This
11 keys in some of the materials. Again the
12 aluminum ledge at the top and actually bounding
13 the 11th floor stud just above the 10th floor
14 terrace is a titanium colored aluminum. We are
15 utilizing for a good part of the building a gray
16 precast concrete that can be seen on the sample
17 boards. The precast charcoal you see just to
18 the left on this image actually just appears at
19 the base of the building. You can see that but
20 more in some of the images coming up. The red
21 frame is a red aluminum panel. And where we have
22 deeply recessed the building above and below

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1 that red frame we are expressing some of the
2 structural columns that come down and surround
3 those in a pewter colored aluminum that is more
4 in context with the gray precast that you see.

5 This gives you a much better sense
6 of the streetscape feel and we certainly do hope
7 that the café life is vivid and vibrant as it is
8 here because certainly that's what gives life to
9 these properties at the street level. You can
10 really see the sort of grounding impact that the
11 red frame has to this area. We also have an
12 additional aluminum ledge that runs just below
13 the red frame, giving us additional signage
14 opportunities as well as providing some shading
15 back into the retail space. Again to put some
16 of the materials back in context again and a new
17 material that I mentioned here. On the lower
18 right-hand side the translucent architectural
19 panel. We are using that not just at the main
20 building entrance but also to create one of the
21 frames that wraps around the corner of N Street
22 and South Capitol. So its not just a worn off

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1 finish. Again here you can see the ribbed gray
2 precast concrete, red aluminum, and pewter
3 aluminum. And the main material at the ground
4 floor of the building under the, where the ribbon
5 windows facade extend almost all the way to the
6 ground is a charcoal color precast concrete.
7 This gives you a little better view of the space
8 that's available. Looking from above, even
9 with the café areas we have more than enough room
10 for both the treescape zone with five foot plants
11 and still allowing for the required ten foot
12 pedestrian zone. As we wrap around on to South
13 Capitol Street that zone gets even larger.
14 There is potential here for the café seating to
15 extend out probably another eight feet before we
16 would start to run into that continuous ten foot
17 pedestrian zone. And you can start to see the
18 left-hand side the location for, the proposed
19 location for the PEPCO vaults as well as a sense
20 of some of the treatment that we would plan to
21 put around us.

22 Let's run through these plans fairly

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1 quickly but I think there illustrative of how the
2 setbacks work as we move up the building.
3 Second floor plan you can actually see the recess
4 middle bottom of your page that extends all the
5 way down to the ground plan that's made for the
6 building entry, the office lobby entry. As we
7 move up to the fourth floor, that same recess now
8 starts to extend and wrap around the corners onto
9 N Street and you a similar recess expressed then
10 on N and Van Streets. Moving up from there.
11 You can see the recess continued. Upper
12 right-hand corner, again that's N and Van
13 Streets and the approximately four foot
14 projection from the main facade of that angle
15 that extends out toward N Street. It does not
16 extend out toward South Capitol at all.

17 10th floor plan. We see the terrace
18 space along South Capitol wrapping around to the
19 north facade adjacent to the public storage
20 facility. And then 11th floor, the terrace only
21 extends directly along the South Capitol Street
22 facade.

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1 We have, as we've mentioned, we are
2 wishing to pursue LEED Silver certification for
3 this building. One of the opportunities that we
4 are committing to is a green roof. There are
5 certainly going to be opportunities for terrace
6 space up on this roof especially with the
7 important views back to the capitol and
8 monumental corridor as well as into the
9 ballpark. I'm sure nobody's going to be eager
10 to get up there on a game day.

11 As we go through the sustainable
12 checklist. We mentioned previously the bicycle
13 parking. We will have locker rooms as well as
14 storage for the bicycle themselves, changing
15 facilities. It is a brown field site. It is a
16 very urban connected site being only less than
17 an eighth of a mile from the metro station. All
18 that contributes into what we hope is at least
19 a LEED silver certification. We will have very
20 high efficiency glass within the curtain wall
21 and ribbon window systems as well as high
22 efficiency mechanical equipment utilized. As

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1 you know, many of the points actually reside in
2 the hands of the general contractor. But
3 everything that we've indicated here is
4 consistent with my experience, including
5 current project I have going in Arlington, which
6 is a LEED platinum. Very often in these cases
7 because we tend to carry extra points beyond the
8 threshold that we are achieving, we often over
9 achieve and sometimes even end up higher than we
10 started.

11 Just to quickly show where we've
12 located the bicycle storage on the ground floor,
13 I'm sorry the P1 level garage that will have
14 fairly immediate access to the garage shuttles
15 that go up to the ground floor. And with that,
16 that ends my presentation.

17 MR. HUGHES: Thank you. Mr.
18 Chair with one clarification on the roof plan
19 that we've shown. This is, there's a green roof
20 to be provided but just to clarify that it's
21 still being, it's a concept so its still being
22 refined. There will be a green roof. It just

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1 might not look exactly as set forth here. And
2 with that, and a minute and 45 left in our time,
3 I would conclude our testimony and we are
4 available for any questions.

5 CHAIRMAN HOOD: Okay. Thank you
6 Mr. Hughes. The standard question I'm going to
7 ask now, when you rehearsed it, was it about the
8 same time?

9 MR. HUGHES: Yes sir.

10 CHAIRMAN HOOD: Okay, good.
11 That's good. Okay. Is there any questions?

12 COMMISSIONER TURNBULL: I will yield
13 to the Vice Chair if he wants to start.

14 CHAIRMAN HOOD: Vice chair you can
15 start.

16 VICE-CHAIR COHEN: Thank you.
17 This is a spec building. Is that correct?

18 MS. PHILLIPS: Yes.

19 VICE-CHAIR COHEN: And therefore
20 what is your best guess as far as moving forward
21 because it is very competitive out there.

22 MS. PHILLIPS: It is and

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1 unfortunately I can't offer you a time table
2 today. We just want to be ready. If a tenant
3 come along. There are some big tenants in the
4 market looking for built to suit sites but I
5 don't know that this site would fit that. We're
6 really at the mercy of the market.

7 VICE-CHAIR COHEN: One of the things
8 that a lot of applicants dance around is the LEED
9 certification issue. Obviously I think that's
10 a very positive marketing tool is to go for LEED
11 certification. So I just encourage and again
12 there is some dancing as to what you will achieve
13 and your hope to achieving in silver. So again,
14 I think that the more you do, the more impressive
15 shoppers will be. I didn't understand why the
16 vaults are on South Capitol. I think you
17 mentioned it and I may have been just not
18 following that part of the discussion.

19 MR. GARWOOD: We had discussions
20 with both DDOT and Office of Planning and one of
21 the initial proposals was to place the vaults
22 basically in the curb cuts for the loading base

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1 along Van Street. That would mean a fairly
2 sizeable extension to the utilities as their
3 primary located off of N Street and South
4 Capitol. And we really felt in that placement the
5 last thing we wanted to do was to disturb the
6 potential retail environment and streetscape
7 along the important corner of South Capitol and
8 all the way along N Street.

9 VICE-CHAIR COHEN: And Van was not
10 a possibility?

11 MR. GARWOOD: Van Street was not
12 the preferred option.

13 MS. PHILLIPS: I think DDOT may
14 weigh in, in their report, but they did not
15 prefer Van Street.

16 VICE-CHAIR COHEN: All right. I
17 will obviously ask them that question and thank
18 you. So you do agree with all of DDOT's
19 recommendations. They listed them in their
20 review. I just want to make sure that they added
21 a few recommendations to your transportation
22 demand. It's regarding the deliveries, the

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1 restricted times for deliveries mostly,
2 building management representative, all of
3 that.

4 MR. HUGHES: With respect to the
5 items on page 6 of the Loading Management Plan?

6 VICE-CHAIR COHEN: On the front
7 page, yes, all of that.

8 MS. PHILLIPS: We have no
9 objection to the majority of the recommendations
10 that DDOT has put forth. There are two items
11 that we are still maintaining discussion with or
12 with DDOT about. Due to what we perceive as
13 potential changes in technology by the time this
14 building is constructed, we are not necessarily
15 willing today to commit to putting a Kiosk or a
16 built-in screen in the lobby. We would be very
17 happy to provide a tablet with information for
18 train times and bus times and all the other
19 information that could be available. And the
20 other issue was the electric charging station
21 and we are happy to also provide the
22 infrastructure in the garage but not knowing

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1 when the building will be built what will
2 actually be most appropriate at that time. We
3 are not to commit to putting an actual charging
4 station in the building today, as the building
5 isn't fully designed.

6 VICE-CHAIR COHEN: All right,
7 thank you.

8 CHAIRMAN HOOD: Okay. Thank you.
9 Mr. Turnbull.

10 COMMISSIONER TURNBULL: Thank you
11 Mr. Chair. We've got an interesting site, site
12 location. And I've got a beautiful neighbor in
13 the ballpark garage. We didn't approve those
14 did we Mr. Chair? No we didn't approve them.
15 The building is very gray. The palette is very
16 charcoal gray. I heard on the radio, I don't
17 know whether it was NPR or WTOP or one of those.
18 Someone describing the weather, the clouds and
19 said gray as a flophouse bed sheet. I had never
20 heard that. I thought oh my God, that's really
21 but this is very gray. I mean this is too
22 somber. Do you think? Why such a gray palette?

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1 Are you -- you've got the band of red and your
2 highlighting some of the other but it just seems
3 very gray. Is there, what is the effect you are
4 trying to achieve on this?

5 MR. GARWOOD: Well, really I think
6 its too extenuate the ground plan, the red frame
7 that we have there, the vibrancy of what we
8 expect at the retail space. We really want all
9 of those elements to stand out because that's
10 ultimately going to be one of the biggest assets
11 for the development is retail vibrancy in that
12 retail frontage. And one of the, the office
13 building facade to be for lack of a better term,
14 very business-like, very stade, very regular.

15 COMMISSIONER TURNBULL: Well why
16 the office entry, why did you re-introduce some
17 of the white and more lighter panel that you have
18 gray or light gray panel that you had in other
19 areas? I'm just curious?

20 MR. GARWOOD: The aluminum panel?

21 COMMISSIONER TURNBULL: Is that the
22 light gray? The rendering is not doing it

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1 justice. So perhaps. Is that light gray
2 there? Is that the same as the material that
3 goes all the way? Maybe if you could go to that,
4 the view from the corner of the garage looking
5 at it. Let me go to -- Is this the same as the
6 material that's going up here?

7 MR. GARWOOD: Yes it is.

8 COMMISSIONER TURNBULL: So it's the
9 same light gray?

10 MR. GARWOOD: It's a translucent,
11 well it's really a translucent white material
12 as displayed on there. So its really going to
13 be --

14 COMMISSIONER TURNBULL: So what I see
15 here is going to be the same that's there.

16 MR. GARWOOD: That's correct.

17 COMMISSIONER TURNBULL: Okay. We
18 don't, didn't we ever have a north elevation? I
19 don't know if we have any rendering. Do we have
20 the north elevation?

21 MR. GARWOOD: It is included in the
22 zoning package. I did not include it separately

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1 here.

2 COMMISSIONER TURNBULL: Sheet 22?
3 If I'm looking at sheet 22, I just see a very bare
4 skeleton outline. Is that, what is that
5 composed of? Is that just gray concrete? Is
6 that white concrete?

7 MR. GARWOOD: No, we actually, we
8 brought with us today and I'm not sure if copies
9 were passed out. An updated version of that
10 facade, you can see here as I hold my hand. I
11 can actually bring it up on the screen, should
12 you like me to.

13 MR. HUGHES: Commissioner

14 MR. GARWOOD: But the precast is
15 the same color as the main building.

16 MR. HUGHES: Sorry to confuse
17 you. There was brown site submitted this
18 evening that has a green end paper. That's the
19 Sheet 22, I think he would like you to reference.

20 COMMISSIONER TURNBULL: Why haven't
21 you tried to at least articulate some of the
22 other vertical in something in a different gray.

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1 This looks so monolithic. I think the Office of
2 Planning might have been concerned about this
3 look too. But it just looks very, I know its
4 where it is but it just looks very drab. I mean
5 it seems like it could do with some articulation
6 of color in some areas to either the spandrels
7 or some of the verticals might be either a darker
8 color or something just to. I mean I could see
9 the big panels being one color. But something
10 to at least offset some of the rather just plain
11 wall.

12 MR. GARWOOD: Certainly I will
13 look into that suggestion.

14 COMMISSIONER TURNBULL: Okay, you've
15 got the bikes. You've increased the bikes.
16 The lobby height. It sounded like you were
17 skirting. 14 feet is the requirement.

18 MR. HUGHES: There's no
19 requirement along N Street.

20 COMMISSIONER TURNBULL: On N Street?
21 Isn't that part of the capitol gateway? So what
22 are you providing?

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1 MR. GARWOOD: We are providing 14
2 feet.

3 COMMISSIONER TURNBULL: You are
4 providing 14 feet.

5 MR. GARWOOD: Yes.

6 COMMISSIONER TURNBULL: Okay.
7 Could you provide us with a section along there
8 that would show that? We don't really have
9 anything that shows what that height is along
10 there, through the retail area?

11 MR. GARWOOD: Well I can give you
12 --

13 COMMISSIONER TURNBULL: I see one
14 through an office area but not through the
15 retail.

16 MR. GARWOOD: The image on the
17 screen here which is the north/south section.
18 In pink you can see the anticipated
19 retail/office area in between the two vertical
20 orange rectangles which represent the elevator
21 shafts obviously your lobby proceeding through
22 that. So you can see the potential height

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1 there. And then the office space to the left.
2 The ground floor to the second floor is a 15 foot
3 slab to slab.

4 COMMISSIONER TURNBULL: Okay. All
5 right. Thank you.

6 CHAIRMAN HOOD: Mr. Turnbull, I'm
7 not seeing that.

8 COMMISSIONER TURNBULL: Well he's
9 basically saying that the height over here is the
10 same height that's here.

11 CHAIRMAN HOOD: Which is 16,
12 right?

13 COMMISSIONER TURNBULL: 16 feet from
14 floor to floor, I believe. Is that it?
15 16 feet from floor to floor?

16 MR. GARWOOD: In fact we are 16
17 feet.

18 CHAIRMAN HOOD: Okay, all right.

19 COMMISSIONER TURNBULL: I wonder if
20 you go to the other section right before that.
21 What's a little the 1 to 1 setback. This really
22 doesn't show what's going on with your building,

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1 with your overhang. I think it's a, there's a
2 little nub here which goes out further. And
3 this overhang here which is rather substantial
4 concrete coming out almost comes out to the very
5 end of this. It may be is a little bit short but
6 is very heavy. I don't think its really meeting
7 the intent of trying to have, in one way its
8 opened up, its airied to an extent but its very
9 heavy. And I think it's not doing justice to the
10 idea for 1 to 1 setback. I really think you, I'm
11 not totally opposed to the overhang. The
12 commissioner may have some issues when he comes
13 back. But I think it should be a lighter
14 material, a more translucent material up there
15 that creates I think the feeling of what we are
16 trying to do with the setbacks. And I really
17 think we need a better, a more accurate section
18 of what's really happened up there. Maybe it's
19 a blowup section rather than this. But
20 something that really explains to us what's
21 really happening. I'm not totally opposed to
22 it. I think there is a likeness to it. But it's

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1 also very heavy. It's a very thick concrete
2 overhang. And I'm very concerned that it looks
3 a little blocking in. I don't really think it
4 meets the intent of what we are trying to do at
5 the setback. The other thing is that up on the
6 roof, the green roofing and you were talking about
7 how it is going to change. So maybe you could
8 go to the roof plan. You can't tell on here but
9 it looks like somehow you come out of this
10 elevator lobby. And so people can then get to
11 this area and possibly walk around. What is
12 happening in this mechanical area? Is this
13 mechanical? How are people getting from an
14 elevator over to here? What is the intent of
15 this? What is the real intent of this space up
16 here?

17 MR. GARWOOD: One of the elevators
18 more than likely would come up to the top floor.
19 We would actually have a, probably a rear
20 entrance because the center of this, of some of
21 this area is going to need to be elevator machine
22 room space. And you will have basically an

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1 egress on to the terrace pathway along the south
2 side here. Because the rest of the space to the
3 north is all going to be air handling units,
4 pumps, cooling tower, to service the building.

5 COMMISSIONER TURNBULL: I just get
6 paranoid because there's going to be a bar up
7 there and all kinds of stuff on the roof and
8 people throwing beer from the top. The other
9 thing is that -- I'm being a little facetious
10 here. Is that there's obviously going to be a
11 railing, some kind of a clear glass railing.

12 MR. GARWOOD: Correct.

13 COMMISSIONER TURNBULL: Would you
14 indicate that on some drawings for us and show
15 us what those are really going to look like so
16 that we really have an idea of what the design
17 for the building is going to be?

18 MR. GARWOOD: I guess the other, I
19 think your concern about the screen, the TV
20 screen, the flat screen TV in the lobby is maybe
21 a little bit, I think I said it before it's
22 peanuts to provide a jack or outlet on the wall

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1 for a flat screen TV. I think you are looking
2 at some nominal amount of money. Things may
3 change but you know, we've gone through beta,
4 vhs, dvds, cds and you know we deal with it and
5 we've come along. And I think what DDOT is
6 trying to do is really trying to keep the people
7 in the building informed and up to date and
8 trying to become more trans oriented. I think
9 they can tell you some idea of what the cost is.
10 I don't think we are talking. I mean we are
11 seeing more and more of the PUD people are going
12 along with this. I think it makes sense. It
13 makes it more trans oriented. I think its
14 better for the city as a whole. I don't really
15 think it's a lot of money.

16 COMMISSIONER TURNBULL: I think
17 those are my questions right now Mr. Hood.
18 Other than I don't know. The building just
19 seemed gray. But maybe the building, again
20 maybe that north facade just is the thing that's
21 really an issue that needs some work.

22 CHAIRMAN HOOD: Okay, thank you

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1 Mr. Turnbull. Any other questions? I would
2 also say that when I looked at the bright red,
3 I was trying to understand exactly. You
4 mentioned I think you were trying to cover the
5 retail area. Is that what you said in your
6 presentation?

7 MR. GARWOOD: We're using the fame
8 to extenuate very clearly for the pedestrian and
9 visitor to the neighborhood where the retail
10 zones exist around the property.

11 CHAIRMAN HOOD: Okay. I don't
12 know. When I looked at the building overall, I
13 would, I'm not going to redesign your building
14 but I would concur though with some of the
15 comments of Mr. Turnbull, it is just gray.
16 Maybe the gray can be broken up some, some
17 lighter, some darker. I don't know. I can't
18 wrap my arms around it. I had a problem with the
19 bright red to begin with so I thought it should
20 have went all the way around. But you are trying
21 to point out where your retail is then that's a
22 different story. It just needs to be a little,

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1 I thought maybe that part could be something to
2 kind of break up the building. I don't know. I
3 will leave it to you. But I think it could stand
4 just a little bit of variation as Mr. Turnbull
5 mentioned. Let me ask you this. So on the 11th
6 Floor, can I see on the penthouse, I mean up on
7 the roof? Can I see over to the stadium?

8 MR. GARWOOD: Yes you can,
9 certainly.

10 CHAIRMAN HOOD: I can see the game
11 and everything?

12 MR. GARWOOD: Yes. In fact when
13 it switched to view, it gives you I think a good
14 sense. If you look here. We're not even, we're
15 roughly at the 9th floor. We are a little bit
16 below the 10th floor. So you can imagine the
17 views above the parking garage just to our south
18 getting even better as you go up another 30 feet.

19 CHAIRMAN HOOD: So I could stay
20 after work and look out my window and watch the
21 game and listen to it on the radio? They don't
22 have a problem with that?

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1 MS. PHILLIPS: I don't think --

2 CHAIRMAN HOOD: I'm sorry, I can't
3 here you.

4 MS. PHILLIPS: I don't think they
5 are in favor of it but I don't think they can do
6 anything about that.

7 CHAIRMAN HOOD: Okay. All right.
8 Other than that, I think its okay. I just need
9 to, I don't like to be a major critic of anybody's
10 design because we all have different opinions
11 and tastes. But I think with the comments of
12 Commissioner Turnbull and I will tell you that
13 Commissioner Turnbull may have made, I've been
14 around long enough to see builders and I'm glad
15 they had their input. If we had not, most of the
16 time you get a better result. So I would hope
17 you would take heed to his comments. I would
18 like to see some of it too. Okay, any other
19 comments or questions?

20 VICE-CHAIR COHEN: I want to add my
21 two cents. I actually think that its an elegant
22 building and I don't mind the gray. I think the

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1 one, the comments however that Mr. Turnbull made
2 about the north side of the building I think it
3 was. I think that does look a little darker.
4 But overall I think it's a very elegant building.

5 CHAIRMAN HOOD: Okay.
6 Commissioner Miller.

7 COMMISSIONER MILLER: Thank you Mr.
8 Chairman. I would like to echo the Vice-Chair's
9 comment about the elegance of the building. I
10 too, like the, I don't have a problem with the
11 gray and I do like the red frame maybe because
12 my high school colors were red and gray.
13 Actually were maroon and gray maybe that's to
14 your brightness issue Mr. Chairman. But I have
15 no problem with the brightness. On that north
16 elevation I do share I think Commissioner
17 Turnbull's suggestion for another color for
18 where the spindles or whatever that's called on
19 the precast concrete where you have the
20 simulated punch out. I think that might be
21 useful because we don't know how long that at
22 risk wall is going to be there. And on the

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1 overhang that Commissioner Turnbull brought up,
2 I think one way we might be able to get at it being
3 looking heavy and maybe looking more open is
4 continuing punch out that you have along South
5 Capitol if some rectangular holes to the sky
6 going along that, on that part of the overhang.
7 I think it would be more cohesive with the rest
8 of the overhang and you would get that
9 translucence or that breaking up of the
10 heaviness that Commissioner Turnbull was
11 talking about. But in general I like very much
12 the way you have set that in the indentations to
13 break up the massing of the building, the use of
14 the materials. I think it is done very well. I
15 look forward to seeing this project move
16 forward. I also compliment you on your
17 commitment to go LEED silver or higher.

18 CHAIRMAN HOOD: Okay, now that
19 we've given you clear direction with design. We
20 will move on. I think, I'm not sure when the
21 shutdown or anything be over but I think honestly
22 will be good to hear Commissioner weigh on this

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1 if it goes that long. Hopefully, the plan is to
2 be back to work soon. We'll see. Let's go to
3 the Office of Planning and DDOT's report. Let's
4 do planning first.

5 MR. JESICK: Thank you Mr. Chairman
6 and members of the commission. The Office of
7 planning strongly supports this application.
8 We feel that the design meets many of the
9 criteria of the capitol gateway overlay and many
10 of the regulations of the overlay as well. We
11 did ask in our report for several areas of
12 additional information and we are pleased the
13 Applicant has continued to work on the design
14 since our report was issued. We strongly
15 support the additional bicycle parking and the
16 removal of the loading variance. They have also
17 provided more information about the materials
18 for the exterior of the building. The one
19 concern that we do still have I think several of
20 the commissioners mentioned is the north facade.
21 I think the commissioners hit it right on the
22 head with the site variation of the colors just

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1 to alleviate some of the monotony of the facade
2 because it will be visible for the foreseeable
3 future. But we look forward to fully supporting
4 the application and I would be happy to take any
5 questions.

6 CHAIRMAN HOOD: Thank you Mr.
7 Jesick. Mr. Rogers, we'll take your report now.

8 MR. ROGERS: Good evening. DDOT
9 finds that the number of vehicle trips likely to
10 be generated is consistent with future plan
11 capacity for the vicinity. However, to help
12 ensure acceptable number of vehicle trips it is
13 important that the Applicant provide
14 appropriate TDM measures and the Applicant has
15 agreed to the additional TDM measures requested
16 by DDOT with the exception of the provision of
17 a transportation information screen in the lobby
18 that would provide information about realtime
19 arrival and availability for nearby buses,
20 trains, car share and bike share. We ask that
21 this element be included as a TDM element. DDOT
22 also requests that the Applicant design the

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1 project such that reverse truck movements are
2 accommodated on private space and curb cuts are
3 spaced so that they are in compliance with the
4 DEM. However this is not required. The
5 Applicant should implement the proposed loading
6 management plan that's included on page 24 of the
7 transportation analysis.

8 And finally we would like to commend
9 the Applicant and thank them for locating the
10 PEPCO vault on private space along South Capitol
11 Street and to plan to shield it from view. This
12 is something that is consistent with the DDOT's
13 approach to utility vaults and would like to see
14 this applied by other applicants. Thank you.

15 CHAIRMAN HOOD: Okay. Thank you
16 Mr. Rogers. Thank you both for your
17 suggestions. Any questions of either one?
18 Vice chair?

19 VICE-CHAIR COHEN: Yes, Mr.
20 Rogers, again I understand the desire to have the
21 vaults on private space. But why was Van Street
22 eliminated?

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1 MR. ROGERS: Van Street was not the
2 preferred location because there is no room on
3 the private space to accommodate the PEPCO
4 vaults and its consistent with DDOT's approach
5 to utility vaults to have them located on private
6 space if that is indeed a possibility.

7 MR. HENSON: I'll go a bit further
8 than that and say that Van Street is narrow.
9 Vaults would be in the walking way. Van is not
10 a very busy street but it still a street. It's
11 not an alley. We want to make sure it functions
12 like a street, even with minimal sidewalks. So
13 any vault would have had to been on the sidewalk
14 which would mean there would have to be graded
15 which we would not like or air conditioned which
16 is not a good option either. So the applicant
17 actually went above and beyond from our
18 perspective to put in on South Cap so that is
19 actually what we would prefer to see applicants
20 do and screen them well.

21 VICE-CHAIR COHEN: Okay. I was
22 surprised to read in your review that the mode

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1 split assumed for office land usage was
2 approximately 80 to 90 percent non-auto. I
3 haven't seen a lot of behavioral changes of
4 people driving their car as a single person in
5 that car. So how did you derive that?

6 MR. HENSON: That was the source of
7 a fair amount of work that we've done. So I'll
8 try to summarize it and not be too wonky about
9 it. Basically we did a lot of work in South
10 Capitol Street corridor. We did a lot of
11 analysis to try to figure out what build out,
12 what development build out would be in that area,
13 to figure out what we would need for capacity of
14 our transportation system. We figured out
15 roughly that if we could accommodate what
16 amounted to about 80ish, 80 to 90 percent
17 non-auto mode split for office that the area
18 wouldn't work, which would mean be relatively
19 functional. The main intersection on South Cap
20 wouldn't fail. So what that meant was we had to
21 begin to start thinking through well how many
22 people occupy space. Well generally rule of

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1 thumb is that one person occupies about 200 to
2 250 square feet. So if you start backing that
3 down of office space, you get to around 1,000 or
4 so people that are going to be in this building.
5 So you start thinking well how much parking did
6 I have. And then, Jonathan, how much, I can't
7 remember the parking. Did it end up being
8 around 200 or 250 spaces? I can't remember.

9 MR. ROGERS: It's approximately 162
10 spaces I believe.

11 MR. HENSON: Parking spaces, no, no,
12 no that are in the building. I can't remember
13 off the top of my head.

14 MR. ROGERS: 186.

15 MR. HENSON: Right. So it ended
16 up being around 200. So worst case scenario you
17 ended up with about 200 vehicles there which
18 means that roughly that 80-odd percent give or
19 take. Now again this is kind of macro scale,
20 have to come some other way or arrive in a car
21 pool or non single auto.

22 VICE-CHAIR COHEN: Or park in the

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1 ugly parking garage.

2 MR. HENSON: Well park in their
3 parking garage but a max of 200 even if they have
4 a valet operator who can squeeze in an extra 20
5 or 30.

6 VICE-CHAIR COHEN: No I'm talking
7 about the one across the street. The ugly one.

8 MR. HENSON: The one for the
9 nationals?

10 VICE-CHAIR COHEN: Yes.

11 MR. HENSON: I don't think they
12 open that during the day.

13 VICE-CHAIR COHEN: Oh.

14 MR. HENSON: To my knowledge they
15 don't. When we look out its empty with the
16 exception of what I assume to be national staff
17 which is, there is some, the big parking lot that
18 went through zoning review about a year and a
19 half ago and then six months ago. So if that one
20 goes away an then the four city pieces, those
21 begin to go away. So, I mean I wouldn't disagree
22 that there will be some parking spots left but

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1 not for much longer.

2 VICE-CHAIR COHEN: No but I think
3 that, the Lerners owns that lot, correct,
4 parking lot?

5 MR. HENSON: That I don't know.

6 VICE-CHAIR COHEN: I would think
7 that any way of making additional money.

8 MR. HENSON: You know I would have
9 thought the same thing but to my knowledge it
10 hasn't been opened yet and there's a fair amount
11 of demand in the area. There's actually a
12 fairly expensive parking lot next to us. I
13 think it's on the order of \$10 a day, maybe more
14 than that. So, I mean theoretically the Lerners
15 could open up their lot for \$4 or \$5 a day to cover
16 their cost for an attendant and make a little
17 money. I assume they don't do that.

18 VICE-CHAIR COHEN: I just, right
19 now your assumptions are really what you project
20 and hope for as opposed to what you see. Is that
21 a fair statement?

22 MR. HENSON: I wouldn't say, they

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1 are what we reasonably think's going to happen
2 actually. I mean because if the applicant, the
3 applicant is not going to be adding any more
4 parking. So, generally speaking if the rules of
5 thumb are remotely correct on the number of
6 people that occupy space then I will defer to
7 applicant. They are going to know much better
8 on how the space may work. But generally I think
9 one at 250 square feet and one at a 1,000 is
10 probably conservative. I mean the trend is
11 actually squeezing more people in less space.
12 So there are probably more people than that.

13 VICE-CHAIR COHEN: That's also
14 underwriting standards though for lender due
15 diligence. That's fair, right?

16 MR. HENSON: So you end up with
17 what amounts to on the order of a 1,000 or more
18 people in the building and with only 200 spaces.
19 Those other 800 have to get there somehow.

20 VICE-CHAIR COHEN: Okay. You
21 know since I don't really have a long-term track
22 record with the stadium. Who designed that

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1 parking garage? They should be kicked out of
2 the profession?

3 MR. HENSON: I'll defer. I don't
4 know.

5 MR. LAWSON: Not for sure, no.

6 COMMISSIONER TURNBULL: Now we
7 approved the ultimate plan. I'm not sure about
8 the garage, or who did it.

9 CHAIRMAN HOOD: We were trumped.

10 COMMISSIONER TURNBULL: We were
11 trumped.

12 CHAIRMAN HOOD: But Vice Chair,
13 most of us ride bicycles now so we don't have to
14 worry about the parking. Also, Mr. Jesick, I
15 want to again commend you for getting DC Water
16 and the Metropolitan Police Department to
17 respond. That's one thing about it. The other
18 offices respond as they are suppose to which is
19 to the Office of Planning. I appreciate what
20 you do. And also Mr. Rogers, I want to thank you
21 for your report. And both of them are
22 favorable. MPD, basically Mr. Jesick's note

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1 and DC Water basically says in the gist of it,
2 it says please note the recent development
3 progress within the vicinity of the ballpark
4 have triggered the need for and have included
5 developer funded improvements to the public
6 water and sewer systems in order to meet specific
7 project and management. That's one of the
8 things that it highlights. So thank you both.
9 Any other questions for either one. Okay,
10 Commission Miller.

11 COMMISSIONER MILLER: Thank you Mr.
12 Chairman. I just had a question for Mr. Jesick
13 or Mr. Lawson of the Office of Planning. The
14 applicant's statement refers to a 1.0 FAR
15 additional FAR being given to this project which
16 is permitted under this capitol gateway overlay
17 regulations with the use of combined development
18 and whatever. But it is a discretionary or
19 confirm, can you confirm it is a discretionary
20 provision of additional commercial office space
21 that we are providing in this type of case? I'm
22 not really referring to this case but this type

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1 of case.

2 MR. JESICK: Yes. Under Section
3 1602 of the capitol gateway overlay the zoning
4 commission has the discretion to approve that
5 extra 1.0 FAR. It reads subject to the
6 applicant addressing to the satisfaction of the
7 commission the objectives and guidelines of the
8 capitol gateway overlay.

9 COMMISSIONER MILLER: My point
10 bringing it up is that when I saw the reference
11 to discretionary additional commercial office
12 space, it made me think of the other provision
13 in the housing linkage provisions of the PUD
14 regulations which no additional office space
15 given or it triggers the provision of lower
16 moderate income housing and we maybe in our CRRs
17 or some contacts we may be should be looking at
18 it applying in this type of situation as well.
19 I know that the capitol gateway district is
20 exempt or not included within inclusionary
21 zoning. So, as this area becomes more or more
22 developed it just might be more appropriate that

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1 when discretion of commercial office space is
2 given whether its under PUD or under this
3 provision that it maybe should trigger the
4 housing linkage provisions so that all
5 discretionary space attributes to that low and
6 moderate income housing objective of the
7 comprehensive plan of the zoning regulation.

8 CHAIRMAN HOOD: Okay. This goes
9 to the report of the ANC 6D. Exhibit number 30.
10 I have to call for it. Is anyone here from ANC
11 6D? It's obvious I don't see anybody. But I
12 have to still call for it. They do have a letter
13 and it says at its regularly called property
14 notice meeting on September 18, 2013 with a
15 quorum present. Advisory Neighborhood
16 commission ANC 6D voted 5 to 0 to support the
17 proposed design review modification of the
18 capitol gateway overlay in Square 700 in DC
19 Ballpark 2 LLC's application, zoning commission
20 case number 10-31. It goes on and on to talk
21 about specifics. And it's dated, it is signed
22 by the Chairperson, Mr. Andy Litsky. Okay. Do

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1 we have any organizations or persons who are here
2 who would like to testify in support? Any
3 organizations or persons here who would like to
4 testify in opposition? Okay, Mr. Hughes do you
5 have any rebuttal or closing?

6 MR. HUGHES: Mr. Commissioner,
7 Mr. Chair, we just, we don't have any rebuttal
8 or questions of the agency.

9 CHAIRMAN HOOD: Thank you. I
10 omitted letting you all cross-examine. Do you
11 have any cross-examining of either one of them?

12 MR. HUGHES: No sir.

13 CHAIRMAN HOOD: Okay, thank you.
14 Because we would have to come back and have
15 another hearing. You would say you didn't let
16 us do that and we would have to have a small scope
17 of continuation.

18 MR. HUGHES: I wouldn't do that to
19 you.

20 CHAIRMAN HOOD: You wouldn't do
21 that to me? Okay. It has been done before.

22 MR. HUGHES: Yes I know.

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1 CHAIRMAN HOOD: All right. So do
2 you have any closing or any comments?

3 MR. HUGHES: Mr. Chair we
4 appreciate the commission's review and the
5 comments that we've received. We are not sure
6 how the commission would like to proceed but if
7 the commission is so inclined we would certainly
8 appreciate deliberation and decision tonight or
9 an opportunity to address the comments.

10 CHAIRMAN HOOD: All right,
11 commissioners you have heard the requests. So
12 obviously some of the things we asked for are not
13 going to be under consideration. What do you
14 think? Mr. Turnbull, what are you thinking?

15 COMMISSIONER TURNBULL: I would have
16 an action at a different date so we could have,
17 Commissioner May could review the materials and
18 we're going to, I think they are going to submit
19 a north facade. They are going to look at the
20 overhand or some ideas of lightening or there's
21 discrepancy between us on the board. But I'm a
22 more translucent. I want to see a section that

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1 actually shows the step back. A bigger section
2 that shows how they meet the 1 to 1 and how the
3 overhang relates to that. I would like to see
4 that section. And the rooftop showing if
5 there's going to be a glass wall around there.
6 I would like to know about it.

7 CHAIRMAN HOOD: And this case is
8 only one vote. Two votes we might have been able
9 to do it.

10 COMMISSIONER TURNBULL: Yes, I would
11 say with two votes we could have gone.

12 CHAIRMAN HOOD: Let's maybe
13 consider our comments. If you come back with
14 the same thing. We understand where we stand.
15 You can take time to do that. Now I don't know,
16 depends on what time, when the government opens
17 back up. I don't know.

18 MS. SCHELLIN: It will be
19 November.

20 CHAIRMAN HOOD: November?
21 Hopefully we will open back up by then.

22 COMMISSIONER TURNBULL: And think

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1 about the screen.

2 CHAIRMAN HOOD: I was just
3 thinking in terms of the request but we'll see.
4 We never know when things are going to happen.

5 COMMISSIONER TURNBULL: If he's
6 back, he's back. If he's not, he's not.

7 CHAIRMAN HOOD: But I hoe he's back
8 by then.

9 VICE-CHAIR COHEN: Do you think --
10 I think we are really all in agreement about the
11 north wall.

12 COMMISSIONER TURNBULL: So we should
13 see something.

14 CHAIRMAN HOOD: Okay. All right.
15 I just didn't want to prolong this applicant for
16 us making a decision. We'll see how it goes.

17 COMMISSIONER TURNBULL: I would
18 agree. If we had a normal two-step process we
19 could have taken a propose but with this I think
20 I would rather see something.

21 MS. SCHELLIN: So, do you think you
22 guys could make those changes and provide

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1 something by October 28? It's a little more
2 time than normal? Okay. And then on the ANC if
3 they choose to file a response they would have
4 until November 4th. And draft, findings, facts,
5 conclusions of law would also be due by November
6 4th, 3:00 p.m. on all deadlines or filing days.
7 And then we could put this on for 11/18.

8 CHAIRMAN HOOD: Okay. Are we all
9 straight on the dates and everything?

10 MS. SCHELLIN: Yes.

11 CHAIRMAN HOOD: Okay. Does
12 anybody have anything else?

13 MR. HUGHES: No sir. Thank you
14 very much.

15 CHAIRMAN HOOD: I want to thank
16 everyone for their participation tonight and
17 this hearing is adjourned.

18 (Whereupon the above-entitled
19 hearing was concluded at 7:51 p.m.)

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