

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF:	:	
	:	
Jemal's Hecht's, LLC	:	Case No.
	:	14-01
	:	
-----	:	

Thursday,
June 12, 2014

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

The Public Hearing of Case No. 013-18 by the District of Columbia Zoning Commission convened at 6:37 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
PETER G. MAY, Commissioner

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OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director,
Development Review & Historic Preservation
KAREN THOMAS,

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF
PRESENT:

ANNA CHAMBERLIN

The transcript constitutes the
minutes from the Public Hearing held on June 12,
2014.

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P R O C E E D I N G S

6:37 p.m.

CHAIRMAN HOOD: Good evening, ladies and gentlemen. This is a public hearing of the Zoning Commission of the District of Columbia for June 12th, 2014. We're located in the Jerrily R. Kress Memorial Hearing Room. My name is Anthony Hood. Joining me are Vice Chair Cohen, Commissioner Miller, Commissioner May, and Commissioner Turnbull. We're also joined by the Office of Zoning staff Ms. Sharon Schellin, the Office of Planning staff Ms. Steingasser, Ms. Thomas. And from the District Department of Transportation Ms. Chamberlin.

This proceeding is being recorded by a court reporter. It is also webcast live. Accordingly, we ask you to refrain from any disruptive noises or actions in the hearing room, including display of any signs or objects.

Notice of today's hearing was

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published in the *DC Register* and copies of that announcement are located to my left on the wall near the door.

The hearing will be conducted in accordance with provisions of 11 DCMR 3222 as follows: Preliminary matters, the applicant's case, report of the Office of Planning, report of other government agencies, report of the ACS, organizations and persons in support, organizations and persons in opposition, rebuttal, and closing by the applicant.

The following time constraints will be maintained in this meeting: The applicant is going to have 35 minutes; organizations, five minutes; individuals, three minutes. The Commission intends to adhere to the time limits as strictly as possible in order to hear the case in a reasonable period of time.

All persons appearing before the Commission are to fill out two witness cards. These cards are located to my left on the table

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near the door. Upon coming forward to speak to the Commission, please give both cards to the reporter sitting to my right before taking a seat at the table. When presenting information to the Commission, please turn on and speak into the microphone first stating your name and home address. When you are finished speaking, please turn your microphone off so that your microphone is no longer picking up sound or background noise.

The staff will be available throughout the hearing to discuss procedural questions. Please turn off all beepers and cellphones at this time so as not to disrupt these proceedings.

Would all individuals wishing to testify please rise and take the oath?

Ms. Schellin, would you please administer the oath?

MS. SCHELLIN: Yes.

PARTICIPANTS SWORN/AFFIRMED

[PARTICIPANTS]: I do.

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MS. SCHELLIN: Thank you.

CHAIRMAN HOOD: Okay. Ms. Schellin, do we have any preliminary matters?

MS. SCHELLIN: For this case there are a couple proffered expert witnesses and --

CHAIRMAN HOOD: Ms. Schellin, let me cut you off. I forgot, I do have a preliminary matter before I go to you, okay. I'm sorry about that.

As Chairperson of the Zoning Commission for the District of Columbia, in accordance with 405 and 406 of the District of Columbia Administrative Procedures Act, I move that the Zoning Commission hold a closed meeting on July the 28th, 2014, for the purpose of seeking legal advice from our counsel and deliberating without voting upon Zoning Commission Number 11-07, American University remand from the Court of Appeals, per DC Official Code 2-575(b)(4).

Is there a second?

VICE CHAIR COHEN: Second.

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CHAIRMAN HOOD: Will the Secretary please take the vote of the motion before us now that has been seconded?

MS. SCHELLIN: Chairman Hood.

CHAIRMAN HOOD: Yes.

MS. SCHELLIN: Vice Chair Cohen.

VICE CHAIR COHEN: Yes.

MS. SCHELLIN: Commissioner Miller.

COMMISSIONER MILLER: Yes.

MS. SCHELLIN: Commissioner May.

COMMISSIONER MAY: Yes.

MS. SCHELLIN: Commissioner Turnbull.

COMMISSIONER TURNBULL: Yes.

MS. SCHELLIN: The motion carries.

CHAIRMAN HOOD: As it appears the motion has passed, I hereby give notice that the Zoning Commission will hold a closed meeting on July the 21st -- I said the 28th first, so a correction, it's July the 21st at 6:00 p.m. in the Office of Zoning conference room, pursuant

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to the District of Columbia Administrators Procedures Act. A written copy of this notice will be posted in the Office of Zoning at this time. Again, that meeting will be July the 21st.

Ms. Schellin, do we need to do anything else?

MS. SCHELLIN: No, sir. That will take care of the rest of it.

CHAIRMAN HOOD: Okay. Thank you. Let's go back to preliminary matters.

MS. SCHELLIN: Yes. As I was saying, they have a couple of proffered expert witnesses. I think there's only two that -- I'm not sure if they have previously been accepted, their architect and the landscape architect. The three others have already previously been accepted.

CHAIRMAN HOOD: Okay. Thank you, Ms. Schellin. I think you're exactly correct. I think we have the architect and the landscape architect who have not been before us. We do

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have their résumés. Ms. Schellin, let's do the architect before we go to the landscape.

Any objections?

COMMISSIONER TURNBULL: I have some questions.

CHAIRMAN HOOD: Okay.

COMMISSIONER TURNBULL: On the -- for Ms. Beyer (phonetic), landscape architect.

CHAIRMAN HOOD: Oh, landscape. Okay, well, we can do --

COMMISSIONER TURNBULL: Oh, you want to do -- I'm sorry. Did you say the architect first?

CHAIRMAN HOOD: Yeah, I was just saying the architect first, but...

COMMISSIONER TURNBULL: I can do either.

CHAIRMAN HOOD: Do you have any questions of the architect?

COMMISSIONER TURNBULL: Yes, I do. I guess the résumé is a little bit -- let's see,

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Mr. Keaney has been licensed for three years.

(Off-microphone remarks.)

MS. SCHELLIN: The applicant's advising me that they updated that today, so in the submission I just handed you they have changed that. So --

COMMISSIONER TURNBULL: I don't have it.

MS. SCHELLIN: I just handed it to you.

CHAIRMAN HOOD: We just got a package, so we haven't --

MS. SCHELLIN: So in the --

CHAIRMAN HOOD: Looking through the résumé.

COMMISSIONER TURNBULL: We're going to take a few minutes to read it.

CHAIRMAN HOOD: Okay. Let's take a few minutes. Do we -- have both of them been updated or just one?

MS. SCHELLIN: Yeah. I'm not sure where it is because I'm not seeing it.

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CHAIRMAN HOOD: Yes. Why --

COMMISSIONER TURNBULL: So this would be a different architect, right?

CHAIRMAN HOOD: Yes.

COMMISSIONER MAY: Yeah. Who are we -- who are we approving, Keaney or Antunovich?

CHAIRMAN HOOD: Antunovich. And those we handed those on the Douglas Development letterhead.

COMMISSIONER TURNBULL: It's behind the Douglas Development, yes.

COMMISSIONER MAY: One of them we could have earlier.

MS. SCHELLIN: And the architect's behind that one.

(Pause while the Commissioner reads the submissions.)

COMMISSIONER TURNBULL: All right. Mr. Chair, after reading it, I don't have a problem.

CHAIRMAN HOOD: Mr. May, any

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objections?

COMMISSIONER MAY: To Mr. Antunovich, no.

CHAIRMAN HOOD: Okay. So we will proffer Mr. Antunovich as an expert. Let's go to the landscape architect, Ms. Beyer.

COMMISSIONER TURNBULL: I guess my question is --

CHAIRMAN HOOD: Come forward, Ms. Beyer.

Is Ms. Beyer to take --

COMMISSIONER TURNBULL: Or is it George Warholic? It's George Warholic, which we also just received.

COMMISSIONER MAY: Oh, we also have a new one.

CHAIRMAN HOOD: So Ms. Beyer is not the landscape architect?

COMMISSIONER TURNBULL: Not who's testifying, right?

MR. GLASGOW: It's the same firm but not testifying this evening.

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CHAIRMAN HOOD: Okay. So on the back of Mr. Antunovich's, it's on the last page. The spread at the back of -- it's saving paper, like you asked us, so at the back.

VICE CHAIR COHEN: I appreciate that.

COMMISSIONER MAY: I think Mr. Warholic's résumé is not as detailed as we are accustomed to, but I note he's got close to 20 years of experience and seemed to have been the lead on some significant projects, so I don't have any problem with it.

CHAIRMAN HOOD: I think when looking at his experience, unless I'm missing a page, I only see -- one, two, three, four, five -- five projects. And the project is termed in -- under construction the project is termed construction. The project is due to start construction in the fall. So, you know, the two at the bottom are fine. I don't necessarily have no heartburn about it. But, as I already stated, I think with all those

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years of experience we could probably -- I'm sure there's much more than what we have here. All right, where is Mr. Warholic?

I'm sure you -- could you come to the table, because I'm sure you've done much more than -- I'm not saying that the ones under construction, but at least that's what your résumé says. I'm sure you have much more than what's on the résumé.

MR. WARHOLIC: Yes.

CHAIRMAN HOOD: Identify yourself. You're going to have to identify yourself.

MR. WARHOLIC: George Warholic with Dewberry. Within the 20 years of experience I've worked on multiple projects in not a lead capacity.

CHAIRMAN HOOD: So you don't have --

MR. WARHOLIC: -- as a lead landscape architect.

CHAIRMAN HOOD: So you've never -- you haven't been the lead or you have

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been the lead?

MR. WARHOLIC: That I have not been -- the ones that are on there are the ones that I have been lead on.

CHAIRMAN HOOD: Okay, okay. So these are the ones you have been the lead on.

MR. WARHOLIC: The --

CHAIRMAN HOOD: Which three out of the five are still under construction.

MR. WARHOLIC: Right.

CHAIRMAN HOOD: All right. No -- any objection?

VICE CHAIR COHEN: No.

CHAIRMAN HOOD: Okay. So we'll go ahead and --

MR. WARHOLIC: Thank you.

COMMISSIONER MAY: So did we receive Mr. Millstein's résumé? I mean is he being proffered as an expert applicant?

MR. GLASGOW: He is proffered as an expert in urban development.

COMMISSIONER MAY: Okay. I mean I

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think in the past we have --

MR. GLASGOW: I mean I thought we had submitted his --

MS. SCHELLIN: You did.

MR. GLASGOW: -- résumé.

COMMISSIONER MAY: You submitted him, yeah. And I don't doubt that he's an expert in urban development, but I think in the past we have submitted -- if he's the actual applicant, that we wouldn't consider the expert status. I mean is that -- that's been consistent --

CHAIRMAN HOOD: Yeah, that's actually -- I actually didn't even -- no offense, Mr. Millstein, I actually wasn't even going to consider that. I just thought résumé, and it's okay, good. Then I move onto the other people that we normally -- typically we -- this hasn't been our practice to do that, so we see you all time, but you know we --

COMMISSIONER MAY: That's why I suggested expert applicant because I --

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(Laughter.)

COMMISSIONER MAY: -- it seemed so off.

VICE CHAIR COHEN: I just interpreted it that he was trying to ask for a job on the Commission.

CHAIRMAN HOOD: Okay. So thank you, Commissioner May, for clarifying that. We typically don't do that.

Mr. Glasgow, we don't do that.

MR. GLASGOW: Okay.

CHAIRMAN HOOD: Do we have anything else?

VICE CHAIR COHEN: No.

CHAIRMAN HOOD: Okay. So, Mr. Glasgow, you may begin.

MR. GLASGOW: Thank you.

Good evening, Mr. Chairman, and Members of the Commission. For the record, my name is Norman Glasgow, Jr. of the Law Firm of Holland and Knight, here on behalf of the applicant Douglas Development, who are the

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adaptive, reuse, and redevelopment of the Hecht Company Warehouse, located along New York Avenue, northeast and in the Ivy City community of the District.

Here with me this evening are Ms. Jessica Bloomfield, in the first row, who's up and back with Ms. Schellin; Mr. Paul Millstein of Douglas Development; Ms. Laura Hughes of EHT Traceries, architectural historian on the project; Joe Antunovich of Antunovich Architects; Erwin Andres of Grove/Slade; and Steve Sher of Holland and Knight.

And we understand that we have 35 minutes, so we are going to move our presentation along so that if the Commission has questions, you can deal with it at that time.

With the permission of the Commission I'd like to give a brief opening statement before turning over the floor to the witnesses.

The subject property is located on

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New York Avenue Northeast, and I believe the Commission Members are familiar with the site, which is the location of the iconic Hecht Company Warehouse. The property has lain fallow for approximately eight years. And, since being purchased by the applicant, approximately two years ago, the building is being repurposed and taken through the Historic Preservation Review Process.

The applicant has also had extensive collaboration with the community to come work with the program and amend this package, which as you will see from the record and the testimony here this evening, that the ANC and the community has enthusiastically endorsed.

And on an overall basis the program is extremely unusual for a planned-unit development. The building, as it sits today, has approximately 546,000 square feet and when complete will be approximately 559,000 square feet, so it's only going to be about 13,000

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square feet larger than it is now. This is in the context of providing better-located building additions and a substantial affordable-housing amenity. In this regard, the first two floors of the site will be used for retail and commercial purposes and the upper floors for residential, consisting of about 338 units, of which eight percent of the gross floor area will be utilized for affordable housing. And within that, ten units of affordable housing at 50-percent AMI rather than the standard 80 percent.

This equates to ten units at a deeper subsidy than presently provided under the zoning regulations. Our initial computations indicate that this additional subsidy, going from 80-percent to 50-percent AMI, is going to consist about \$1.2 million, with a project where the AFR is essentially unchanged.

In addition, there are going to be extensive costs with the renovation of the

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existing Hecht Company Warehouse. That's about \$5.5 million. We believe that this is totally consistent with the conference of plan and the reuse and revitalization of an important historic landmark structure.

The Commission will also note that through the rezoning of the action of the property nextdoor, that the MOM's Organic Market site is fully proceeding with its construction, and we are hopeful for an opening of that facility in either September or October of this year.

If there are no preliminary questions, I would like to proceed with the testimony of Mr. Millstein.

Mr. Millstein, please identify yourself for the record and proceed with your testimony.

MR. MILLSTEIN: Good evening. Paul Millstein, vice president of Douglas Development Corporation. So good evening. It's nice to see you again. Thanks for having

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us.

I'll just say very quickly because we can get to it. When we first purchased this project it was actually in September of 2011. We weren't quite sure what we were going to do with it. The intention was office above retail, groundfloor retail with office above. We immediately got out to the market to see if there was a market for office in the project, and we started our Historic Preservation component piece of figuring out what to do with this building.

We had assumed after some preliminary meetings with Preservation that we would come out with an alternative to the glassblock windows. The glassblock windows, although very attractive, cannot be seen through. They are an obstructive view. It's actually a wavy view that can actually be problematic. When you look through them, it can cause headaches and nausea, which had affected me at one point. So we started

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looking at several alternatives for the glassblocks. Some fritted glass, some -- you know it. We built 30 different mock-ups. We had several meetings and spent a year on it.

After really chasing it for a year we realized with staff that we weren't going to get there. There was really no acceptable alternative to glassblock. The glassblock was a key component to the landmark designation and it really just needed to be restored, replaced, and respected as it is. So with that, during that same year, we actually had no opportunity for office leasing. There wasn't one tenant that was interested. And what we kept hearing time after time is it's too far from a Metro, you don't meet GSA's requirements, you don't made the District's requirements for a transportation-oriented development. And thought we would do bus service and do all that's other types of things, but we got no traction. There was no interest.

So that on top of the realization

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that we'd have to keep the glassblock made it very apparent we had to change directions. The direction, after meeting with the neighborhood and the Office of Planning, and having lengthy conversations, seemed that residential was the best way to go.

Now and at the time residential seemed a little bit sketchy for us as well, but thankfully through your result of the map amendment and a swift result, we were able to get the garage approved for the parking. With the parking we were able to do the MOM's lease. With the MOM's lease and a grocery store anchor development, residential became very real.

We started to get a lot of traction. We in fact since now have financing. We are in a position to go forward with the residential. We have signed several additional leases, which I'll speak to you about later this evening. So this is just -- we have to be nimble, we have to be able to reflect different conditions as they arise, but that's where we sit today.

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So I'll send it over to the team for the presentation and I will be available for questions. Thank you.

MR. GLASGOW: Ms. Hughes.

MS. HUGHES: Thank you. Again my name is Laurie Hughes. I'm a principal and architectural historian with EHT Traceries. We wanted to spend a few moments discussing the historic and architectural significance of the building and talking about the preservation scope.

Hecht Company Warehouse consists of the original warehouse building and four additions. The original six-story building, with one-story wing, and you can just see -- it's hard to see, but -- I'm sorry -- right at the back here is the one-story wing. So this is the original portion of the building with the one-story wing.

It's located at the corner of New York Avenue and Fenwick Street. The original portion of the building really dominates the

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site and continues to dominate the site today. It's anchored by its massive quarter-round northwest corner, which rises to support a unique glassblock tower.

The 1948 addition, which is on red on the plan on the right, consisted of a five-story rooftop addition above the original 1937 wing. The details and material of this addition really echo the original building. When you stand on Fenwick Street, you can see the mark where the addition is, but it's very hard to see.

There were two additions in 1961, and they are outlined in the green on the plan on the upper right. The '61 addition is comprised of a four-story addition and a one-story addition, and they both fronted on New York Avenue.

There was also a 1986 addition. That's outside the period of significance. It was a one-story, very utilitarian structure that really accommodated the loading and

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unloading. There were 23 bays on that addition. And so that fronts on Okie Street.

In many of the warehouses in Washington the structural systems were easily -- were designed to be easily expanded and additions to existing warehouses were very common. Other warehouses nearby that also had several additions and several rooftop additions included the CMP Telephone Company building on North Capitol Street that's now the NPR headquarters; the People's Drugstore Building at First and P Streets, which had numerous rooftop additions and additions over the course of its history; and the Judd and Detweiler Building on Rhode Island Avenue, which also had similar additions.

And so the Hecht Warehouse was no different. The 1948 five-story rooftop addition over the original 1937 base, and in this drawing from 1961 shows that the four-story addition was built to accommodate two additional stories. You can see the

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columns extending through the roof and the notes -- I know it's probably hard to read -- but the notes identify the ability to have two additional stories on that structure.

The Hecht Warehouse Company Building is a nationally-recognized example of a Streamline Modern design. The significance of the building is tied to its innovative architect and the early and extensive use of glassblock, that Paul mentioned previously. It was one of the nation's first large-scale applications of this building material, and so it's significance is very important to the city.

Its distinctive architectural features include: The banded brick and terra-cotta facades; the prismatic corner tower that I mentioned before; glass -- black and buff-colored brick alternating with the glassblock; the rounded corners; and the horizontal banding.

The project calls for a significant

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rehabilitation of original materials and replacement in kind where conditions warrant. As Paul mentioned, the streamlined facade is characterized by the structural glassblock, known as Insulux block. This particular block was manufactured by Owens Illinois Company for the first time in 1933. So its application here was also a very early application.

The original glassblock was fabricated with a lead seal between the faces of each block. And over the decades this has deteriorated and caused water infiltration and the clouding of the block. Because the Owens Illinois Company is no longer in business, and I think you have a sample up in front of you, new block is being manufactured by the Pittsburgh Corning Company. It's the last domestic manufacturer of glassblock, using a custom mold.

Also the steal windows will be refabricated to accommodate double glazing and improved operability, but with the same

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profiles as the original windows.

And, importantly on the ground level, the areas that have been bricked up for many years will once again be opened and the storefront opening returned and the original glazing condition restored.

And I think with that I can turn it over to the architectural presentation.

MR. ANTUNOVICH: Good evening. My name is Joe Antunovich. I am president of Antunovich Associates. We have offices here in Arlington, just across the river, and also in Chicago, Illinois. I'm not here representing Corning Illinois, but the connection is amusing.

We do a lot of historic restoration and preservation and adaptive reuse, and this project is just a fabulous, fabulous opportunity to make a mixed-use building and bring this building back to its glory of yesteryear.

This rendering here shows very

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clearly just about everything we're doing with the project. New York Avenue here. Fenwick Avenue -- Fenwick Street right here. And then the old warehouse in its glory illustrated here.

The corner was restored, the glassblock was replaced in 1996, and so everything but the corner, all of the glass will be replaced and the windows redone. Much of the block, the original block is in very poor shape, but I think you can see from the samples that we've handed around, it's hard to tell the difference between what was the original and the one that now we're having fabricated to duplicate the original. They are very, very close. And we're really thrilled that we're able to find this company who is willing to duplicate the original glassblock.

So the glassblock is shown here in the large horizontal sections. And then the steel windows will also be, as was mentioned earlier, they will all be reglazed. The corner

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will be relit on the inside. And then we're bringing back all of the storefronts which were originally installed in the building but which were in the early nineteen sixties blocked up.

So we'll have retail on the first two floors, approximately 175,000 square feet of retail. This will work very nicely with the retail that we're providing in the parking garage that's in regard completion on the other side of Hechts Avenue. And then above the 330-odd units that will sit above, surrounded by interior atriums that will allow light to come into the units, and then in addition to the building as you see it here, we are placing a one-story addition above the old building and we've held that back to structural bays from the edge so you can see from this view, you don't see that addition at all. It's set back 48 feet and it rises approximately 11 feet above the height of the roof. Next slide.

The addition on the -- the addition to the addition, the two-story addition shown

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in this location here is set back 24 feet. And that will be a two-story addition at this point here. And we've gone to HPRB and they've made some suggestions on materials. And we've actually shown how we would construct the addition on top as -- and I'll get into those areas as we proceed.

These are images showing the original building in 1930. The building, as it was modified in the early sixties, with blocking up the groundfloor, and then our proposed image here, basically going back to the future and returning the building to how it was originally in the nineteen thirties with the activation of all of the storefronts, not just along New York Avenue but along Fenwick and then along Hechts Avenue also. So at night you will have this marvelous, marvelous lantern that will shine on the corner. And I think with HPRB, they even suggested that we dull down the windows of the addition so that they will not be significant light competing with the corner

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element.

This is a view looking up New York Avenue. The parking garage here, the MOM's grocer under construction here, and then we will continue the retail all the way along New York Avenue and actually give a completely new look on the groundfloor, celebrating retail two floors in the new building. But you can see here how the addition is barely seen from this view, as we would approach the building from this view.

A view from coming over the via duct and where you're up approximately 30 feet. Here you do see that one level. And I think HPRB was very conscious of this particular view. And at night they did not want the windows on this upper level, even though it's constructed of a completely different material and expressed differently, they didn't want that -- those windows competing with the lantern on the corner. And so they've asked us to -- and we've brought some window samples

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where the glass will be somewhat tinted, so it will not appear as bright.

This is a view right at Hechts -- Hechts Avenue. This will actually go into the development. The new MOM's grocery store on the corner here with over a thousand cars in the garage. The garage will provide parking for the retail shoppers who will come to the 175,000 square feet of retail and then the 330-odd apartment units that sit above.

And then you can see how we've restored the building with the glassblock and with the visible lights, vertical visible lights. This would be the two-story addition on the addition to the old Hechts Warehouse. And then from this view you can see on top of the original part of the building, because it's set back that 48 feet, you don't even see that addition at all.

This part of this addition will be metal panels and two colors of metal panel that will actually match the color of the brick and

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the two colors of the brick. And so in that it will be a metal addition in that it will be different from the original building 100 percent, but the colors will be very respectful. Next slide.

As we come down Hechts Avenue, this will be the main entry to the residential- and mixed-use building. The residential building, the lobby will be here. The parts of the existing building that are -- that are historic will be carefully and painlessly restored. This is how the addition will come on that second phase and this is how we will restore and bring back the building in kind for the facade that faces the courtyard.

VICE CHAIR COHEN: Could you show me the lobby again? I'm sorry, I looked down when you pointed it out.

MR. ANTUNOVICH: The lobby will be right in this location here, so that you will be able to pull in and get dropped off. The lobby will be right here and some of the atria

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that we will be cutting in will actually come down right along side the lobby, so you will be able to look up and see the sky and experience the open atriums that will be cutting in the middle.

We will be cutting three open areas in the middle. Each of these floor plates is a hundred thousand square feet. So to allow light to come into the middle, we're cutting rather significant open scopes in the center and allowing those interior units to look out into the atrium. Next slide.

This is a view of our improved courtyard in the building as it wraps around the courtyard. And you can see that these facades, some of the facades, the solid facades are nonhistoric. And you can see how we're restoring the historic facades and then bringing back those noncontributing historic facades in a like manner, in a way that's rather sensitive, but then also the way they relate to the units on the inside of the building. Next

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slide.

This is a site plan, New York Avenue, Hecht Avenue coming through, Fenwick coming through, and Okie Street here. Here you can see the three atria that will cut into the building, one larger, still a large one here, and then a third one here. The entry to the building will be right here and coming -- entering the building at this point. The parking garage here with the MOM's grocer on the first floor. Next slide.

This simply illustrates the site and the existing zoning and illustrating that one of the reasons we are here for this mixed-use project, we are technically in a manufacturing zone and in order to build residential and retail we need to convert to the manufacturing -- we need to change the manufacturing district and our zoning analysis here. Next slide.

A basement area, part of which will be retail. This is almost 20 feet high in the

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small basement area. Next slide.

And this shows the lobby. The blue is the lobby. And this is that small atrium area here that will come up at this location. Loading at this location here. Yellow indicates all of the retail. So we're -- we've actually hidden the loading in the center of the building and allowed us to open up the corners of the retail. So this is all streetfront retail.

I've got to compliment our client. The first floor is up approximately four feet all the way around, so we're actually lowering those slabs so that you can walk along the sidewalk and walk directly into the stores, which is very important for retail. So if you see that construction as you go by, that's taking place right now.

So these footprints, almost a hundred thousand square feet, and all of the yellow here indicated is retail. Next slide.

This would be the second floor, and

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you can see the hole that would come down at this location here. We've got retail shown on the second floor, large users. Health clubs are very interested, some large -- larger stores are very interested. It's very difficult to find this size space in the area. And so with this kind of parking immediately adjacent, we're getting a lot of traction from retailers right now. Next slide.

This then shows the typical layout of the individual units and the atria that we're cutting in, these landscaped atriums. And you can see then that the overall width of the residential from the atrium area to the outside wall is approximately three structural bays like here, and then two structural bays here. So this is how the individual retail areas will be laid out and here with the dotted lines we show how the affordable housing will be spread out throughout the development, not all clustered in one location but spread out everywhere. Next slide.

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These are simply more of the plans as we go up the building, as we had described earlier. Next slide. Next slide.

And this illustrates on the roof then the addition on top of the original footprint of the old Hechts Warehouse. And you can see this is the point in which we are set back on New York Avenue for the higher part of the building, so we're a full 48 feet from that facade. And then along the side we're set back 24 feet, and then here for the addition for this part here, the L-shaped part of the building, we're set back 24 feet, where the building is actually lower and it's set back in this manner here. And then we come over to the edge of the building. And this illustrates the one floor of residential units that will sit on top of the building with their own atrium. Next slide.

This is simply the landscape plan that will sit on the roofdeck and within the atrium areas.

We've got a lot of detail on the

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facades. And I think I've tried to explain those as we've gone through, and we'll be happy to answer questions if you have questions regarding the facades and the material replacements. Next slide.

More detail on the landscaping not only on the roof but also surrounding. You see how we would plant mature trees all the way round, so that day one when we open this will have a very mature streetscape. And that coupled with the retail will give a lot of excitement to these streets. And actually it will -- additional development on these other buildings that are surrounding our site is already taking place. Next slide.

And then these are just more details of the landscaping, lush landscaping on the center atrium courts where each of these buildings will open out. In fact, we're keeping some of the old columns as we actually take the atriums apart, we're expressing the structure of the building in this manner. Next

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slide.

Again one of the other roof courtyards. Next slide.

We're so excited about this and we can't wait to get going. And so I'll turn this over to the next presenter. Thank you very much.

MR. ANDRES: Good evening, Chairman Hood, Members of the Commission. Erwin Andres of Grove/Slade Associates. With respect to our analysis, we had worked with the applicant to address issues related to transportation, parking, and traffic.

The site is well situated in that it provides good regional vehicle access located on the south side of New York Avenue. New York Avenue, as many of you know, is a major arterial. In terms of transit serving the site, there are four major bus routes that serve the site. In addition to that, the NOMA Gallaudet Metro Rail Station is about a mile and a half away. Similarly, the Rhode Island Metro

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is also a mile and a half away. But in terms of direct access the NOMA Gallaudet Metro Rail Station is a prime spot for Metro Rail service that can be connected to the site.

With respect to the site plan, the -- what Mr. Antunovich had identified is on the south side of the building is the only vehicle entrance into the building, and that vehicle entrance is associated with the three loading bays that are serving the site. The way that these trucks would enter the site is that they would back in off of Okie Street.

And in addition to that, adjacent to the site is the garage that holds 1,067 spaces, and access to that garage is also off of Okie Street.

Hecht Avenue bisects this parcel and provides one-way southbound access from New York Avenue down to Okie Street. There are no curb cuts proposed on Fenwick.

With respect to the mitigation we have identified several mitigation measures

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that included some signal timing at some locations, some restriping. The most significant improvement that we've identified is a new left-turn lane on New York Avenue. If you're heading westbound on New York Avenue at Fenwick Street, there is an existing median. Within that existing median and also some widening on the north side of New York Avenue, we are installing a left-turn lane that will be serving the site.

With respect to transportation-demand manage, we've coordinated with DDOT and have identified a transportation-demand management plan that is geared to promote alternative commuting as much as possible, given the site constraints, as well as including secured bicycle parking within the garage. And the important element of this TDM plan is shuttle service that we're proposing from the Metro Rail Station to the site.

In reviewing the plan with DDOT,

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there -- they came out with a review letter dated June -- June 4th, 2014, which included their approval of the project contingent on several conditions. In addressing those conditions, we actually met with DDOT this past Monday and we went point by point. And there are seven conditions and within those seven conditions we have addressed them, and they have been summarized in the memorandum that was submitted today that goes into some detail with respect to each condition, and I'll go through them very quickly.

The first condition is that DDOT wanted us to add more loading facilities. The previous plan only had one 55-foot bay and one 30-foot bay. We have increased that so that we provide two 55-foot bay and an additional 30-foot bay. So, in essence, we are -- we were increasing the amount of loading.

We're looking to coordinate the loading such that the priority is given to the retail and then the residential movings will

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take place outside of the peak retail loading. And typically the peak retail loading is in the mornings, so there were some synergies there that we can take advantage of.

The applicant completed a loading-management plan. As I mentioned, we have submitted a loading-management plan as part of the memorandum. As part of that management plan we have identified that we will coordinate the residential move-ins with the retail deliveries. In addition to that, we are installing a system where there are sensors and cameras so that when the trucks back in from Okie Street into the loading dock, that there is -- that pedestrians walking on the east street sidewalk will be alerted. It's actually a system that we're employing at the U Line Arena, so it's not something that's not unfamiliar with DDOT.

The applicant has agreed to install 500 foot of sidewalk. And DDOT's condition, they requested that we install a sidewalk from

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Gallaudet Street to West Virginia Avenue on the east side of Fenwick street. So what we did is we actually met with DDOT and we identified that that length is a by the 500 feet. The applicant has committed to build 500 feet of sidewalk, but rather than building that particular link, we're going to reach out to the ANC to see if there is 500 foot of sidewalk someplace else that they think is more of a priority. And DDOT had agreed that that was acceptable to them.

Condition 4 is the applicant provide details about the shuttle service --

MR. GLASGOW: Your Honor, we're almost out of time so I need you to summarize.

MR. ANDRES: So -- so basically we have addressed all of DDOT's conditions, and are included in our memorandum. Thank you. I'm available for questions.

CHAIRMAN HOOD: I know we said 35 minutes but we actually owe you 60, so we're not going to hold dead on the spot for 35 minutes.

(Laughter.)

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MR. SHER: I think I got a couple minutes left over from an earlier version, anyhow. So, Mr. Chairman, Members of the commission, for the record my name is Steven Sher, director of zoning and land-use services with the Law Firm of Holland and Knight.

You heard a lot of description about the project, so I don't need to go in and repeat any of that. This square, square 4037, contains about 384,000 square feet. About a quarter of that, 119,000 square feet is what's before you tonight.

As the Commission may remember, you rezoned the remainder of the square of the eastern part of the square from C-M-2 to C-M-3 about a year ago, and so that makes the development on the eastern part of the square already allowed to go to a height of 90 feet in an FAR 6.

What is proposed in this application is a height of 95.15 feet, or an additional five feet and a couple of inches, and

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an FAR of 4.7. So we're a little bit over the four that's allowed right now under C-M-2 but well below the six allowed by C-M-3 to the east and well below the 6.5 allowed by C-3-C under PUD can get you up to eight or 7.8 using IZ, so we're at 4.7 FAR. We're taking a building that is essentially -- we're adding about 12,000 square feet net to the existing building.

When you remember the diagrams that Mr. Antunovich went through, we're cutting a lot of floor plate out of the building to put those atriums in, the two floors on top and the one floor on top of the main building, add some back so the net is about a 12,000-square-foot increase.

And with respect to requirements under the PUD regulations and specifically the balancing of benefits and amenities with the amount of flexibility requested in the development incentives, again we're at about five feet more in height and really not much of anything in the way of FAR, balanced against the

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historic preservation of the warehouse and all the things that Mr. Andres and Ms. Hughes talked about.

The housing and affordable housing, again remain the existing zoning doesn't permit housing much less allow it, and therefore there would be no housing allowed or required and no affordable housing allowed or required. So we're doing about 338 units, eight percent of the total residential gross floor area in affordable housing. Of that eight percent, ten units would be at 50 percent of AMI and the remainder would be at 80 percent of AMI.

We've got a number of other things that I've identified in the outline, and I'm not going to go through all those at the moment.

In terms of area of flexibility, really the only thing that we have that's not absolutely in compliance with the regulations is the roof structures. There are six separate roof structures on the building. Four of them are -- excuse me -- four of them are there now.

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Two will be new. Of the four, some of them don't meet the set-back requirements. Some of them have heights, multiple heights within one roof structure. The two new ones meet all of the requirements of the regulations. They meet all the set-backs, they're all of a single height. They're just not all in one enclosure. And, again, given the size of that roof, to construct an enclosure that would wrap around and get all six of those roof structures in one enclosure, it's just too much construction on the top of the roof and unnecessary, given the views that you've seen already.

With respect to the comprehensive plan, the Commission knows that zoning regulations are required to be not inconsistent with the plan. And the first sort of touchstone that we always look at are the two maps: The policy map and the future land-use map.

The policy map includes this property in a Neighbor Conservation Area. The

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land-use map includes in our production, distribution, and repair category. This is not production, distribution, and repair. This is residential over two floors of retail. But when you look at the plan's discussion of what the -- what the maps are intended to do, they're -- they're not zoning maps. They don't identify parcel boundaries, they are not specifically dealing with allowable uses and dimension standards. By definition, the map is to be interpreted broadly. It's inmate general depiction. Densities within a given area and uses may vary. And zoning is guided not only by the maps but also by the provisions of the plan.

If you look at the square as a whole, going back to my 385,000 square feet, when you look at what is provided in this application and you look at what's allowed on the remainder of the square now in Zone C-M-3, about 18 percent of that total density is residential, 82 percent is nonresidential. It's a combination

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of retail, parking, and whatever else may occur in the future. So I think that it is a fair conclusion that the predominant use of this -- of this square in that notation of PDR -- production, distribution, and repair -- is not residential, it's other things. So I think that in that respect we can say that we are not totally inconsistent with the comprehensive plan map.

But when you go beyond the map and look at other portions of the plan, there are elements and policies and actions that support mixed-use residential and commercial development on this site. The Star Preservation element supports active reuse. As you heard from a couple of people already, this property has been empty for eight years. This applicant and previous owners went out there and tried to occupy the building for the uses permitted under the existing zone. That would be a combination of retail, office, warehouse, industrial, wholesale. And the

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result of that is the building is still empty.

So I think it is within the overall guidance of the comprehensive plan to say if we couldn't find something that would fit as an adaptive reuse of the building under the existing zoning, we need to think about what else we can do. And, as Mr. Millstein indicated, looking at what the range of possibilities were, residential didn't seem to be a starter at the beginning, but it's definitely an opportunity and a possibility now.

The second part of the comprehensive plan that I think is relevant here is the whole housing element. If you go back in time over a long period of time, the policies of the comprehensive plan were organized around a number of different themes, but one of those themes with show does the District increase its residential base from a higher population back in the nineteen fifties of about 800,000, the population in the city had

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dropped to under 500,000, and the city was losing more residents than it was gaining.

And so what could the -- what was an appropriate way to look at how do we reverse that decline in population. That came into play at the same time that the Metro system was being finished; that the whole emphasis on transportation corridors, not only rail but bus and any ways, suggested that people wanted to live in the District now. And so the plan's policies talk about what can the city do to encourage housing, and those are outlined in significant detail in the outline, and I'm not going to go through each and every one of them.

But there are specific languages, for example, that suggest the private sector should be encouraged to provide housing where appropriate, and this may be one of those places where it's appropriate.

The last piece of the plan that I think is important is that designation on the policies map of a neighborhood conservation

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area. Neighborhood Conservation areas are designed to create a diversity of land uses and enhance established neighborhoods. Well, I think we can enhance the neighbors nearby the site by adding residential, by adding retail, by putting those two things together in a project that the applicant can make work, as again as Mr. Millstein indicates before, he has financing, he's ready to go with this, this is a neighborhood that's been crying for that kind of stuff. There hasn't been much retail development in that area and here is something that can happen in concert with 338 residential units and the affordable housing component, and so forth.

So all of those things come together to me to say that this is a project that is worthy of approval, that the height and bulk with not be intrusive, nor will it cause any adverse effect on nearby properties.

I think I said this last year and I'm going to say it again, the long-term future of

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the New York Avenue corridor is going to change. It's not going to look the way it does now in 10 years or 20 years. Things are going to change there, and this is the harbinger of change, if you will.

Seeing a development like this proceed is going to result in things changing there and changing for the building, if I were to editorialize a little bit.

As the Commission knows, the PUD allows the Commission to condition approval to what we're specifically we're presenting tonight. So you are not going to see anything other than what we're doing here. And for all of those reasons and for all the things that I haven't actually spoken to, I would suggest that this is a project that should be approved.

CHAIRMAN HOOD: Okay. Thank you. Okay, you have finished your presentations. Thank you all for your presentations. We appreciate it.

Let's see, do we have any questions

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up here, for that as well.

Vice Chair Cohen.

VICE CHAIR COHEN: Yes. Thank you, all.

Ms. Beyer, do you know who the original architect was of this building?

MS. BEYER: Yes. It was Abbott and Merkt. They were the engineers and the drawings are signed by Gilbert Steel, which was an architect who worked with that company.

VICE CHAIR COHEN: And have they done anything else in this area?

MS. BEYER: They did the Woodward and Lothrop Warehouse as well.

VICE CHAIR COHEN: Okay. I just am curious that, you know, we have a site plan but nothing really has been pointed out other than the site. And I know that in this neighborhood there is a homeless shelter. Can somebody point that out on the map?

MS. BEYER: Here, it's right here.

VICE CHAIR COHEN: Yeah, that's

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what I thought. Okay.

So I know, Mr. Sher, you must have a crystal ball and I assume you're looking for investment opportunities all along New York Avenue, but right now this site is really quite self-contained other than if you walk up and you go into the adjacent neighborhood. I agree with you that it's likely it will be built out in a number of years because we are not losing but we're utilizing much of the land that is available in the city. But one of the concerns that I had with this building is because it is somewhat -- it is isolated, what are you going to do about security, especially in the evenings? Whoever, you know.

MR. MILLSTEIN: Sure. If I may, again this is Paul Millstein. So though it may appear to be somewhat isolated today, and although Mr. Sher said that he thinks this site will look different in the upcoming years, if we can continue the successful motion that we're doing together collectively with the

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neighborhood and the Commission and the city, it's going to happen much faster.

I will tell you that there is a huge investment on the part of Douglas Development and the neighborhoods to make effective change and to make it quickly. We recently purchased the former Love Nightclub building, whatever you refer to it as. And I can tell you we bought it at auction within a couple weeks ago and we don't know how we intend to use it, but we know how we intend it cannot be used, all right. And we were actually required by the ANC and other members to please get control of the Love building because there was a lot of buzz about other club users very interested in that building. We have no problem with live entertainment and music and all these wonderful things, but it has to be done properly, so we bought the Love building.

We own additional real estate on New York Avenue. We recently purchased the Schaeffer site, formerly known as the Schaeffer

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site, which is the corner of Bladensburg and New York Avenue. We see a huge opportunity on the New York Avenue corridor. It is the gateway to the city. It has been a blight and embarrassment for years, as we have discussed in front of this Commission.

We believe this is our field of dreams. It's happening, all right. I was before you a year ago asking for a map amendment to building this garage when we had no user, no tenants, and no financing. You guys fortunately, you know, worked with us, agreed to it, gave us a bench decision which allowed us to immediately release the contract. The contract was \$27 million to Clark Construction. We began immediately. As a result of that garage being real, we got MOM's. Now we have MOM's. Now MOM's needs a residential base to support them, as well as other retailers.

All of a sudden we have a great synergy going. I can tell you that we are currently at lease with Nike. Nike. If you

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had told me a year ago in front of this Commission that we have Nike and Wheel 5 and Ivy City on New York with this building, I'd say you're crazy, I'd say I was crazy. It's real.

Not only is it Nike, it's a Nike community store, one of only a few in the country. They will have over a hundred employees. Every employee will be required to spend hours of community service to stay employed by Nike.

In addition to Nike we have Busboy and Poets, Andy Shallal. We're going to have a beautiful place for restaurants, for dinner, for rooftop dining. We're working with La Colombe Coffee out of Philadelphia that we just did in Blagden Alley, which is outrageous.

VICE CHAIR COHEN: Only I asked about security.

MR. MILLSTEIN: Oh, so the point being -- I apologize. I could get rolling because I thought I was up --

CHAIRMAN HOOD: I actually was

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enjoying that.

(Laughter.)

VICE CHAIR COHEN: You can continue, but I'm going to make sure you answer my question.

MR. MILLSTEIN: No, I apologize. So I will tell you security is critical. We can't have an incident. Incidents are a disaster for us. We can't have it in Chinatown, we can't have it in any developed neighbors. So we have already met with Commander Porter, Diedre Porter, who is the new commander of Group 5. She is very active. Captain Wright, we have been on site, we have walked the site.

I can tell you the shot, the shot system they had on the roof of this building for many year was in disrepair and not working. As a result of us and our meeting, it's now working. Unfortunately we did have an incident at Fenwick and Okie about a week ago. There was a homicide, there was a double

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shooting, but they retrieved the information off that system. It was helpful. There's been an arrest.

They have committed to increase their patrols in the area. The ANC is vigilant on the commander, as hopefully Commissioner Henderson is with us tonight. We will also do private security, so we will work in conjunction with the police department to make sure it is a very safe place to live.

VICE CHAIR COHEN: The people that you're going to be attracting, I believe, at the beginning might be people who live or go to school at Gallaudet. And that's kind of what I'm trying to get at, what are you going to do to protect the neighborhood so that people feel comfortable in going out in the evening?

MR. MILLSTEIN: And I'm glad you brought that up. We have met with Gallaudet. We are developing our units with all of the appropriate colors, the appropriate audio-visual systems. We will be as

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comfortable to the deaf as the young Gallaudet buildings that are now coming out of the ground. We're using their design standards incorporated in our building.

We're inviting them in. They're excited about it. They like the connection, they like the link. We have some challenges between Gallaudet and our development, and we're well aware of that. I mean we can't fix the world in one shot, but I can tell you that with vigilance, increased police presence, private presence, foot traffic, everything gets better and it gets better quickly. So I think that it will all work together. And we'll do what we have to do from a private sector to see that it's well taken care of. But we're bringing that with Gallaudet down.

VICE CHAIR COHEN: I think I'd like to also see a lighting plan --

MR. MILLSTEIN: Okay.

VICE CHAIR COHEN: -- around that building because as much as we want -- you know,

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you're a developer, you're very optimistic, you have to be, especially because you're starting something new in this old neighborhood. But the reality is on day one when you're looking for residents and the people who are most likely to move in as pioneers, in many ways for this neighborhood, so that's kind of what I'm looking for.

MR. MILLSTEIN: Sure.

VICE CHAIR COHEN: I'd like to talk more about the materials as well because when describing the materials, especially those black bricks, you mention they originally were sealed in lead, and that kind of raises up a great fear that I have which is, you know, lead leads to poisoning. And I was wondering is this new brick that you're going to go Owings, Illinois for. How is that going to be manufactured? Can somebody talk about that?

MR. MILLSTEIN: Sure. So actually what the lead that Ms. -- what Laura was referring to was in the glassblock itself and

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it was used to seam the block back in the day, so it is no longer used. And all of the block that's in the building is being removed. It is the largest glassblock replacement project in the country. A company out of Cleveland is doing it. So, nevertheless, the glass will be out of the building -- the lead will be out of the building. New glassblock, of which you have sample, which is no longer fused with lead is what's being put in.

VICE CHAIR COHEN: And what about all the other materials, are they sustainable and eligible for the LEED points?

MR. MILLSTEIN: Yes, they are. We are doing a LEED project and all the other materials are very basic: Masonry, brick block, glazed brick. It's a very straightforward industrial building. That was the only issue, was the lead in the glassblock, which is being removed.

VICE CHAIR COHEN: Okay. Now tell me about the units themselves and it was brought

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up, the concern that there wasn't enough lighting, and obviously you're going to have these skylights. But is that -- how else are we going to get light into those units, especially with those small blocks?

MR. MILLSTEIN: Yeah. So I can tell you from being onsite and -- that the light is -- we increased the size of the atriums and we gave up a lot of footage to see that we got light to the third-floor units. But it works. The atriums are a hundred feet by a hundred feet. They're these huge openings in the building. And so there's ton of natural light spilling in from the atriums. The atrium units will not get light from the exterior perimeter units. They will get light from the atriums.

The perimeter units, the glassblock does something very interesting. It acts as a prism and it magnifies the light. And that's -- you know, one of the -- the Hechts Warehouse had very little real lighting because they used the natural light from the sun through

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the prismatic lenses of the block. So the units are super bright without lighting and then of course we have the clear hoppers in the center of the units that allow for clear light. So it -- actually there's a lot of natural light in the building by cutting the atriums out.

MR. ANTUNOVICH: Ms. Cohen, on this one illustration we have here in the bottom right-hand corner, this is a section through the building that actually illustrates one of the atriums. And you can see the aspect ratio, the height to the width is very comfortable. So we've -- when you stand in those areas now, they are very generous. The light that comes into those areas is -- is great.

These will not have skylights at all. This will be open to the weather and the landscaping in the center of the courts will be natural. As far as the light on the perimeter through the glassblock, every bay we have natural light coming in through the hopper windows, the windows that are there, these

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strips of windows. So every unit will have some natural, clear glass in them, in addition to the dappled effect of the block.

VICE CHAIR COHEN: But how large is the block? I mean it's not a normal size window, is it? I mean it just looks like a band?

MR. ANTUNOVICH: Let's go to the next, the exterior wall.

VICE CHAIR COHEN: Is that going to be -- the whole part is going to be a window?

MR. ANTUNOVICH: If you'll just allow us to get --

VICE CHAIR COHEN: Sure.

MR. ANTUNOVICH: The illustration up.

These vertical bands here, these vertical bands are clear glass. Perhaps we can go to the view from the corner. Just go back a couple. There. So these vertical bands are clear glass. So they straddle. Every unit along this exterior wall will have a segment of

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the unit with this clear glass. And then these bands here are the bands that are made up of the glassblock that you have a sample of up there.

So while Paul said he got dizzy being in there, I find it very attractive, actually. And there is a great deal of light that comes in through the glassblock. This is one of the characters of the glassblock. You can't see through it, but there's still a lot of light that does penetrate in.

VICE CHAIR COHEN: Well, there's a lot of showers that are now using those kinds of glassblocks, but you can't really -- when you look out, will you be able to really see the exterior of the roadway and everything?

MR. ANTUNOVICH: Not where the glassblock is, but we will have a clear panel of glass, these vertical areas of glass, within every unit. And so the open nature of the units, the units will be a very open plan, and so they will be the combination of the clear glass, a small section of clear glass, and then

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the nature of the building is the glassblock, and so we find that difference in the units. And we've actually roughed out a couple of units there now. We find that to be very attractive and very loft like. It's different but it's also very attractive.

VICE CHAIR COHEN: Okay. If you have designed one or two of them, if you could submit them for us to see, that would be very helpful to visualize it.

MR. ANTUNOVICH: We can do that.

VICE CHAIR COHEN: Okay.

MR. MILLSTEIN: And, Ms. Cohen, I want to make sure that we're clear, that the glassblocks will not be individual glassblocks. They're put together in a large grouping --

VICE CHAIR COHEN: Yeah, I understood that.

MR. MILLSTEIN: -- to reflect and size -- okay.

VICE CHAIR COHEN: It

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just -- again, it just made me think of --

MR. MILLSTEIN: I see.

VICE CHAIR COHEN: -- the new showers that are coming online that people are, you know, --

MR. MILLSTEIN: Um-hum.

VICE CHAIR COHEN: -- putting in their homes.

All right. I have quite a few questions, if I can find them, on the New York Avenue. One of the drawings you must have, you know, thought of showed New York Avenue at 3:00 a.m. in the morning. This only has one car. And I was just confused by your report, because again we tend to adapt a lot of existing technology and programs to what's actually occurring in urban center. And I always mention this to DDOT, that we need updated information that applies to cities.

And one of the things you refer to in your report is you used some kind of a highway report and to make adjustments to that,

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especially with regard to -- oh, shoot. In any event, my question is you're using highway figures. And I don't think of New York Avenue as a highway anymore. I think of it as a parking lot. So how do you get some of your conclusions based upon what's really happening as opposed to some computer-generated mathematical formula?

MR. ANDRES: Well, to that point, Ms. Cohen, it's important to understand that New York Avenue, as you know, is heavy in the direction of commuter traffic. So in the mornings the westbound traffic is heavy coming in and in the evenings it's heavier in the eastbound heading out.

Now what we've identified is a series of mitigation measures which will help address some of these issues. As part of the mitigation on New York Avenue, we've identified a left-turn lane which currently doesn't exist. So if you're heading west on New York Avenue and you're stopped at Fenwick Street and you want

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to turn left, if you're stopped waiting to turn left, there is a whole line of cars right behind you.

VICE CHAIR COHEN: Sure.

MR. ANDRES: And there's also a safety aspect because the speeds on New York Avenue is -- the people who speed on New York Avenue are a little bit faster than they should be driving, up until they get to the point where there are the speeding cameras, where they tend to slow down and then speed back up. But before that, there is a situation where we don't want motorists stopped to get rear-ended, because, you know, when motorists start heading westbound, they're -- they don't anticipate that somebody's going to stop to turn left at some of these side streets.

So one mitigation measure that we're -- that is a significant mitigation measure is installing a left-turn lane which currently doesn't exist. And in order to install that left-turn lane, there is some

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right-of-way on the north side of New York Avenue that we're going to have to take from -- which I believe is DDOT right away -- to expand New York Avenue in order to accommodate that left-turn lane.

Now in addition to that left-turn lane, Fenwick Street on the northbound approach when you get to New York Avenue is currently only two lanes. There's only one lane coming in and one lane coming out. What we're doing is we're using the same right-of-way width from curb to curb and we're providing two lanes, so that when you get to Fenwick Street, it's actually two striped separate lanes. So that if you wanted to, you can either turn left or turn right. And so that is a significant improvement, because we're going to have to replace the signal.

VICE CHAIR COHEN: And you're paying for -- the developer is paying for that?

MR. ANDRES: Yes. Yes, that's correct.

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So those are the major improvements. We've also identified some signal time and modifications. You know, with respect to the retail, you know obviously there is a significant portion of the traffic on New York Avenue that's headed out to Maryland. We want to take advantage of the passby capability of it, so that if you're heading east or west, you see our development, and you have the opportunity to turn into our development and capture some of those tax dollars, retail tax dollars that are currently leaving the city.

VICE CHAIR COHEN: Okay. Thank you.

There is -- the level of service for, I think it is, New York and Fenwick, has a very -- well, it has a good score. But one of the things that's counterintuitive to me is that the crash data on 52 shows that to be the highest crash area. How could that -- it doesn't make sense to me.

MR. ANDRES: Well, you know, as a

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part of that that our results are a little bit misleading, but in the --

VICE CHAIR COHEN: I'm sorry. It's New York and Montana that I'm talking about.

MR. ANDRES: Yes. So the -- some of the crash data that we have identified, you know, as part of any development that we do, regardless of whether or not we are making any improvements to the -- to the development, what we typically identify where some of the high-crash locations are, and that tends to be one of them.

So with respect to what we do is we identify as an issue that not necessarily is attributable to the project but is a condition that DDOT would need to address in the future, because that crash data that you're seeing is existing conditions. That's without curb development at all. So as part of our comprehensive analysis that we do for DDOT, we identify some location so that they have a sense

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of -- of where future improvements can take place.

VICE CHAIR COHEN: So there's no connection between level of service and crashes?

MR. ANDRES: Well, it's all -- they're independent because in some cases you can have good level service because people are going through fast through that.

VICE CHAIR COHEN: Faster, yeah. And then they crash.

MR. ANDRES: And then -- but there might be some crashes associated with that.

VICE CHAIR COHEN: Okay. And then the backing-up loading is acceptable now -- well, I'll ask DDOT that, but --

MR. ANDRES: Well, it's been our experience that, you know, obviously DDOT has a policy that all loading for new developments should be head in and head out. There are instances where DDOT has provided some exemptions given that it's a historic building.

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VICE CHAIR COHEN: Okay.

MR. ANDRES: As I mentioned before, we have dealt with a similar situation at the U Line Arena, which is at Third and M, where it's a historic building that is -- that used to be the arena where the Beatles first played. And it was a building where the loading docks are existing and where were using those loading docks. This is the same condition, where there are currently several curb cuts on Okie Street that we're reusing. And, as part of that, at U Line Arena we have instituted some technology where there are cameras that are sort of infrared cameras that can identify movement, so that when the trucks back into the loading dock and they cross sort of an invisible line, what happens is the red light alert is triggered such that pedestrians walking on that street can see it. They can see the vehicles backing up.

As part of our loading-management plan we have incorporated those elements to this location because it's the similar

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condition, where it's a historic building and you're backing in off of the public street. It's a condition that, you know, obviously DDOT is aware of, but because of the historic nature of the building they understand that it's -- there's only so much you can do with respect to adding new loading.

VICE CHAIR COHEN: Mostly likely, though, the trucks will be coming off of New York Avenue.

MR. ANDRES: Yes, that's correct.

VICE CHAIR COHEN: Making that left-hand turn.

MR. ANDRES: Well, the intent is that they're going to make that left-hand turn off of New York Avenue, come up Fenwick, turn left onto Okie Street, and then back into the -- back into the -- to the bays.

VICE CHAIR COHEN: All right. And Fenwick, they won't be disturbing any residential?

MR. ANDRES: No. There is -- there

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is industrial use.

VICE CHAIR COHEN: Use for --

MR. ANDRES: There is existing industrial uses on both sides of the street.

VICE CHAIR COHEN: Okay. Talk some more about the shuttle service. Are you going to have shuttle service to the -- buses are not always so reliable in our city, unfortunately.

MR. MILLSTEIN: So, no, we -- we intend -- we will have a Metro bus stop at the development, but we are going to do a private shuttle service. And the intention is to provide that for the residents of the building as well as the employees of the retailers. We are going to restrict the retail parking of the employees to a very limited number, so that we're going to encourage public transportation. We will provide it free to our residents and to our employees of the various retail tenants. We will buy our own buses. They will be -- they're intend to be 25- or

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35-person buses. We'll most likely buy two.

We did this when we first opened 77 P Street, the People's Warehouse Building, the former People's Drug Warehouse, and the Metro hadn't opened yet. And so we did it, it was actually district users. We ran a private shuttle service. And it was very successful, and to Union Station at the time. In fact they were very disappointed when they got the Metro and we eliminated the shuttle.

But, anyway, it's a nice amenity to have. We anticipate running it at peak a.m. and p.m. But we also have said if there is a demand, because everybody's going to get a swipe fob, whether it's an employee or resident, and if there is a demand for middle-of-the-day times because there's retail employers changing shifts, we'll run it whenever there is a demand. It's a cost to the building, it's a large enough development, and it's meant to be an amenity and encourage public transportation. So we'll adjust as necessary.

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VICE CHAIR COHEN: Those are my questions. I'll defer to my colleagues on the roof questions.

CHAIRMAN HOOD: Okay. Who would like to go next?

Commissioner May.

COMMISSIONER MAY: Surely. Thanks. I'll try to be fast. I will always try. So, first of all, I have to say just off the bat, I love this, these sort of instinctual buys. You know, buying the Love Nightclub. You know, which is that's a good idea, let's go buy that. That's how you got this property, right? And I know you've done it before. This is not the first time I've heard that story. So what can I say. As long as, you know, you keep coming back and you have more projects, I guess it's working.

There are a lot of things to love about the project. The fact that it's evolved so quickly and has taken shape and there are all these exiting things happening about it,

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because really very exciting. At the same time, you know, there's the Comp Plan, that pesky Comp Plan.

And so I guess my first question is for Mr. Sher, and I appreciate all the things that you argued. I don't go for the 18-percent residential argument. I mean if you add enough land to it, you know, it will be five-percent residential, and that's not really a big deal.

I mean the real issue here is whether this residential project, with a substantial amount of residential space, and I'm not talking percentages, but it's a substantial amount of space, whether that's in the long run going to encourage further loss of PDR space or potential PDR space to residential uses. I'm not saying that's a bad thing. All I'm saying is that that's not exactly what the Comp Plan anticipates.

MR. SHER: The notion of maintaining PDR space is one that's been talked about and studied and looked at for ten years

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now, maybe more. And, clearly, the notion of what PDR in the District is is not what it is in a lot of other cities. We don't have steel mills and blast furnaces and automobile manufacturing plants, and stuff like that.

At one point we had a pretty robust printing industry, but that's all sort of gone because nobody prints anymore the way that -- other than the Government Printing Office, and people who are under contract to it, who prints.

CHAIRMAN HOOD: Please don't say that too much.

MR. SHER: I apologize to -- I won't say that too much.

CHAIRMAN HOOD: All right.

MR. SHER: I will go onto another subject.

The infrastructure needs of the city are things that are really what sort of focus on PDR sites. You have --

COMMISSIONER MAY: I appreciate

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that. I think my question is more about whether this is really going to lead to further degrad- -- because you're making the Comp Plan case that maybe this shouldn't be PDR.

MR. SHER: And --

COMMISSIONER MAY: At least that's what it sounds like.

MR. SHER: Yeah, I could make -- I could make that case too, but that's obviously not here --

COMMISSIONER MAY: I -- I could. Right, --

MR. SHER: No, I understand.

COMMISSIONER MAY: We don't get to be the arbitrator of the --

MR. SHER: Right. I think what we have here are a couple of unique situation -- circumstances. Number one, we got a historic landmark. There aren't any others like that along this stretch of New York Avenue or in this area designated for PDR that I'm aware of. You got the U Line Arena that's

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further down, but to me that's a different locale.

So if you look at this stretch of Trinidad, Ivy City, New York Avenue, this is it. And it is a significant it. It is something that is not replicated elsewhere. And I think when you look at the Comp Plan's provisions related to historic landmarks and adaptive reuse, and I went through that before, if there were a use before that could have gone in this building, it would have happened. Nobody wants to see the building sit empty. No owner wants to see the building sit empty and not get any return on it for eight years, or however long it's been since Macy's closed the warehouse and there hadn't been anybody in it.

So if we can't make it work under the existing zoning, then I think we need to look at some other opportunity, and here we have Douglas Development offering you another opportunity.

COMMISSIONER MAY: So I mean the

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only thing you have told me so far is that there are no other historic landmarks, and so therefore this circumstance is likely not to come up again?

MR. SHER: I would say that, yes.

COMMISSIONER MAY: Okay. Are there other reasons why we should not fear that Mr. Millstein is going to get the itch and buy another property nearby and find out that the only thing he can do there and be successful is residential? And I appreciate all of its itches, but --

MR. SHER: I think at some point the city is going to need to look at this in the Comprehensive Plan context, and that is supposed to be happening in 2014-2015. But in this case I think there's a definite basis to go forward. If you -- and I'll give you a different example.

If you remain in the North Capitol area north of Union Station, that was all zoned industrial as well. And someone brought a case

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in and said: We want to change the C-M-3-R-M to C-3-C and the Commission said, yeah, that makes sense. And then about a year later you got another piece in there and someone said: We ought to do that too. And the Commission said: Yeah, that makes sense.

COMMISSIONER MAY: All right. So when those --

MR. SHER: When you had three or four of those you said: Let's look at the whole thing and figure out what makes sense.

COMMISSIONER MAY: Okay. So were all of those outside of what the future land use map showed when they were done?

MR. SHER: At the time the future land use map, I believe, was a combination of PDR -- it wasn't PDR then. It was --

COMMISSIONER MAY: Right. Whatever.

MR. SHER: It was a different designation for industrial --

COMMISSIONER MAY: Yeah, whatever

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it was.

MR. SHER: -- production -- PT, production and technical employment. High density commercial. I don't think it had the residential stripe in it at the time. That got changed later on.

COMMISSIONER MAY: What are we going to do if you ever retire? How are we ever going to know these things?

MR. SHER: Next week.

COMMISSIONER MAY: No. But I mean it was mapped as PTE?

MR. SHER: PTE and commercial, I believe.

COMMISSIONER MAY: So it was a --

MR. SHER: It was a mix.

COMMISSIONER MAY: It was a mix.

MR. SHER: Right.

COMMISSIONER MAY: Okay. So this is a little bit unusual. This is not a mix.

MR. SHER: It's a little -- it's a little bit, I agree.

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COMMISSIONER MAY: Okay.

MR. SHER: If it was easy we wouldn't be talking about it.

COMMISSIONER MAY: You're exactly right, okay. All right, I'm going to move onto the next topic. So you mentioned some of the retail that you've been talking to. And, you know, the second-floor retail, the very large areas that are shown, have you -- do you have some real leads for those spaces, in particular?

MR. MILLSTEIN: Better than that, I have a signed lease with Planet Fitness for 18,000 feet on the second floor and what will be called the rear corner of the building, which we're not going to make it the rear corner because it's on Okie Street.

COMMISSIONER MAY: Yeah.

MR. MILLSTEIN: So we're signed, we're done, we're at lease. They're doing construction documents. That's going forward. That's on the second floor.

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In addition to that, we are at LOI with TJMaxx for the second floor for a very large tranche of space. And we are approaching LOI with Burlington Coat Factory --

COMMISSIONER MAY: Okay.

MR. MILLSTEIN: -- to do a large store on the second floor as well, which would completely fill our second floor.

COMMISSIONER MAY: Those three?

MR. MILLSTEIN: Yes, sir.

CHAIRMAN HOOD: Well, all right, that's exactly what I was looking for, is -- because those are the sorts of things that I was picturing --

MR. MILLSTEIN: Good.

COMMISSIONER MAY: -- as well as some other things. I'm glad it was those.

(Laughter.)

COMMISSIONER MAY: And, generally speaking, the ceiling heights of the building?

MR. MILLSTEIN: They're 13-6 slab to slab on average except for the first floor,

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which we lowered four feet, back to its historic elevation, so it's 17-6, almost 18 feet on the first floor, 13-6 slab to slab on the upper floors.

COMMISSIONER MAY: So all of these apartments are going to be that?

MR. MILLSTEIN: Yeah. We're going to build fluted concrete columns, polished floors, very cool industrial units.

COMMISSIONER MAY: Okay. The -- I forget, why did we approve that very large garage? I mean that's an awful lot of spaces. What was the rationale there?

MR. MILLSTEIN: So it was interesting. There's a lot of things going on with that garage, that gorgeous garage, by the way. So, in any event, we approved that garage because a couple reasons. One, we actually did it so that we could convert it to residential in the future, and the Commission was very clear that at the time we didn't have residential zoning. And I made no commitments. I said

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I'll be back if it's ever an issue. So it didn't quite work out yet, but that day may come, hopefully in the near future. So it's designed to be convertible so that the perimeter would be residential units and the center would continue to be parking. So it's of a size to allow that to happen. Which you push the height up because you have to have ramped decks for a garage, for the way we want it now we can level the slabs, we do the additional structure work so that it could be leveled and converted to residential.

In addition to that we knew that was more than we needed to do, but we felt that we wanted to do what we could at one time, one mobilization, one construction effort, one contract. Get out ahead of it. Build-it-and-they-will-come theory, which we've -- been very successful for us. Establish it, and make it very clear that we have sufficient parking to park high quality retailers in a nontransportation-oriented

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development today.

COMMISSIONER MAY: All right.

MR. MILLSTEIN: It's a great decision by the Commission.

COMMISSIONER MAY: Okay. I'll shift slightly. Mr. Antunovich referred to mature trees that are going to be planted. I mean how mature are those trees going to be?

MR. ANTUNOVICH: We're talking in the four- to five-inch range.

COMMISSIONER MAY: Okay, that's fine. I was thinking if they were going to be much bigger, they weren't going to survive, frankly.

MR. ANTUNOVICH: No, there's a delicate balance in that range and when you plant them precisely, but we've had very good luck in that range. And we'd like the streetscapes to be very mature from day one.

Ms. Cohen mentioned the lighting and we will have lighting all the way around. We're developing these as streets and we want

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to complete the streets. And Hechts Avenue and that dropoff area and all the way around the Hechts garage will have, in fact we show it on our landscape plan, very nice light fixtures. And so it will be very safe and the streetscape will be very developed.

COMMISSIONER MAY: Okay. Yeah, I just -- my concern was just that we tend not to go above. In the Park Service bigger than five inches, so --

MR. ANTUNOVICH: We underdrains, we put in underdrains too, so that will -- it helps us a great deal in that regard.

COMMISSIONER MAY: So there is -- maybe I missed it, but I saw the photo of the dog park or a dog park, and I'm wondering where is the dog park? I couldn't find it.

MR. ANTUNOVICH: We have that on the roof.

Kevin, could you bring --

COMMISSIONER MAY: It's on the roof?

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MR. ANTUNOVICH: Yes.

COMMISSIONER MAY: Okay.

MR. ANTUNOVICH: We've got a lot of roof here.

COMMISSIONER MAY: I understand.

MR. MILLSTEIN: In addition to the roofs, we would anticipate the courtyards themselves at the third-floor level being used for dogs as well, if they chose. I mean maybe not unleashed and maybe on leash depending on your dog, but we're very dog friendly at the company.

COMMISSIONER MAY: Okay. That's fine. I was just curious, because I just couldn't -- I saw the picture and I didn't see it on the plans.

The -- what is the focal point in that -- in the third-floor courtyard? There's something it's pointing to that's a -- it looks like a donut and it's a focal point. What's it going to be? That. I mean is there much -- is it above grade, is it flat, what --

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MR. MILLSTEIN: So I think what you're really -- the donut, I think, is just maybe some sort of pond or water feature with a bench. The really interesting feature, and Joe had pointed to them, is what we've done is we've retained the structural columns in the courtyards.

COMMISSIONER MAY: Okay.

MR. MILLSTEIN: So we were able to retain them for two floors, not all the way up, because structurally they couldn't handle the lateral.

COMMISSIONER MAY: Right.

MR. MILLSTEIN: But you've got these, you know, 30-foot tall, really cool concrete fluted columns that people are going to do what are they doing. Well, they're just -- they're architectural, they're sculpture, they speak to the building, that's what the building was, so we retained them. And I think they're very cool.

COMMISSIONER MAY: I appreciate

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that. And I agree on all those --

MR. MILLSTEIN: You can --

COMMISSIONER MAY: That's why I didn't have a question about those, but those --

MR. MILLSTEIN: Okay.

COMMISSIONER MAY: No, it was the focal point because I was just trying to figure out what is that.

I do have a suggestion, though, which is a labyrinth. We put a labyrinth in. I mean it's very simple. Just pave --

MR. MILLSTEIN: I don't know what that means.

COMMISSIONER MAY: It's just -- it's just paved concrete. It's colored with a certain pattern and you just -- you can get in there and you walk it.

MR. MILLSTEIN: Sounds great.

COMMISSIONER MAY: And we have one at Georgetown, Waterfront Park.

MR. MILLSTEIN: Okay.

COMMISSIONER MAY: Go check it out.

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MR. MILLSTEIN: Okay, we will.

COMMISSIONER MAY: And it's a good thing. It's not very expensive, not high maintenance, and it goes well with the yoga classes that are going to happen out there.

MR. MILLSTEIN: Right, exactly.

COMMISSIONER MAY: You know, those sorts of things.

MR. MILLSTEIN: Okay, great, we'll do that.

COMMISSIONER MAY: The -- maybe I missed this too. Did you talk at all about Bike Share? Are you planning Bike Share?

MR. MILLSTEIN: So we had a meeting with DDOT earlier in the week with Ms. Chamberlin, and she will speak. So we requested a Bike Share. You know, not on surprise to us today, they said that they didn't think the revenues would generate it. It wasn't probably a Bike Share spot today, so we have agreed to buy one and fund it. And we -- because we want to make it that. So we

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are working with Rails and Trails as well and Tony Goodman from another ANC. Getting connectivity from Union Market to our site. We are working with Amtrak, we're working with the District of Columbia on the piece of land to the north of New York Avenue that was being used as a bus parking lot. And a piece of it is still now -- a piece of it's been cleared, if you've noticed recently.

We're going to probably enter into a long-term lease with the District and create some form of farmer's market along that easement another New York Avenue and then also get that bike path to continue up New York Avenue, go underneath New York Avenue into Florida Market, right by a property we recently purchased in Florida Market. So I think the future will be great connectivity. And we'll get the ball started with a Bike Share on Hecht Avenue.

COMMISSIONER MAY: Great. Is that in your proffered amenities at this point, the

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Bike Share is --

MR. MILLSTEIN: Yes, it is. Yes, it is.

COMMISSIONER MAY: Okay. I don't know how I missed that.

All right. I do think we need -- it's hard to understand what's going on with the roof and the various roof structures and the heights of those structures and the setbacks, and so on. And I think there's a drawing there. And I tried to look at it and -- you know, because everything is measured height above sea level. It gets more confusing. I mean it's just a simple diagram of the roof that shows the heights, you know, at the different points.

And let's also differentiate between what's existing and what's new, because most of the things that are noncompliant with zoning, except for the fact that it's multiple structures, are existing, right?

And then, you know, it helps to know

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where you're setting the heights for the structures that you are putting up there and how consistent they are, because even though there is a lot of stuff going on there, I wouldn't want to just say anything goes. It should all -- you know, what you put up there should be as simply as possible.

And then the last thing is what's the condition of the water tower and are you going to use it?

MR. MILLSTEIN: So the condition of the tower seems to be excellent right now. Structurally it's sound. The intention is to keep the tower. We are looking at a way to repurpose the tower, to actually serve as a grey-water function in some way, of actually opening up the top to collect water. Of course originally it was a storage tank to support the sprinkler system.

COMMISSIONER MAY: Right.

MR. MILLSTEIN: So that no longer will happen, and it had been cut and capped.

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But it is -- seems to be tight. And we're not sure exactly if we're going to be able to repurpose to it an actual function, but it will stay. It will continue to look like it is and it will contain to be maintained. It's a very important historic element to the building. It's an iconic element. I'm not sure if it will function or not, but it will remain.

COMMISSIONER MAY: So I'm curious. I mean why wouldn't it continue to be used to provide water for the sprinkler system? Is it just because it's -- the building isn't tall enough and the way we do it in Washington is --

MR. MILLSTEIN: So --

COMMISSIONER MAY: -- fire pumps as opposed to --

MR. MILLSTEIN: Yeah.

COMMISSIONER MAY: -- cities where you need to -- it's just too expensive to pump that high and you use a tower?

MR. MILLSTEIN: It -- so --

MR. ANTUNOVICH: The technology

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has gone on beyond that with the automatic systems we have.

COMMISSIONER MAY: Right.

MR. ANTUNOVICH: Now I should 'fess up. Mr. Millstein and Mr. Jemal were suggesting to us that perhaps we could put a unit up there and...

VICE CHAIR COHEN: Only if they promise to live in it.

(Laughter.)

MR. ANTUNOVICH: And you can see that they're dreamers. And it took a little bit of tugging to pull them back. But so far I think this drawing shows how it will be. It's really in very good shape. It's quite a structure up there, actually.

MR. MILLSTEIN: I can tell you if Nike got their way, there would be a schmoosh on it, but that's not happening.

COMMISSIONER MAY: I really, really appreciate that.

(Laughter.)

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COMMISSIONER MAY: But, I don't know, maybe there is something that you could do to get people up there. It might be -- I imagine it's a great view.

MR. ANTUNOVICH: I think that's the -- that was really where they were going from I think. The views back to the city from this location on the roof is spectacular. And so by activating the roof the way we have with dog parks and walking paths, it's a hundred thousand feet up there. The views back are spectacular. And I think if we could somehow get something and do it safely, that could be a really -- somewhere of an iconic viewing area.

COMMISSIONER MAY: I'm not sure of how it will work in terms of the zoning and in terms of the height act, and things like that, but you know. Maybe it can be figured out. A unit would have been a real stretch.

All right. Thank you.

CHAIRMAN HOOD: Okay. Thank you.

Who would like to go next?

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Mr. Turnbull.

COMMISSIONER TURNBULL: Thank you, Your Honor, Mr. Chair. The more I hear Mr. Millstein talk, and it sounds like I'm listening in on a development of the Washington Monopoly board game. It just sounds like there's a domino going on here. And I'm not taking anything away. I think there's a great vision. And I do remember the parking garage and talking about residential, so I will have to leave my notes to the Zoning Commission so whoever comes after me remembers these things.

I just had a couple of questions. I think this development is going along very, very well. I think, once again, you're doing a great job in developing this and working with the neighborhood. And I congratulate you on that. I think it's a great effort.

A couple of questions. These are rental units, I would --

MR. MILLSTEIN: Yes, sir.

COMMISSIONER TURNBULL: They are?

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Okay.

Talking about Okie Street, which is sort of like an alley almost right now, I guess. You've got still industrial on one side. How do you see that developing?

MR. MILLSTEIN: You know, in light of your last comment I'm almost embarrassed to answer that question, but I'm going to answer it honestly. So we are on under contract with the Pappas Tomatoes Building, which is the corner building of Okie and Fenwick. It's been a historically industrial-use building. They are moving to Maryland. They are going up to Jessup, to the distribution center. And we purchased that warehouse building. And we're -- it's got great bones, and that's really what we like. And so we're going to convert it to retail. The intention is just really to do it -- just a renovation of the building itself, to some great retail.

And we have great hope for Okie Street. When we originally bought the Hecht

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Bay project, the intention was to buy the land behind it as well. It was also owned by Patriot. We were actually in contract negotiations with Patriot, and the District came in and did emergency legislation. We didn't even know about it, and bought it out from underneath us, DPW.

And then hence you have the dumptrucks, the sandtrucks, the trashtrucks. We were floored when that happened. That was a huge miss on our part. We just -- it just happened very quickly. It was very quiet and it was stealth and it was done.

That really threw a wrench into our plans, so we are working with the District for alternative locations for those industrial facilities within the Board. There is some -- just other spots that are available, and hope that we can do something more positive with that land in the very near future. It will take some time. But in the meantime we do have the Pappas Tomato and we expect to do additional

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retail on that strip.

COMMISSIONER TURNBULL: Well, how do you see developing that street? I mean are you -- I mean I can't -- it's been a while since I've been down there. I can't imagine what the condition of the street is itself, the paving and everything else. Are --

MR. MILLSTEIN: The street's in good shape. The sidewalks are pretty minimalistic. There's very little tree cover. It's not nice, it's not bad. But I think it has great room for improvement.

We intentionally took Hecht Avenue through the Okie Street so that we had hoped that you could come through Hecht Avenue and land not at a trashtruck. That wasn't the vision.

So, okay, we'll work that out as time goes on. We're not done. But I think Okie Street could be a wonderful street. I think you could see a lot of cool uses and it will take some time, but I think we'll get

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there.

COMMISSIONER TURNBULL: Okay.

MR. MILLSTEIN: It's just -- it's an evolution.

COMMISSIONER TURNBULL: Getting back to what Commissioner Cohen was talking about, security. Do you see upgrading lighting, you know, cameras back there, anything of --

MR. MILLSTEIN: It's -- we'll do an elaborate camera system. Lighting system. If you go to Seventh and H Northwest right now and you look in on that sidewalk at night, you can read a book. Literally I've seen people outside --

COMMISSIONER TURNBULL: But primarily downlighting, though?

MR. MILLSTEIN: Yeah, downlighting. Yeah. Yeah, we're going -- it's going to be bright, it's going to be safe. We're going to put the commitment we need to so that people are not afraid to live

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here.

COMMISSIONER TURNBULL: Okay.

MR. MILLSTEIN: Or shop here.

COMMISSIONER TURNBULL: The historic glazed brick, how is that holding up. The glazed brick on the existing building.

MR. MILLSTEIN: So the black brick itself is doing very well. There are some deficiencies in the terra-cotta sills. The blacklace sills have had some wear and tear over the years. There's been a series of patches. During our course of efforts, recently to clean the facades, which we're doing right now, we've got the scaffolds swing stage for cleaning, the patches have blown out, they're not holding very well. So you will see little pock marks in the sills. So we are going to repair those properly with new epoxy, better materials than were done before.

So other than the sills which we will repair, the facades are in excellent shape. I mean we're going to tuckpoint, we're

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going to grind, we're going to fix what we need to fix. That's only the real damage to the glazing is in the sills.

COMMISSIONER TURNBULL: Okay. So I mean I suppose the Washington climate is fairly amenable to the glazed brick.

MR. MILLSTEIN: It's done very well.

COMMISSIONER TURNBULL: I mean you go to Chicago, you're going to have a problem with glazed brick, but --

MR. MILLSTEIN: It's done well, it's held out very well.

COMMISSIONER TURNBULL: -- but in Washington, okay.

I will agree with Commissioner May, I think I'd like to see a better version about the roof plan. I think that today's is a little bit confusing to look at all the different levels, but on the roof plan I think level seven, the roof, over the new part you've got a fire pit, and did I see that?

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MR. MILLSTEIN: So, you know, we hope you'll see everything in this development short of a pool. From a company perspective, we have concerns about pools. That's just us.

COMMISSIONER TURNBULL: Yeah.

MR. MILLSTEIN: But we want to see fire pits, outdoor theaters, dog parks, exercise facilities, yoga facilities. This has to be a sense of place. We realize we're challenged, it's a challenging location, --

COMMISSIONER TURNBULL: Yeah.

MR. MILLSTEIN: -- we get it. We need to be place effective and a sense of place, so with great retail, restaurants, great amenities, and a good price we think we'll do really well, so you did see a fire pit up there.

COMMISSIONER TURNBULL: Okay. Speaking of dog parks, that often certain hotels do allow you to have dogs. They have a little dog run, but they also provide the little basket with the bags.

MR. MILLSTEIN: Um-hum.

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COMMISSIONER TURNBULL: Are you intending to do that too?

MR. MILLSTEIN: That and dog wash stations.

COMMISSIONER TURNBULL: Oh, you guys are nice.

MR. MILLSTEIN: We'll have the whole thing. Yeah, we like dogs. We have them, so yes.

COMMISSIONER TURNBULL: All right. You guys are good, okay. I think I've covered all my questions.

Oh, I guess on the rooftop I saw you either had -- you started to show what could be a jogging path or a walking path. Is there a seadum roof then around that, if I read that correctly?

MR. MILLSTEIN: Yes, you did read it correctly. And we'll make sure we get a very good, clear drawing back to you that articulates everything. But there is -- there's a jogging path, a walking path,

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a bike walk, whatever you want to call it, and
seadum around it, so you were correct.

COMMISSIONER TURNBULL: All right.
All right, great. Thank you.

Thank you, Mr. Chair.

CHAIRMAN HOOD: All right. Thank
you.

Commissioner Miller.

COMMISSIONER MILLER: Thank you,
Mr. Chairman.

This is an amazing project. I
share the applicant's -- well, maybe not quite
the enthusiasm of the applicant, but I do
appreciate the applicant's enthusiasm for it.
This corridor has been blighted for decades and
the city and the neighborhoods around it have
wanted something to be excited about, and this
is certainly something to be excited about.

MR. MILLSTEIN: Sure.

COMMISSIONER MILLER: I can
appreciate, I think the Office of Planning and
the applicant have done a good job of trying to

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justify why a PDR area, a unique landmark on a PDR, with a PDR designation in a Neighborhood Conservation area might -- how that can turn into a huge residential and retail project. But the fact that it's been there, vacant and blighted for so long, that's not something that the city wants to conserve at all.

But I think it is a unique -- it's a unique landmark and it hasn't been able to be adaptably reused for other industrial use because it is -- because of the changing technologies, where the industrial uses have gone. So I just think it's a very exciting project and I compliment the applicant on working with the community on doing all this, all the revisions that you've done, the setbacks and the amenities and the uses that try to meet the community's and the city's needs.

I just had a couple of specific questions. Do you have any specific square footage of the amount of green roof that is on the roof? And I think OP might have asked for

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that in their report. If you don't have it now right off the top of your head, if you could just provide it at some point.

MR. MILLSTEIN: We'll provide it. I want to make sure we have it right, so we'll provide it with the rooftop draws.

COMMISSIONER MILLER: And I think they also had asked for the green area ratio percentage, what that calculation was, and just how far it exceeds what would be minimally required. I'm sure it does because there's a lot of green up there.

And you said you're going to provide, you know, in response to Commissioner May and Commissioner Turnbull's and others' request, a sketch or a better diagram of what's going on on the roof, which I think will be helpful.

You mentioned rooftop restaurants; is that going to be up there?

MR. MILLSTEIN: No, I apologize.

COMMISSIONER MILLER: That's going

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to be in the neighborhood or --

MR. MILLSTEIN: That's going to be down, as we're doing a deal with Busboy and Poets.

COMMISSIONER MILLER: Yeah.

MR. MILLSTEIN: And they are looking at doing something at that project or right behind us that will be -- with rooftop dining is a very important component for them in their next -- but not on the roof of this building.

COMMISSIONER MILLER: So where -- where would they be going?

MR. MILLSTEIN: The discussion is potentially the Pappas Tomato Building, --

COMMISSIONER MILLER: Um-hum.

MR. MILLSTEIN: -- where we could do something there or, you know, we're not sure yet, but right now that's kind of what we're thinking.

COMMISSIONER MILLER: Okay. And there's 175,000 square feet of retail at this

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building --

MR. MILLSTEIN: At this specific building is 175,000. And then with the garage nextdoor is 250,000. And then with Pappas Tomato, we're up to, I think, 3,- something, 375,- or so.

(Off-microphone comment.)

MR. MILLSTEIN: Ninety thousand.

COMMISSIONER MILLER: Three hundred and ninety thousand?

MR. MILLSTEIN: All in, between those three.

COMMISSIONER MILLER: That's a lot of retail.

MR. MILLSTEIN: Yes, it is. It's a lot.

COMMISSIONER MILLER: And you have expressions of interest for the substantial or letters of -- or actually you have commitments for every --

MR. MILLSTEIN: We've got LOIs, we've got leases signed, and we're actually at

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lease with several of the larger users. The velocity has been very good.

COMMISSIONER MILLER: That's fantastic.

MR. MILLSTEIN: Yeah.

COMMISSIONER MILLER: The -- the offsite amenities that you've talked about with the community, where are you with that? Is the Kendall Park or is it something else?

MR. MILLSTEIN: We need to tie that down further. We've had several discussions. There's a need for some additional green -- there's a desire for additional greening in the neighborhood, so we're looking at Kendall Park. We've done some initial clean up of the park. That park is suffering. But we're not a hundred percent there with the commissioners as far as the single-member district commissioner and the chairperson as to exactly what we're going to do with it, but we wanted to keep the ball rolling. So we said we'll set this amount of money aside for that.

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The same with the sidewalks, we're glad to do the sidewalks from Gallaudet to West Virginia, but we just wanted to go back to the neighborhood and say: If we're going to redo 500 feet of sidewalks, where would you like to see them most. Is that where you would like to see the work done or is there somewhere else that's in more disrepair. So we've got to tie that down a little tighter.

COMMISSIONER MILLER: And so what's the quantification value of the park improvement and the sidewalk improvement?

MR. MILLSTEIN: So the sidewalk improvement is 500 feet of sidewalks on -- which is, you know, approximately \$150,000 worth of sidewalks. The park or the greening was \$50,000 of additional street greening. But, you know, if I may, and you'll cut me off, we're very different. Somebody, you know, we don't -- this is not a specific property for a specific development. Technically it is. It's a PUD, it carries with the -- but we see

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ourselves much different.

I can tell you that we have already done so many numerous things in this neighborhood as a good partner that are not on this amenities list. We have made commitments going forward in the future that are not on this list. It's so much deeper than that. Our commitment is so much deeper. It's hard for me to articulate. We don't blow our own horn. I'll let the Commissioners speak to that. But specifically \$50,000 for greening, 500 linear feet of sidewalks, 50 percent of the AMI -- you know, ten units at 50-percent AMI which is a deep cut, because that's what we resoundingly heard. That's where we need the help. Plus the other units. So that is the specific package.

COMMISSIONER MILLER: Right. And I was going to get to that. I wanted to compliment you on that, that you're providing the affordable units, providing two-bedroom affordable units. The number of

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affordable -- the number of two-bedroom units in the -- I think is almost a hundred out of the --

MR. MILLSTEIN: So -- so --

COMMISSIONER MILLER: -- 338 or --

MR. MILLSTEIN: No, it's eight percent. It's --

COMMISSIONER MILLER: No, the two-bedroom.

MR. MILLSTEIN: Oh, yes, we did a lot of two-bedrooms, again, because we're affordable. We intend to deliver this product at \$2 to \$2.50 a foot the day we open, affordable or not affordable. That is far below the District -- and so we thought this was a great place for someone who needed a two-bedroom, they actually will be able to afford a two-bedroom. That's why we're trying to actually keep costs under control. We're trying to keep everything -- because it all transfers to the bottom line to the people who will actually be moving in. So that was the

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whole goal.

COMMISSIONER MILLER: Well, thank you very much for your presentation. I really appreciate all the work that's been done on this.

CHAIRMAN HOOD: I too would echo the comments of my colleagues. I really appreciate the work that you all have done. And, again, working with Chairperson Henderson and knowing her personally gives me a confident level when I see all the support. Because I know, believe me, if you wasn't right, you guys probably wouldn't even be here in front of this Commission tonight. So I will tell you I appreciate everything you all have done. And it's a long time coming.

I remember when the Dream first located back there, it was the Dream before it was the Love, or either way. But, anyway, it was a dream. And I can tell you the community was excited because, guess what, the Dream was better than what was back there previously.

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And it took that to jumpstart to the Love, the Love to jumpstart to where we are here today, and again it's going to jumpstart and change that whole New York corridor.

That's why, I'm not sure which one of my colleagues cut you off, but I wanted to hit at, but I'm not going to go back there because I know everybody's trying to rush and get out of here, so I don't want to be longwinded.

Let's talk about loading, Mr. Andres. I think we just talked about this Tuesday, didn't we?

MR. ANDRES: Yes.

CHAIRMAN HOOD: So you knew this was coming, didn't you?

MR. ANDRES: Oh, absolutely. And that's why --

CHAIRMAN HOOD: Is that why you had the two slides for me?

MR. ANDRES: That's why. I did. That was -- that slide was particularly for you.

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CHAIRMAN HOOD: I'm starting to be predictable.

MR. ANDRES: I didn't want to call you out, but that's -- yeah, but I did want to show you --

(Laughter.)

CHAIRMAN HOOD: You know what, I think I'm going to a six-month sabbatical and that way there's no loading questions. But let's pull up your maneuvering slides.

MR. ANDRES: Yes. We have maneuvering slides at the end.

CHAIRMAN HOOD: Okay. Don't worry, I looked and I see them. Got them right here.

MR. ANDRES: Yes. So with respect to loading, as we presented earlier, we only had previously in our previous submission we had one 55-foot loading dock and a 30-foot loading dock. And DDOT came back in their comment letter and said you need more loading, especially considering you have a significant

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amount of retail.

So this past Monday we sat down with them and agreed to add an additional loading dock. And then the middle loading dock that used to be 30 feet, we actually extended to 55 feet. So, essence, we have two 55-foot loading docks and a 30-foot loading dock.

CHAIRMAN HOOD: Let's talk about on Okie Street. We're coming west on Okie; am I right? The 55-footer will come west on Okie Street and it will pull forward and back in or --

MR. ANDRES: Well, actually --

CHAIRMAN HOOD: Okay. I actually have to look here. I've got glasses on and I still can't see that, so.

MR. ANDRES: So they're coming off New York Avenue. They're either turning left or right onto Fenwick. So when they come down Fenwick -- excuse me.

CHAIRMAN HOOD: So they're going to be going eastbound then?

MR. ANDRES: Yes.

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CHAIRMAN HOOD: Okay.

MR. ANDRES: So when they turn left on -- so they're going to come down Fenwick. When they get to Okie, they're going to turn left Okie. And at that point they're going to start pulling past the loading dock and then backing in.

When they're backing into that loading dock, as I mentioned earlier, there's going to be a system of alerts so that the camera sees a vehicle backing in, and then it will alert any pedestrians that are on Okie Street that a truck is backing away.

CHAIRMAN HOOD: So are we doing away with parking spaces? I mean is that -- that's open, if I'm --

MR. ANDRES: Yes.

CHAIRMAN HOOD: Okay.

MR. ANDRES: Yes.

CHAIRMAN HOOD: So we won't have a problem with being able to maneuver?

MR. ANDRES: Yes. So given that we

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need the whole width of Okie Street for those maneuvers, we're going to have to restrict parking on both sides of Okie Street.

CHAIRMAN HOOD: Okay. So I'm going to come off New York, I'm going to make a left on Fenwick, and then --

MR. ANDRES: Yes.

CHAIRMAN HOOD: -- make a left on Okie, or what's the other way -- okay.

MR. ANDRES: Well, you can come from New York. You know, if for some reason there is a truck coming from downtown that's making another delivery, they would turn right on Fenwick.

CHAIRMAN HOOD: And when we leave that, I'm going to come out and make that left on Okie and go on back out the other way?

MR. ANDRES: Yes, that's correct.

CHAIRMAN HOOD: I'm not going to back through the neighborhood?

MR. ANDRES: No, absolutely not.

CHAIRMAN HOOD: Okay, all right.

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You know, I also -- when I first looked at -- I had another case, the Commission had another case on New York Avenue and talked about how great the traffic, I don't remember which case it was now. It might not have been up on this end. But they talked about how great the traffic was. And I'm sure Ms. Schellin will tell you that she had a chance to experience when she was coming to Ward 5 to go to a community meeting, she had a good experience on New York Avenue.

I think it was more than one or two cars on New York, wasn't it Ms. Schellin?

MS. SCHELLIN: Oh, yeah.

CHAIRMAN HOOD: Okay. I'm just curious, now I looked at your report. When we factor in the circle down there on Montana, --

MR. ANDRES: Um-hum.

CHAIRMAN HOOD: -- some of that also is going to affect, because right now the way -- I know what it is even without the project.

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MR. ANDRES: Um-hum.

CHAIRMAN HOOD: So was that factored into some of your mitigation efforts, even with this project? Because I think that circle is going to affect -- it actually affects a lot more than even kind of beyond your project.

MR. ANDRES: Um-hum.

CHAIRMAN HOOD: Was that factored into some of your equation for the mitigation?

MR. ANDRES: Well, yes, for the mitigation. If you look at the mitigation that we've identified, actually on this slide, we have identified some retiming that's going to take place at that -- actually further north on Montana Avenue and Rhode Island.

With respect to the timing in the circle, the way that DDOT looks at timing that corridor, the whole New York Avenue corridor, they have it timed as optimally as possible to accommodate a lot of the through movements. So basically, you know, when you go from the

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District line to basically downtown, that corridor, that New York Avenue corridor is optimally timed such that you don't want to mess, you don't want to take away any time from New York Avenue. So it's optimized as much as it can.

Now with respect to our impacts, I think the impacts to our access we're trying to accommodate with the additional left turn at Fenwick Street, but for the intersection of Montana, for where the Montana Circle is, we have not identified any timing changes because, in essence, it's optimally -- it's about as best as you can get that circle to operate.

So, you know, we're taking advantage of the retail component of the project because what we're doing is we're drawing people who are already on New York Avenue and getting them into the site before they head to Maryland.

CHAIRMAN HOOD: Okay. Mr. Millstein, let's talk about the local business

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opportunities and first-source agreements -- let me back up. How much of this that's in front of this Commission was driven by the community?

And I know you went in with the plan, and how much of this -- how much of your plan -- percentage of your plan was changed due to some of the concerns of the community? Just give me a percentage. You don't have to tell me what it was.

MR. MILLSTEIN: Candidly I'd say 30 percent, not -- because we were pretty aligned with the community coming in. We've been doing this a while. We listened very clearly. So there were some tweaking and tweaked. Mostly what you're seeing, a reflection of the leasing plan of tenants that were desired by this community. They were very specific in quality of tenants, types of uses, and asked us to be patient and vigilant, and get Petco. We have Petco, right. They wanted Petco. They have dogs. They wanted a full-service Petco. It's

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a Petco with conditions. All right, not the Petco Leash that you will see in suburban markets. They wanted grooming, boarding, cats, animals. So we did that.

So you'll see heavily on the leasing side. This is a result of the neighborhood. They also really wanted the residential. They felt the additional people living there made it safer, made it better, made the streets cleaner, and thought it would add more energy to the neighborhood. So, you know, it was kind of formed with the community all the way, so it wasn't dramatic changes.

Much like the Commission, I think your Commission was very clear at the setdown with direction and guidance. And I appreciate that. And although we don't speak at setdown, we listen and we really try to listen and make adjustments appropriately, so it's a combination.

CHAIRMAN HOOD: Okay. I sure hope that a number of my other people are watching

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this video stream.

Let's talk about the local business opportunities in the First Source. I notice that, at least I didn't see them, I miss a little things, I notice that in the Office of Planning report it talks about applicants to sign agreements to implement the programs prior to this action. And I know these are small things, because I know there are some things that you're probably doing, and I heard you, --

MR. MILLSTEIN: Um-hum.

CHAIRMAN HOOD: -- believe me, there's a number of people I know that you're working with, I know there are a lot of things you're doing that it's not even on the table.

MR. MILLSTEIN: Good.

CHAIRMAN HOOD: But let's talk about that, because one thing I'm keen on is making sure that we have our pool ready, to make sure residents, especially the residents in the community get those jobs and businesses have those opportunities. How -- where are we as

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far as that goes?

MR. MILLSTEIN: That's the key point and that is the key point. So we've committed to the 51 percent, but we have much loftier goals. We want to be a hundred percent. The real trick is when MOM's has their job fair, which we're going to sponsor with MOM's in August, and they start hiring in September, how are we going to have a pool of people ready to go, I can tell you that we -- and that's Kenyan McDuffie, the councilman, and Gene are very committed to --

CHAIRMAN HOOD: I think I know him.

MR. MILLSTEIN: I'm sure you do. Right, they're very committed to that very same issue: How do we get everybody ready to go. We're going to have job seminars at the project. We've already -- I have already addressed a very large group of youth, that they came from the job corps, the job fair, from another commissioner in the neighborhood, Jackie Manning, but that's where she works during the

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day, she brought a group out. And it all starts with: Pull your pants up, turn your hat straight, get the tattoos off the neck, fix your -- you know, tighten -- tighten up, right. So we're going to do a lot of programs in the next couple of months in conjunction with our retailers to do just that, so we have the pool ready. Then it's easy.

CHAIRMAN HOOD: Okay, all right. I don't have any questions for Mr. Sher because he said the change is going to get better, so I'm not going to ask you any questions on New York Avenue, at least not tonight, so.

But, again, I'm going to let the Vice Chair ask her last question, but let me just say that I really appreciate what you've done, what I'm seeing being done. And for me what gets me over is the community and the support that I see. Now I don't think there's anyone here in opposition, and I'll find out in a minute. But from all the support from what I've read of this and the merits of this case,

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that goes a long way when happening for this,
so thank you.

Vice Chair.

VICE CHAIR COHEN: Thank you, Mr.
Chairman, and I'll try to be very quick.

Really appreciate the fact that,
you know, everybody loves animals, but one of
my great concerns that I forgot to ask about is
do we love our neighbors and your neighbor is
a shelter. Have you met with the shelter
people to see if there are opportunities there?
And everybody's shaking their head, so you knew
I'd eventually ask this question.

MR. MILLSTEIN: So we have met with
Father John, who operates -- Catholic Charities
operates the shelter. We have met with the
mayor, we have met with BB, we have met with the
occupants of the shelter. We have met with
some homeless activists today, Mr. Erick
Shiplock, and others, to see what could be done
programmatically to make this facility a better
facility.

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We have offered to build a state-of-the-art facility at another location and do some type of land thing with the District. We've also offered to improve the facility in place with profit funds in excess of a million dollars. And we agree that something has -- the conditions are deplorable. We don't believe it's Catholic Charities fault. They operate on \$1.60 a day per person to find them. It's a wet facility, it's a zero-barrier-entry facility. It's a challenging facility and it's deplorable.

So I can tell you that we are very actively involved in making that place better and getting to a quality of life that's more appropriate with training, with programs, with private funding that will come from our development. We had meetings as recently as today.

VICE CHAIR COHEN: Was that -- are you going to make a proffer of that?

MR. MILLSTEIN: The problem is we

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don't control it yet, so I can't -- I can't -- all I can proffer is a commitment for us to continue to visually do what we can. It's in our best interests and it's in our best interests to get it done before MOM's opens, because we realize what happens now.

VICE CHAIR COHEN: I think for the record it would be very helpful to have that information, of your outreach.

MR. MILLSTEIN: Okay.

VICE CHAIR COHEN: Okay.

MR. MILLSTEIN: So we'll articulate that at whatever moment it's appropriate.

VICE CHAIR COHEN: I would like -- yeah.

MR. MILLSTEIN: No problem.

VICE CHAIR COHEN: Because I'm really concerned about, you know, oh, these homeless people that are sort of being shuffled around and --

MR. MILLSTEIN: Yeah.

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VICE CHAIR COHEN: -- had to close DC General and where are these people going to go. And so it makes sense to at least know, it just would make me more comfortable --

MR. MILLSTEIN: Sure.

VICE CHAIR COHEN: -- in voting.

Okay. One last question, and this is for Mr. Andres.

In your report, page 9, you do talk about the negative impact of the quality and attractiveness of walking in this neighborhood. And one of the proffers is to fix some of the sidewalk, but you also alluded to the fact that you're going to talk to the neighborhood to see where that location should be. It's unclear how extensive the problem is with the sidewalk, but again I urge you to do the best you can in getting this priority. Again it's a security issue, it's a safety issue, having recently taken a trip down the sidewalk myself, it's dangerous. And so it behooves everybody to attempt to see if all of

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the sidewalks, so walking can be improved.

MR. MILLSTEIN: So -- and I will add to that, that we are working with the councilman and there's actually money in the current budget that I think went through second reading just recently, for a substantial amount of money earmarked for the Ivy City community, for public space improvements and even Councilman Mary Cheh, put money and her aside for Ivy City specifically as a result of our requests and the Councilman McDuffie's request. So we're going to do our part and more and we're going to see that the council and the District does their part so that, you know, this whole neighborhood gets uplifted. This is just the beginning, and we realize it's a comprehensive effort throughout.

VICE CHAIR COHEN: Thank you.

CHAIRMAN HOOD: Okay. Thank you.

Any other questions?

Okay. Chairperson Henderson, do you have any cross-examination of the

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applicant?

Okay. Let's go to the -- believe me, I know. We got a point, but we will get to that point.

Let's go to the Office of Planning and District Department of Transportation. And anything different that you need to tell us would be appropriate. Thank you.

MS. THOMAS: Good evening, Mr. Chair, Members of the Commission, we have nothing different to tell you. The applicant's presentation was very thorough. We highly support this and recommend approval of this project. We see it as being an exceptional situation within the PDR Zone District. And due to its high level of housing affordability and the project itself and what it intends to do, we recommend approval of it.

I will be happy to take any questions.

CHAIRMAN HOOD: Thank you.

MS. THOMAS: Thank you.

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CHAIRMAN HOOD: Thank you, Ms. Thomas.

Ms. Chamberlin.

MS. CHAMBERLIN: Good evening. I guess we are in full support of the responses to our conditions that were provided by the applicant on June 12th. I guess one clarification is the sidewalk request isn't just for, in our view, a sidewalk anywhere in the neighborhood but in a location that would facilitate pedestrian access to the site. That would be the main purpose of our request.

CHAIRMAN HOOD: So you all are holding to that request, so.

MS. CHAMBERLIN: It doesn't have to be exactly where we identified. And our understanding was they would go out to the ANC and figure out. Maybe there's just a different path that would be the preferable path for pedestrian access.

CHAIRMAN HOOD: Okay, great.

Okay. Thank you, both. We

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appreciate your succinct and very detailed presentation and study and analysis. And actually not -- and your verbal comments within your reports.

Okay. Commissioners, are there any questions?

VICE CHAIR COHEN: Yes.

CHAIRMAN HOOD: The Office of Planning and DDOT? Vice Chair Cohen.

VICE CHAIR COHEN: Thank you, Mr. Chairman.

My question is to OP. Again we heard tonight that there are some plans and some maybe hopes and dreams to change New York Avenue, which needs attention because it is a gateway part of the city, access to the city but, again, there is concerns that we're losing PDR-designated land. And my question is to you: Based on what you have heard and met with -- I mean is there going to be a need to look carefully at this area and maybe make changes to it or should we be very cautious

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because there is a shrinking inventory of PDR?

MS. STEINGASSER: I would answer yes to almost all of that. We are looking at New York Avenue. We are doing a study of all the industrial lands. We did one about ten years ago. We're updating that. We've got a focus study on Ward 5 that's been completed and is in its final edit, so it should be out probably next week.

New York Avenue is obviously an enormous gateway. It's also one of our, is they talked about, retail -- leakage of retail tax dollars and commuter routes. So we are looking at that. We're also doing -- they call it Mid City East Study, which is basically to the west of this site, but it's looking at how that whole intersection and that neighborhood interacts. So, yes, we are looking at it. We're very -- very concerned about making sure we have sufficient industrial lands, but also Washington's industrial lands are really cheek to jowl with many of our residential

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neighborhoods.

So it's how do we protect those residential neighborhoods, make sure we have sufficient industrial lands in the -- with the rewrite to the zoning regulations. We have proposed some small increases in industrial FAR, but it would be required to be maintained for industrial uses and then through the industrial land use studies that are going on, we'll probably also be looking at creating new industrial zones that allow for this kind of residential that recognizes that there are many industrial uses in today's market that can coexist with residential.

VICE CHAIR COHEN: Specially if there is appropriate landscaping. Thank you for that. And if you could kind of notify us when that report is available, because I'll forget. I know that.

CHAIRMAN HOOD: Commissioner May.

COMMISSIONER MAY: Yeah. So your response to the Vice Chair answered most of my

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question, but basically what it boils down to for me is are you -- when you heard Mr. Sher predict basically that we're going to wind up seeing a lot more residential in this area, I mean if his -- I mean he didn't say it exactly that way, but that's the conclusion I drew from what he had to say.

And do you agree with that and do you think that that's, in effect, what we're going to wind up seeing in the Comp Plan? I know it's hard to predict, but --

MS. STEINGASSER: Yeah, I hate to predict before the studies are complete, but I think Mr. Sher is right in his experience. I, looking at this, and seeing where the pressures are coming and what those type of land-use pressures are, and I think Mr. Millstein used the phrase being able to respond nimbly, because the market's moving so much faster than the planning and zoning could move, that I think we will be seeing more land-use changes. And I think the PUD is the only vehicle right now

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we have to accommodate those.

COMMISSIONER MAY: Okay. So there's this statement on page 3 of your report that this PUD-related map amendment will not threaten the stability of the adjacent PDR uses and nearby residential uses and other mixed-use commercial areas located in the general area. So it would not threaten the stability of the adjacent PDR uses, but if we're going to wind up with more property moving from PDR use to residential use and maybe this mixed-PDR residential use, I mean that may happen, but you don't consider it a threat or is that -- or actually is this statement not quite fully accurate?

MS. STEINGASSER: I think the statement is very accurate. I don't have the full figures. The study, like I said, will be out next week. But we have looked at the capacity and the land use availability of industrial, and it is way below its carrying capacity in terms of the amount of unused

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density, the unused FAR that's available on the existing industrial lands. So we're looking at ways to encourage a more efficient use of the industrial lands, and that's going to have results -- again I'm kind of tongue-tied -- that's going to result in opportunities for other land-use changes.

COMMISSIONER MAY: Will the study look at the demand for PDR uses and try to assess -- I mean, you know, on the one hand we hear that there is demand for the PDR space or shrinking availability of land, but at the same time we're not seeing -- we're seeing areas like this with vacant warehouses.

MS. STEINGASSER: Right.

COMMISSIONER MAY: And I mean is it just we don't have the right stuff? I mean I know we struggle with things like where do we park school buses and where do we put asphalt plants, things like that.

MS. STEINGASSER: Well, we --

COMMISSIONER MAY: But those

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aren't exactly going to fit well in the neighborhood, although there is a school bus --

MS. STEINGASSER: They're not. They're not. And there is some assessment on anticipated demand, but it's really not a supply-and-demand study. It's more of a land-use capacity study and it's -- there are some uses like you're talking about. And the others are just the changing nature of industrial in Washington and what is it and how is it used. I mean we're seeing a lot of production in what they're calling now the maker's economy. You know, we've got a burgeoning alcohol business that is creating boutique gins and things like that. And those are industrial uses by their nature, but they can also coexist very well with residential. So we're trying to look at those.

COMMISSIONER MAY: Okay. Thank you. I appreciate that.

CHAIRMAN HOOD: Ms. Steingasser, I don't know if you remember, this Commission

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heard a case some years ago in Ward 5 with Rocky Gorge and up there by the Fort Totten incinerator -- I mean, I'm sorry -- the Fort Totten Trash Transfer Station. And then I had a major concern, my concern was Ward 5 had all the industrial area and I always thought that the Commission had great concern when it came to changing industrial area in Ward 5 to residential, but when I look at what happened up at Fort Totten and the way that's working now, everything I've heard here about the changing and the use of industrial lands, relationships with residential, it's starting to work.

I know we're fine-tuning some things on the ZRR, but I think it's starting to work. Would you agree with that statement?

MS. STEINGASSER: I would. I would. Rocky Gorge has turned out really nicely.

CHAIRMAN HOOD: It sure did.

MS. STEINGASSER: And the

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industrial lands, you know, they serve as great catalysts for employment, and we don't want to lose that opportunity either.

CHAIRMAN HOOD: Thank you, Ms. Steingasser.

Any other questions of the Commission?

COMMISSIONER TURNBULL: No, I don't have -- I just have a comment.

CHAIRMAN HOOD: Sure.

COMMISSIONER TURNBULL: I'll be very careful on complimenting Mr. Sher. He comes before us too many times. His head is going to get bigger and bigger.

CHAIRMAN HOOD: Mr. Sher's head is going to get bigger and bigger?

COMMISSIONER TURNBULL: Yeah.

CHAIRMAN HOOD: All right. Well, Mr. Sher, whatever I said, I'll take it back.

(Laughter.)

CHAIRMAN HOOD: Okay, does the applicant have any cross-examination?

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MR. GLASGOW: No
cross-examination.

CHAIRMAN HOOD: Chairperson
Henderson, do you have any cross-examination
from the Office of Plan and DDOT?

Okay. You know it's funny, up here
papers get lost and mixed -- okay, we're going
to now have our ANC report -- oh, hold
on -- other government agencies. Do we have
any other government agencies besides the DR
report?

Okay. We'll now have our
Chairperson from the ANC to come forward.

COMMISSIONER TURNBULL: Then, Mr.
Chair, we're going to be going all electronic
fairly soon too.

CHAIRMAN HOOD: Oh, yeah.

COMMISSIONER TURNBULL: We'll be
paperless.

CHAIRMAN HOOD: Let's stop saying
paperless. The best way to archive is paper.
Print on paper. Actually that is changed too,

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but you still need printers. It's still -- it's changed, but you still have -- I'm still as busy as ever.

Okay. Chairperson Henderson, if you want to do so, introduce yourself, and you may begin.

CHAIRPERSON HENDERSON: Yes. Kathy Henderson. I am the -- I have the honor of representing the Advisory Neighborhood Commission 5D. My single-member district is 5D05. And I come unjoined by our neighbor, our supporter Ms. Andrea Swanson. And I also wanted to share that I'm a former citizen member of the Historic Preservation Review Board. I'm a member of the Committee of One Hundred. And I'm a five-term ANC Commissioner.

And I preface my remarks by that to let you know that the development process and working with developers in the community, we've been there. I've seen the process and I can tell you this process is totally different from the norm.

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This process that Douglas Development Corporation has entered into with our community underscores just a process of being real, relatable, and just so respectful. It's real in that they have determined that this is a historic building, it hasn't been in demand. They have respect for this building. They have related to the community, their bottom line, and the vision in a way that is just mindblowing. I am excited. I am so excited I can barely contain myself.

I really appreciate the testimony from the applicant. I appreciate, you know, the quality, the content of the questions you have asked, your comments. My God, this is a game-changing project and we are very, very excited. And we cannot wait.

And from the beginning the developers come to us, Mr. Millstein and his team, you know, they've asked for our input. We've given it to them. They're not resentful. I really concurred when we talked about, you

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know, the setback that the Historic Preservation Board asked for that. I wanted that setback. We wanted that setback.

Everything that they have come forward with presenting to you, we've worked with. They've come to us, they have committed to coming back to us. It's just -- I can't say this enough, it's -- this is unusual. It is a lovefest.

And Mr. Hood knows me well enough -- and, Mr. May, you've heard me before -- I am not someone who is given to false praise or to, you know, say things that are insincere that I don't whole-heartedly believe. If I have to be the unpopular person to tell the truth, regardless of the consequences, I will and I will continue to do so. So it is such an absolute pleasure to come here today in support of this project.

We really support the residential use. We are so excited about the tenants that have signed on. I mean this is wonderful. Ivy

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Citizen, Ivy City residents now will have something to fully be proud of, to enjoy.

We've been struggling for years. Struggling with public-safety issues. It's been a constant, constant, constant fight. And with this development we have an opportunity to create a new community immediately for the Ivy City residents, a new community for Ward 5, and a new community for our city that underscores the excellent direction that this city is headed into.

People actually want to live in our communities now. And we have a project before us that respects not only the visionary components of any development project but the community, the city, what we all want. And this Board, this Commission is certainly part of that process. And I'm just really very happy to be here to give my unmitigated support to this project. And certainly we have submitted numerous letters of support. I will memorialize my comments here today in writing

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for you for years to come.

This should be -- this project and the manner in which they have proceeded should really become the standardbearer for how developers approach the community. Too often developers, they come with preconceived notions. And they simply want the community to rubberstamp their projects. That didn't happen here. They did not happen here. And any time you've given your -- you give people comments or you critique their projects, they have such pride, such fierce pride of ownership. It's like: Who are you to tell me that my grand project needs work in this regard; who are you to tell me that we didn't consider this. We didn't get any of that. We simply received openness, complete transparency, and unparalleled communication. And it just doesn't happen like that every day. And it has been a blessing.

And you know the saying that a picture is worth a thousand words, well, here

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is a thousand words right here. This is a picture -- I don't know if you all can see this -- this is a picture that was taken at my community meeting, our ANC 5D public meeting on the 10th. It was very well attended. And this is just a smattering of the attendees that wanted to participate in a project, I mean in this photo.

We support this project. We want this project and it can't happen fast enough us.

And, Ms. Cohen, I really appreciate your comments about the homeless shelter and, you know, some of the tougher questions. I've actually been in contact with representatives who live in the shelter. You know, believe it or not, they are organized. And they are very thoughtful. They understand that they want a better quality of life. They vote, they participate. And they have simply fallen on temporary hard times. But they are continuing to be a part of this process.

And the ANC voted recently at our

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May 13th meeting to support the concept of changing the shelter location, to being opening to it. We want to make sure that everyone is onboard and to accept the Douglas Development Corporation's offer of providing a brand new, state-of-the-art facility. So now we're talking to the actual residents of the shelter. And there is initial conversation, initial support for just that.

One of the things I heard many times is that: We're not treated well. You know, it's just not a pleasant place to live and we are treated in a way that really just undermines our humanity and we don't like it.

So we are ready to enter into that conversation, you know, to change the paradigm not only for this entire area but in terms of what a homeless shelter looks like, what it can be, and it's supposed to be an opportunity for people to get a second chance, a second -- everyone can fall on hard times. Anyone can fall on hard times for any reason.

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A bad investment, bad decisions. But you should have an opportunity to rebuild your life. This is America, this is America, and we want to make sure that everyone has an opportunity.

And this project, I mean it just -- it makes me feel so good because everyone has an opportunity for just a better quality of life. And we welcome that.

Oh, my God, Commander Porter is our new 5D commander. She hasn't been at the Fifth District for six months yet, and we are already working here unbelievably and she's unbelievably gracious. We've had a walk-through of this site. And we've made it clear, you know, that old paradigm of just unrelenting violence, it's unacceptable. And we want to do everything in our power to make sure that MPD delivers, the citizens work together with MPD, with the developer to make this a first-rate destination, a grand place to live.

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I look forward to the day when every Ivy City resident can say: Oh, where do you live. I live in Ivy City, and they can beam with pride. And people who live in other communities, stable communities, they know what that's like. We want the people that live in Ivy City to know what that's like. And we certainly want that by extension.

This is just a tremendous opportunity. I can't say enough great things about this project. It's very detail-oriented. You heard from Mr. Millstein that -- Mr. Hood, you asked about what percentage of the community amenities were changed, and he said about 30 percent. That's because they came to the table, ready, willing, and able to listen to us. They understand what this process entails. And they didn't just spoonfeed us or forcefeed us a project that, you know, we didn't want. We're excited about this project.

We cannot wait, we simply cannot

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wait, so I am here to ask on behalf of the colleagues that I represent, the citizens that we represent, to move forward quickly, to make this happen. This is just a fabulous opportunity. And we look forward to remaining engaged in developing, in making sure that this development comes to full fruition and really just uplifting our ward.

And I'm glad, Mr. Hood, you made the comments about the Fort Totten area.

And, Ms. Steingasser, your comments are just -- they underscore where we're headed. And this is an opportunity. Too often we operate in silos. The community has their interest. Government agencies have their interest. The developers have their interests. And oftentimes there can be a clash. But this is one of the rare opportunities where it sounds like we're all on the same page. And that is just tremendously uplifting not just for this community, but it sets the tone for where we're going as a city,

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and I'm just very excited about that.

So I'm not going to be too longwinded, but I'm just super excited. I bring to you the same excitement from my neighbors. I just had a conversation in the middle of L Street the other day about the loading zone for the project. So people are concerned. They're supportive, and we want this. So thank you very much for this opportunity.

CHAIRMAN HOOD: Thank you, Chairperson Henderson. Now you have brought something with you to the table. Is that Ms. Canty?

CHAIRPERSON HENDERSON: Yes.

CHAIRMAN HOOD: Okay. Ms. Canty, since you're already here we're going to go people in support, we will just go to hear from you now.

MS. SWANSON-CANTY: Thank you so much. Well, since --

CHAIRMAN HOOD: And I identify

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yourself. Even though I called your name, could you identify yourself?

MS. SWANSON-CANTY: Yes. I'm Alicia Swanson-Canty. I'm the president for the Ivy City Civic Association.

I just want to thank Commissioner Henderson. She put everything so eloquently and she speaks so well. And I can attest that everything that she has spoken of is absolutely true.

I want to thank the Commissioners at the Zoning Board, each and every last one of you, because the questions that you had, the depth of questions that you had, that made a lot of sense to piercing and to the project, so that you can hear the details, you can hear the very things that they're doing from top to the bottom, to the beginning, to the end. And I can tell you right now these are the very things that they brought forth to the community when they initiated this projector.

We were engaged from day one. We

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were fearful when we heard that Douglas Development Corp. had purchased the Hechts Building initially because we were figuring, okay, they're this big giant, you know, corporation. How are we in this small community going to come up and get the things the we want, the things that we want to see happen in this project without opposition.

And we found out something extremely wonderful which was they came in arms open, engaging us, transparent from the very beginning. And, you're right, there are a lot of things off the table. They are business members in Ivy City Civic Association. They have committed to ten years. We are in current negotiations with the Community Benefit Agreement to doing things, projects that help the community get ahead and have some things, so that the residents can feel like they are a part of the community.

They are our first business members, I can say, in Ivy City Civic

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Association. And we appreciate them for their transparency.

You know there's not much to add to Commissioner Henderson as far as the project is concerned, but I know as a community everything that we have requested on our end we have gotten that. And it's been a partnership the whole time. And they didn't treat us as if, oh, you're just residents, you know, you don't have much say. But I mean I can tell you that the 50-percent AMI, we have a high unemployment rate in the community, and this is a game-changer. This is a game-changer for residents that currently live in dilapidated housing to have an opportunity to move somewhere that they can afford and actually live and be proud of it.

I can tell you right now, I still have a family home in the Ivy City community for over four decades. I talked to you, Commissioner Hood, before about Marlin Sills (phonetic). This is something that I've seen

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since I was a child. Crummell School was a daycare for me. So I can tell you I have watched this community evolve over four decades and I can tell you this project right here gives me new light. I'm beaming, glowing inside just at the thought of the project coming to fruition. So I can only attest to the things she say, that we can't get this project soon enough. Thank you.

CHAIRMAN HOOD: And just for the record, was you talking about the Marlin Sills that was in the hearing room. Okay.

Let's see, any questions up here?

Vice Chair Cohen.

VICE CHAIR COHEN: I just want to thank both of you for your very articulate, passionate support for this project, but I have a question because it was mentioned that there is a high unemployment rate in your area. So I presume that, again, you're bringing forward some of the people that you know that are needing either job training or --

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CHAIRPERSON

HENDERSON:

Absolutely. Yeah. It's actually in the PUD, our Community Benefits Agreement that our community residents are going to have some first rights to some of the job fairs and some of the employment that's going to be available. So we are going to get them back employed and it's going to come through this project.

VICE CHAIR COHEN: Good. And I

appreciate the fact that you have reached out to the residents of the shelter. And, based on your knowledge of these residents, will they be able to participate in the job training and readiness?

CHAIRPERSON

HENDERSON:

Absolutely, absolutely. We -- we look at the opportunities that are right here. We don't have to go looking around, you know, the region or other parts of the city. We have lots of unemployed people with needs right here. If we can address those concerns, it's a win-win on so many levels.

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First, we have an opportunity for people who live in this community to walk to work, to earn a living and to be whole again. And what do I mean by being whole, they don't have to indulge in negative opportunities to get resources. They don't have to consider taking their neighbor's flatscreen TV or doing other things or selling drugs. They can earn a decent living. They can continue to feel like the human beings, the dignified human beings that we all are, and they can participate in meaningful employment that not only helps their bottom line, it helps Douglas Development's bottom line and it helps the city's bottom line. This is a win-win on so many levels.

We look forward to the tax dollars that are generated and sent to the District's coffers by this project. We look forward to the employment opportunities, the housing opportunities here. This is -- it's just so exciting on so many levels. I guess I can

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barely contain myself, so thank you.

CHAIRMAN HOOD: Any other questions up here?

Okay. Does the applicant -- Commissioner May.

COMMISSIONER MAY: So, Commissioner Henderson, --

CHAIRPERSON HENDERSON: Yes.

COMMISSIONER MAY: -- I know you can't contain yourself, I think Mr. Millstein can't contain himself. So whose -- I mean what happens when you guys get together? I mean I'm just figuring, you know, there's this explosion of enthusiasm.

CHAIRPERSON HENDERSON: It is. You know, it's really refreshing. You know as an ANC Commissioner, particularly a five-term Commissioner, I'm used to fighting. People don't want to listen to citizens. And, you know, there are just a lot of barriers to being heard, so you become positioned for a fight.

And you know I have two brothers.

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I'm the oldest. And I'm ready to do battle. When you don't have to, when you come to the table with people that are like-minded, with a vision that is open, that includes you, that embraces you, that respects you, it's really exciting. And it's a happy time. So, no, there hasn't been any spontaneous combustion, but there is just goodwill. There is boundless goodwill. This project has really generated boundless goodwill within our Commission, within our neighborhoods, you know with the developer, with MPD, you know with our project partners, DDOT, DPW.

COMMISSIONER MAY: That's great.

CHAIRPERSON HENDERSON: DPW is not as --

COMMISSIONER MAY: Yeah.

CHAIRPERSON HENDERSON: -- not as enthusiastic as we want them to be.

COMMISSIONER MAY: Right.

CHAIRPERSON HENDERSON: But they're coming along.

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COMMISSIONER MAY: Okay. I'm sure you'll get them in the right place soon. So the -- I'm sure Mr. Millstein has been sharing with you some of the other experiences that he's had across the city, and I know that they negotiated a very strong agreement in Ward 3 having to do with their Babes Project. I don't know if of that's any particular assistance to you? No. Mr. Millstein is saying, no, it's not the same thing, it's a different set of stuff.

That was -- I know it was torture, but in the end it was a very beneficial agreement, I thought, to the community. So -- and I'm just citing that as an example, something where -- I mean that was the strongest community-benefits type of agreement that I think I had ever seen in the Zoning Commission. And so -- but I mean --

CHAIRPERSON HENDERSON: Good to know.

COMMISSIONER MAY: Yeah.

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CHAIRPERSON HENDERSON: This is not -- we don't see this as the final opportunity --

COMMISSIONER MAY: Right, no. I -- I get that sense. This is --

CHAIRPERSON HENDERSON: It's an evolving process, absolutely.

COMMISSIONER MAY: -- the beginning of a longterm relationship --

CHAIRPERSON HENDERSON: Oh, yes.

COMMISSIONER MAY: -- in reestablishment of the neighborhood. So it's very encouraging, and we don't often get to feel this good about a project.

(Laughter.)

CHAIRPERSON HENDERSON: Oh, thank you.

COMMISSIONER MAY: Thank you.

CHAIRMAN HOOD: Okay. Let me just ask: Is anyone here in opposition to this case?

And, Chairperson Henderson, you

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never called me a brother. You always said you're ready for a fight. And I appreciate your calling me, treating me like a brother.

CHAIRPERSON HENDERSON: You are a brother. You're our neighbor. You know, you're a stalwart of this community and our city. You've given a lot to this community. And it's a pleasure to be here before you to call you Chairman Hood and with your colleagues --

CHAIRMAN HOOD: Was that hard -- is that hard to do or --

CHAIRPERSON HENDERSON: Not at all.

CHAIRMAN HOOD: Oh, okay. I just asked. You know --

(Laughter.)

CHAIRPERSON HENDERSON: But I showed up at one of your confirmation hearings.

CHAIRMAN HOOD: Oh, yeah, you sure did. You sure did.

CHAIRPERSON HENDERSON: Oh, yeah.

CHAIRMAN HOOD: I was nervous too.

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Not officially. I'm just playing. No, we really appreciate you all coming down testifying. That means a lot, as you say, when the developers work with the community.

CHAIRPERSON HENDERSON: Oh, yeah.

CHAIRMAN HOOD: Oftentimes, as you know, --

CHAIRPERSON HENDERSON: Um-hum.

CHAIRMAN HOOD: -- for some time it does not happen. And we have to be the mediators. And we will do the job. But it makes it a much more pleasant hearing to be able to go home now and watch the game after I've had a great hearing. It means a lot.

CHAIRPERSON HENDERSON: That's how we feel. That's how we feel. We don't have to, you know, go home and talk to our neighbors who didn't come to the meetings and give them a blow-by-blow burdensome story. You know, we can share good feelings with them. And we recognize that and we embrace it and we certainly appreciate it.

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CHAIRMAN HOOD: Okay. So thank you all again for coming down. We appreciate it.

Okay. I've called for anyone -- oh, cross-examine. Do we have any cross?

Okay. All right. Thank you all. We appreciate your coming down.

CHAIRPERSON HENDERSON: Thank you.

MS. SWANSON-CANTY: Thank you.

CHAIRMAN HOOD: Let's see if -- no one else is here. Any rebuttal or closing?

I'm sure we don't have any rebuttal.

Any other persons in support?

Any other persons in opposition? I think I have called that once or twice. I'm not seeing anyone.

Okay. I'm sure we don't have any rebuttal, Mr. Glasgow.

MR. GLASGOW: We don't have any rebuttal. We have a request.

CHAIRMAN HOOD: Oh, you

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want -- yeah, you can go ahead and close.

(Laughter.)

MR. GLASGOW: No, no, I'll close with a request.

CHAIRMAN HOOD: Okay. Close with a request.

MR. GLASGOW: We understand that there are a few things that we need to supplement for the record. We would like to get a bench decision this evening. We will submit those for the record and then we can get everything in prior to final action if the Commission is so inclined to move this project forward.

CHAIRMAN HOOD: Okay. Thank you.

Commissioners, are there any other follow-up questions?

All right. Commissioners, thank you. We are going to close and we will see colleagues. What is your pleasure? You heard the are the Commissioner made.

COMMISSIONER MAY: I would like to

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go ahead and make a motion that we approve Zoning Commission Case Number 14-01, the consolidated approval of planned unit development and Zoning Map Amendment for the Hechts Company Warehouse Building at 1401 New York Avenue, Northeast.

CHAIRMAN HOOD: It's been moved.

VICE CHAIR COHEN: And I will second that.

CHAIRMAN HOOD: Moved and properly seconded. Any further discussion?

COMMISSIONER MAY: I would just make it --

COMMISSIONER MILLER: Third.

COMMISSIONER MAY: I would just -- you know, subject to the submission of whatever additional materials are needed for a final action.

CHAIRMAN HOOD: Moved and properly seconded and third. Any further discussion?

COMMISSIONER TURNBULL: Sure, a fourth.

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CHAIRMAN HOOD: Okay.

(Laughter.)

CHAIRMAN HOOD: I can't be the only one out. This is in my area: I'll fifth it. Okay.

Okay, any further discussion?

All those in favor? Aye.

[COMMISSIONERS]: Aye.

CHAIRMAN HOOD: Not hearing any opposition, Ms. Schellin will record the vote.

MS. SCHELLIN: Yes. Staff will close the vote at five to zero to zero to approve proposed action in Zoning Commission Case Number 14-01, Commissioner May moving, Commissioner Cohen seconding, Commissioners Hood, Turnbull, and Miller in support.

CHAIRMAN HOOD: Okay. Ms. Schellin, do we need to do anything?

MS. SCHELLIN: I have just a very short list of items. Commissioner Cohen asked that they provide a drawing of the unit showing where the glassblocks are going to be used, to

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give her an idea of what that will look like.

Commissioner May asked for a simple diagram of the roof showing the heights at different points, what's existing, what's going to be new.

Commissioner Miller asked that they provide a response to some questions that OP raised in their report.

Commissioner Cohen asked for information regarding the outreach with regard to the homeless.

And then I believe Ms. Henderson asked that she be allowed to provide her testimony from this evening.

Those are the only things that I have.

CHAIRMAN HOOD: Anything else, colleagues?

COMMISSIONER MILLER: It was just to clarify the record, the OP, it was the green roof square footage and the JAR.

MR. MILLSTEIN: And just for

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clarification, Commissioner Miller, technically the green area ratio doesn't apply to this project because of the historic nature of the building. When you look through those provisions, so it's something -- we can do a calculation if you'd like, but it's not technically subject to GAR.

COMMISSIONER MILLER: You can say all that in your submission.

MR. MILLSTEIN: Certainly.

CHAIRMAN HOOD: Okay.

MS. SCHELLIN: If I could just --

CHAIRMAN HOOD: Yes, come over the date.

MS. SCHELLIN: Let's see, today is the 12th. So if I stay late tonight and refer to NCPC, we could take this up July 14th, so I guess I can do that.

So if we could have those submissions, I mean it's a pretty short list, could you do that by the 30th?

And then if it ANC chooses to

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respond, they could do that by July 7th. Does the OPC needs to respond to that? Do you want to -- no?

CHAIRPERSON HENDERSON: No.

MS. SCHELLIN: Okay. So if the ANC chooses to make a response to those items that are submitted by the applicant, that would be due by three o'clock p.m. on July 7th, and then we could take this up July 14th, because I'm going to be nice and stay late tonight and make that referral to NCPC.

CHAIRMAN HOOD: Okay. Do we have anything else?

MS. SCHELLIN: That will be it?

CHAIRMAN HOOD: All right. Ms. Schellin, thank you for being nice. I'm sure the applicant appreciates it.

MS. SCHELLIN: Yeah. Sure.

CHAIRMAN HOOD: Okay.
Colleagues, anything else?

Okay, so with that I want to thank everyone for their participation tonight. I

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want to thank the applicant and the community on how you all work together. We greatly appreciate it. And with that, this hearing is adjourned.

(Hearing was adjourned at 9:20 o'clock p.m.)

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