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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning
Zoning Commission of the District of Columbia

PUBLIC HEARING OF THE ZONING COMMISSION

CASE NO. 14-15 (1244 South Capitol Residential, LLC -
Capital Gateway Overlay District Review at Square 700,
Lots 37, 38, 39, 45, 46, and 803 and alley being closed)

6:40 p.m. to 8:05 p.m.
Thursday, November 13, 2014

441 4th Street, N.W.
Jerrily R. Kress Memorial Room
Second Floor Hearing Room, Suite 220 South
Washington, D.C. 20001

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1 Commissioners:

2 ANTHONY HOOD, Chairman

3 MARCIE COHEN

4 PETER MAY

5 ROBERT MILLER

6 MICHAEL TURNBULL

7

8 Also Present:

9 SHARON SCHELLIN, Secretary

10 JENNIFER STEINGASSER, Office of Planning

11 MATT JESICK, Office of Planning

12 ANNA CHAMBERLAIN, District Department of Transportation

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

2 CHAIRMAN HOOD: We're ready to get started.

3 Good evening, ladies and gentlemen. This is a public
4 hearing of the Zoning Commission for the District of
5 Columbia. Today's date is November 13, 2014. We're
6 located in the Jerrily R. Kress Memorial Hearing Room.

7 My name is Anthony Hood. Joining me this
8 evening are Vice-Chair Cohen, Commissioner Miller,
9 Commissioner May, and Commissioner Turnbull. We are also
10 joined by the Office of Zoning staff, Ms. Sharon
11 Schellin; the Office of Planning staff, Ms. Steingasser,
12 Mr. Jesick; and from the District Department of
13 Transportation, Ms. Chamberlain. I thought I forgot your
14 name. I had to get a little help.

15 This proceeding is being recorded by a court
16 reporter and is also webcast live. Accordingly, we must
17 ask you to refrain from any disruptive noises or actions
18 in the hearing room, including display of any signs or
19 objects. Notice of today's hearing was published in the
20 D.C. Register, and copies of that announcement are
21 available to my left, on the wall near the door.

22 The hearing will be conducted in accordance
23 with the provisions of 11 DCMR 3022, as follows:
24 preliminary matters, Applicant's case, report of the
25 Office of Planning, report of other government agencies,

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1 report of the ANC, organizations and persons in support,
2 organizations and persons in opposition, rebuttal and
3 closing by the Applicant.

4 The following time constraints will be
5 maintained in this meeting. The Applicant will have up
6 to 60 minutes, but I see they can do it in 30,
7 organizations 5 minutes, individuals 3 minutes.

8 All persons appearing before the Commission are
9 to fill out two witness cards. These cards are located
10 to my left on the table near the door. The Staff will be
11 available throughout the hearing to discuss procedural
12 questions. Please turn off all beepers and cell phones
13 at this time, so as not to disrupt these proceedings.

14 Would all individuals wishing to testify,
15 please rise to take the oath. Ms. Schellin, would you
16 please administer the oath.

17 MS. SCHELLIN: Yes. Please raise your right
18 hand. Do you solemnly swear or affirm the testimony you
19 will give this evening will be the truth, the whole
20 truth, and nothing but the truth?

21 [Witnesses sworn en masse.]

22 MS. SCHELLIN: Thank you.

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

25 MS. SCHELLIN: Staff sees that the Affidavit of

1 Maintenance has been placed into the record, and there a
2 couple expert witnesses, and I believe there's just two
3 that have not been previously accepted, if the Commission
4 would consider those.

5 CHAIRMAN HOOD: Okay. Okay, Mr. Hughes. If
6 you can let us know who you proffered for an expert
7 tonight, and we'll go from there.

8 MR. HUGHES: Thank you, Mr. Chair. This
9 evening I would like to proffer as an expert Mr. David
10 Pontarini of Hariri Pontarini Architects in Toronto, two
11 gentlemen to my right, and Mr. Eric Colbert, who has been
12 before the Commission on a number of occasions, also as
13 architect. Mr. Dan VanPelt is our traffic expert, and
14 Mr. David Sider, our landscape architect, and their
15 resumes are all in the pre-hearing statement.

16 CHAIRMAN HOOD: Has Mr. Sider been accepted as
17 expert previously?

18 MR. HUGHES: Not in this jurisdiction, to my
19 knowledge.

20 CHAIRMAN HOOD: Okay. So we have two that we
21 have to deal with tonight, as stated. Colleagues, let's
22 take Mr. Sider. Is that his name? Okay. Let's take Mr.
23 Sider first. And you're proffering him as a landscape
24 architect?

25 MR. HUGHES: That's correct.

1 CHAIRMAN HOOD: Any comments? Objections?

2 VICE-CHAIR COHEN: No objections.

3 CHAIRMAN HOOD: No objections? Okay. And the
4 next one is - let me see.

5 MR. HUGHES: Mr. Pontarini is the only other
6 that hasn't been qualified.

7 CHAIRMAN HOOD: Yeah, I'm trying to remember
8 where his resume is, off the top of my head. It's
9 Exhibit 17-D.

10 MR. HUGHES: That's correct.

11 CHAIRMAN HOOD: Okay. Any objections?

12 VICE-CHAIR COHEN: No.

13 CHAIRMAN HOOD: Okay. I'm not seeing any.
14 Okay, Mr. Hughes. Anything else?

15 MR. HUGHES: No, sir. That's it with respect
16 to our witnesses.

17 CHAIRMAN HOOD: Okay. Ms. Schellin, if we can
18 make sure to remember that we proffered them as experts
19 for the first time so we won't have to do that again.
20 Okay. Thank you.

21 MS. SCHELLIN: We'll add them to our witness
22 list, expert list, rather.

23 CHAIRMAN HOOD: Okay, great. Okay. Mr.
24 Hughes, you may begin.

25 MR. HUGHES: Okay, very good. Thank you. Mr.

1 Chairman, Dennis Hughes, for the record, with Holland &
2 Knight, joined by Mr. Norman M. Glasgow, Jr., also of
3 Holland & Knight. To my immediate right is Mr. Brian
4 Moll of JBG Companies, representing the property owner,
5 and to his right is Mr. Pontarini, of Hariri Pontarini
6 Architects, designer for the project.

7 The purpose of our presentation tonight is to
8 share with you a very exciting, innovative building in
9 Square 700 on the southern half of Square 700, at the
10 northeast intersection of South Capitol Street and N
11 Street, immediately across from Nationals ballpark. You
12 have seen this - you've reviewed a commercial design for
13 this project last year. We are very excited to share
14 with you this residential design.

15 As Mr. Pontarini will describe in greater
16 detail in a few minutes, the Applicant proposes a 13-
17 story apartment building with ground and second-level
18 commercial uses, two levels of below-grade parking, and
19 parking, unloading, and access would occur from Van
20 Street. The property is zoned CREDIT REPORT with a
21 Capitol Gateway Overlay, and we believe it provides a
22 very contextual and appropriate response to this
23 intersection, furthering the Capitol Gateway's Overlay's
24 direction toward protecting the monumental nature of
25 South Capitol, while also responding to the active uses

1 along N Street, across from the ballpark.

2 Before proceeding further, I'd like to confirm
3 the Commission has received the Applicant's prehearing
4 statement, filed on October 24th, which sets forth the
5 Applicant's position with respect to the appropriateness
6 of this building, in compliance with the various
7 provisions of the CG Overlay.

8 As noted in the statement, the Applicant
9 requests an additional density of up to 1 FAR, through
10 combined lot development. A CLD covenant is already in
11 place on the property that contemplated a greater density
12 and commercial use that you saw the last go-around, last
13 year. Rather than make it residential use, currently
14 proposed, this covenant may need to be amended or
15 replaced, and thus the Applicant requests the
16 Commission's continuing approval of this additional
17 density again, through CLD.

18 We're pleased to note that the project is
19 supported by the Office of Planning. We've met and
20 discussed the application with Mr. Jesick on a number of
21 occasions since the application was initially filed. I
22 want to thank him and OP for their comprehensive report
23 and support for the project. In the report, OP raised a
24 question regarding a court being provided along the north
25 lot line wall, and, as a result of that dialog, the

1 Applicants revisited its design and the architectural
2 treatment along the wall, as identified in the drawings
3 that were submitted to you yesterday -- I hope you've
4 received those, as well - thereby eliminating the court
5 along that elevation. As a result, we request the
6 Commission's consent to withdraw the court variance
7 component of the application.

8 We're pleased to note that DDOT does not object
9 to the application, including the Applicant's request for
10 relief from the requirement to provide a 55-foot loading
11 berth, given the very narrow width of Van Street. As
12 will be discussed further, in testimony, the Applicant
13 agrees to the conditions and requests included in the
14 DDOT report regarding loading management and TDM
15 measures.

16 Finally, we are pleased to note the unanimous
17 support for the application from ANC-6D. We made formal
18 presentations to that ANC in September and October, where
19 the Commission voted unanimously to support the project,
20 including the requested loading variance, and we ask that
21 the Zoning Commission grant the ANC's input the great
22 weight to which it's entitled.

23 With that as background, I would like to turn
24 the mic over to Mr. Brian Moll, and if you'd proceed with
25 your testimony.

1 MR. MOLL: Good evening, Commissioners. For
2 the record, my name is Bryan Moll. I'm a vice president
3 with the JBG Companies, the owner and developer of 1244
4 South Capitol Street, SE. JBG is and has been a prolific
5 developer, owner, and manager of real estate in the
6 District and Columbia and surrounding communities for 52
7 years. We have developed, owned, or managed over 30
8 million square feet of office space, 5.5 million square
9 feet of retail space, 15,000 residential units, and 5,500
10 hotel rooms. JBG is currently responsible for over 1
11 million square feet of retail space, 6.2 million square
12 feet of office space, 9,600 residential units, and 775
13 hotel rooms throughout the metropolitan area.

14 JBG's most recent multifamily, residential, and
15 retail mixed-use developments in the District of Columbia
16 include The District at 14th and S Street; The Louis at
17 14th and U Street; 77 H Street, N.W.; the Shay and the
18 Hatton at 8th and Florida Avenue; and the Atlantic
19 Plumbing Buildings, which are under construction at 8th
20 and V, next to the 9:30 Club. These successful projects
21 demonstrate not only our experience designing and
22 developing great places, but also our ability to attract
23 renowned national and international designers, in
24 addition to the types of local, regional, and placemaking
25 retail that make neighborhood environments desirable and

1 sustainable.

2 We are excited to be in front of you this
3 evening to discuss the project at 1244 South Capitol
4 Street, S.E. In addition to the project's ideal location
5 at the intersection of South Capitol Street and N Street,
6 S.E., its proximity to Nationals ballpark and the Center
7 Field Gate on Half and N Streets. It provides the
8 opportunity and framework to create will be a retail
9 destination for neighborhood residents, ballpark
10 visitors, and regional and national tourists alike. We
11 have taken great care to design a retail base that will
12 provide maximum flexibility for placemaking retail,
13 including two levels of retail along N Street, S.E., and
14 more local and service-oriented retailers along Van
15 Street and South Capitol Street.

16 We believe 1244 South Capitol Street will be
17 the first development in the Capitol Gateway Overlay to
18 take advantage of South Capitol Street's forthcoming
19 grand boulevard, gracious sidewalks, and views of the
20 Capitol Dome.

21 The building itself is a wonderful testament to
22 the teamwork exhibited throughout our design process,
23 with the renowned Toronto-based architecture firm, Hariri
24 Pontarini and David Pontarini as the lead designer,
25 creating a building that speaks to the surrounding

1 neighborhood but also breaks the mold with his innovative
2 and creative spaces and use of materials.

3 We have also had the pleasure to work New York-
4 based Future Green landscape designers, who have been
5 very creative with their use of landscape adjacent to,
6 and, in many cases, including the residential canopy, on
7 the building. D.C.-based Eric Colbert and Associates is
8 the architect-of-record, and has been instrumental
9 bringing these groups together and providing the local
10 expertise to executive the project. We are very excited
11 for what we believe will be a beautiful and successful
12 building.

13 Thank you very much.

14 MR. HUGHES: Thank you, Mr. Moll. Mr.
15 Pontarini, would you begin?

16 MR. PONTARINI: Good evening, Commissioners.
17 My name is David Pontarini. As has been indicated, I'm
18 from Toronto. I do a lot of work across Canada, and we
19 are doing some projects in the U.S., including work in
20 Dallas. I'm excited to be here tonight and walk you
21 through the project. I was going to give you a bit of an
22 overview, to talk about the exterior and the material
23 palette and walk you through it, show you some plans and
24 renderings, and feel free to jump in if you have any
25 questions as I go through it.

1 Essentially, the first image that we're
2 starting with is the building in context, and I'm hoping
3 -- can you see it on screens? The image shows the
4 building in context, and, really, in a nutshell, the way
5 I would describe it is it's a building that, at grade,
6 really relates and defines and ties into the context, by
7 really strengthening and animating the streets, the three
8 streets that it's defined by. As the building goes up
9 past the podium level and transitions to the top, it
10 steps back in a very kind of generous and, I think,
11 respectful way, and then there is a courtyard that is
12 carved out of the top, that I'll describe in a bit more
13 detail.

14 But, really, it's about creating strong retail
15 along South Capitol. At the north end of the building,
16 you can see that the retail, nonresidential is about one
17 floor high, but then as it comes to the corner of N
18 Street and South Capitol, it steps up to be two stories
19 high. Above that is a very strong, punched masonry brick
20 base, that I will talk about and describe in a bit more
21 detail, and that brick base transitions into an open-like
22 trellis form, as it starts to cut into the center
23 courtyard around the C shape, that I'll describe. And
24 then, as I said, once the building gets to the top, it's
25 heavily articulated on all four side, and I'll walk you

1 through and I'll describe that for you, as well.

2 Starting at the ground floor, the building as
3 nonresidential retail along N Street, Van Street, and
4 extending out to South Capitol, and the retail,
5 nonresidential space actually extends all the way from N
6 Street to the north end of South Capitol, and, really,
7 the intent there is to activate that base.

8 On Van Street, the retail extends up about
9 halfway, and then we have our loading dock at the north
10 end, and our residential lobby adjacent to the loading
11 dock, and then we have the parking access ramp, as well.
12 All of the back-of-house spaces have been pushed to the
13 north end of the site, so that they really free up the
14 balance of the site, to really provide placemaking retail
15 and animated storefronts that I will walk you around.

16 I think the other thing that's significant to
17 say here is that we are stepping back 15 feet from South
18 Capitol for the south half of the South Capitol façade,
19 and then the north half of the South Capitol façade steps
20 back another 5 feet, so it's a total of 20 feet back from
21 the property line, to create a really wide boulevard for
22 the landscaping that's been shown, the double row of
23 trees, the bioswales and, in addition, café seating that
24 will spill out, and that café seating is intended to wrap
25 all the way around N Street and actually help activate

1 Van Street, as well.

2 The retail offering on this level is 16,000
3 square feet in the large piece, at the corner, and then
4 about 2,700 square feet of nonresidential retail facing
5 South Capitol, and, of course, that's going to be
6 subdivided a number of ways that we can walk through, as
7 the scheme develops.

8 On the second floor, we kind of see that,
9 again, we're defining all of the street walls of the
10 building here. We've pulled the building right to the
11 property line along Van Street and along N Street, and we
12 still have the setback, as we mentioned, along South
13 Capitol. And you can see that the south end of this
14 floorplate is also nonresidential, so that retail that
15 started at ground floor actually jumps in scale and goes
16 up to a two-story high retail along this side.

17 The other thing that you can see in this plan
18 is that the residential floorplate has a courtyard that's
19 carved out of the center of it, really to drive light
20 into that floorplate, and just given the kind of square
21 proportions of the site, it's an essential thing to make
22 this workable residential floorplates. And then we have
23 a whole series of units that define the South Capitol
24 façade and also the Van Street façade.

25 The other thing that you can see -- it's a bit

1 hard to read, but -- each one of the bay windows within
2 the residential units has got a bit of an angle to it,
3 and I'll describe that in a bit more detail for you as we
4 get into the renderings. But it's all in an attempt to
5 kind of create a really deep façade that has a lot of
6 articulation, because when we're doing residential, it's
7 really the first 5 feet of the building face that allows
8 you kind of create the architecture, and that's what
9 we've really been able to do here, and we'll show you how
10 we've done that in a number of ways around the building.

11 And then, the other thing that might be worth
12 point out here is that, at the corner of Van Street and N
13 Street, we do pull the building back. We kind of have,
14 the corner retail there is slightly recessed from the
15 property line. That's to give a bit more breathing room
16 at the intersection, but also to create a bit of a unique
17 entrance for that retail as it develops.

18 As you go up now, this is the penthouse floor,
19 but we thought this would be a good floor to kind of show
20 you how we changed from this kind of rectangular form
21 that you see on the lower floors to more of a C-shaped
22 floor plan for the residential buildings, as we get up.
23 This is a top-down view of the roof. We're not looking
24 at residential units, but we are looking here at the
25 mechanical penthouse, which is the L shape within that

1 floorplate. We're also seeing the L shape sitting
2 against a C shape, and the C shape is where the landscape
3 terraces and the amenities and recreational spaces for
4 the residential building are provided on that roof.

5 And then the L-shaped floorplate here is set
6 back, significantly set back, but it is heavily
7 articulated. It has a whole series of industrial sash
8 windows and kind of an industrial expression, which ties
9 it to the neighborhood. It's not your traditional
10 mechanical penthouse, where you've got metal siding.
11 We've actually gone to a lot of trouble to have glazing
12 and brick up here. And above this, you'll see in the
13 landscape plan, is the green roof.

14 The other thing that's important to note here
15 is that along South Capitol, the building has been pulled
16 back, as I indicated, the 15 feet, and then, once it gets
17 up to the 11th floor, it steps back to the 12th floor,
18 and then it steps back again at the 13th floor, and then
19 we've carved out the whole center of that courtyard and
20 brought it right up to the center of the plan, to create
21 a really heavily articulated floorplate, and to drive
22 light into the middle of the site, because it is a kind
23 of a square, or orthogonal site, that really needs to be
24 carved up in the way we've done it.

25 We've had a lot of fun working with Future

1 Green on the landscaping, and this is the roof plan that
2 shows the landscaping. I've indicated the green roof
3 that's sitting above the mechanical penthouse, and then
4 once you get below the green roof, you get the kind of
5 terraced amenity spaces, with the outdoor water feature
6 and places for tables and chairs and lounges, and all of
7 those things are surrounded by low shrubs and bushes that
8 are represented here in the renderings.

9 And then, that landscape treatment continues
10 all the way down into the central courtyard that I
11 described, and it also extends to the courtyard that has
12 been carved into the South Capitol façade, to create that
13 C shape. And then, interesting enough, that landscaping
14 is also brought right down to grade, with the double row
15 of trees along South Capitol and the landscaping along N
16 Street and Van Street, as well.

17 The next series of drawings are really the
18 elevations that talk a bit about the idea of the ground
19 plane being heavily landscaped ground plane that has a
20 lot of retail activity and glazing at the base, and you
21 can see this in the rendering. The first and the second
22 floor have the retail, as I indicated, close to N Street
23 and South Capitol, and then you can see the retail along
24 South Capitol here. This is the west building elevation.

25 And then you see a very kind of ordered but

1 heavily articulated masonry grid that refers a bit to the
2 kind of warehouse character of the district, but also
3 kind of classic Washington buildings, with beautifully
4 proportioned openings and the deep recessed windows,
5 where the brick returns. Once we get up to the top of
6 the building, what we tried to do is really step it back
7 and use the idea of a wedding cake, but do it in a very
8 asymmetrical fashion, and then we carved out the center
9 of the courtyard that I've described. I think one of the
10 things that this helps us do is drive light into the
11 center of the scheme, and it also helps us articulate the
12 South Capitol façade, so that it has almost two bookends
13 that extend up to the 11th floor, and then it drops down
14 again in the middle for the courtyard, and then steps
15 back towards the top.

16 And you can see, on the top of this elevation,
17 the mechanical penthouse and the rec spaces on top again
18 have brick cladding and industrial glaze sash windows, as
19 opposed to your typical metal siding, all in an effort to
20 kind of create a building that fits well into its
21 context, with a lot of landscape treatment along the base
22 and along the top, as well.

23 This is the south building elevation, and what
24 this is showing is many of the principles I've talked
25 about on South Capitol, but what we've also done here is

1 there's an opportunity, on N Street, to create a
2 projecting bay expression, and instead of doing that as a
3 whole series of separate bays, we've clustered them
4 together, and when I show you the prospective, it'll
5 maybe give you a better sense of how we're using these
6 projecting bays to provide some relief in this façade.
7 When you get to the top of the building, you can see that
8 it's very light and it is, again, stepping and terracing
9 back.

10 The east building elevation does some of the
11 things that I've talked about on South Capitol, in the
12 sense that it has the kind of two bookends of masonry
13 that go up to the 11th floor and then start to step back,
14 and then we have carved out, again, the center of the
15 floorplate here and brought the glazing, the light
16 glazing with the white aluminum trim down. We're just
17 trying to modulate the scale of the building, to kind of
18 create the effect of a series of smaller buildings,
19 creating an overall mass and expression.

20 Along the bottom, along the street, you can see
21 the retail glazing at the corner, and then, on the right-
22 hand side, at the grade level, you can see the two
23 overhead doors with the residential lobby in between
24 those doors. And we purposefully put the lobby between
25 the two doors because we really wanted to break the scale

1 of the overhead doors down. We did not want to have one,
2 long, continuous run of overhead doors. We felt it would
3 be much nicer to create the loading dock doors, which are
4 glazed, and then have the residential lobby, and then
5 have the parking ramp access doors as separate doors. It
6 really helps. As a pedestrian is walking along, it just,
7 I think, creates a better sense of scale and it creates a
8 better sense of animation along the street, and it was an
9 important thing that we tried to achieve here.

10 You can see here, as well, that there is retail
11 along the Van Street elevation, as well, and we've just
12 indicated here that there's an opportunity for two retail
13 signs, and then, at the corner, the retail steps up.

14 One of the things that you can see here, as
15 well, is that we're starting to introduce, in addition to
16 the kind of black, or the ironspot brick and the light
17 glazing, we started to introduce Corten accent strip,
18 that I'll talk a bit about more in the renderings, but
19 you can see it here, defining the entrance to the
20 residential area, creating a kind of a trim piece around
21 the projecting bays. Again, it's an effort to kind of
22 break down the scale of the material palette and
23 introduce some interesting materials, as well.

24 This is the north building elevation, facing
25 the adjacent property. The center bank of three windows

1 that goes up 12 stories is the recessed windows that face
2 the north end of the site, and they are within a recess
3 bay that we can talk a bit more about. And then the
4 other windows are windows that are in units that have
5 been minimized because they are at risk. And then, when
6 you get to the top of the building, there is, again, the
7 lighter expression of the top two floors, the 12th and
8 13th floor, and then you get the mechanical penthouse up
9 above.

10 So now we're starting to get into the
11 renderings where we've taken those two-dimensional
12 aspects of the project and just tried to create these
13 three-dimensional renderings, and this is the rendering
14 that you will find, also, on the material sample board,
15 and it's at the northwest view, so it's at the corner of
16 Van Street and N Street.

17 Here you can see that projecting bays that I
18 talked about, that kind of are the two forms on that
19 upper elevation that pop out of the expression of the
20 punched windows. You can also here the kind of angled
21 windows inside the typical brick bay that's recessed for
22 each one of the residential units. What the angle does
23 is it creates the shadow lines that help give the façade
24 a lot of depth and add the kind of articulation that, I
25 think, really helps animate the face. And then this is

1 also showing the change of material palette from the
2 retail curtain wall at the base, the ironspot brick, the
3 light aluminum and white trim on the upper portion, and
4 the glazing on the upper portion of the building, as
5 well. So the building is quite grounded with the podium
6 brick expression, but it sits very lightly at grade, and
7 then recedes and pulls back towards the top.

8 This is the view from the Center Field Gate.
9 It has the neighboring buildings ghosted in, but it just
10 gives you a sense of when you come out of the Center
11 Field Gate, you will actually get a very good view
12 towards the south elevation of the building. And then
13 this is a rendering of the north street view at the
14 corner of South Capitol and N Street, and you can see the
15 Capitol building down on the lower left-hand side, as you
16 view up the street.

17 And, again, this is showing the idea of the two
18 stories of retail at the base. It's a very strong break
19 in reveal condition between the retail and then the brick
20 base, and then the strong corner openings in those corner
21 units, where the glazing is set back in, and then the
22 typical bay that creates the kind of very calm façade,
23 that then, as you see to the top of the drawing, at the
24 left-hand side there, alongside of Capitol, is really
25 terraced back. It really steps back.

1 So you really, on South Capitol, are looking at
2 a building that's 11 stories, broken into these two
3 banks, and then they terrace back with the courtyard in
4 the middle.

5 This is the rendering of the residential
6 entrance as it's positioned between the loading dock and
7 the garage ramp entrance, with the Corten announcing the
8 residential quality of the building. And then the Corten
9 canopy over the entrance, with the landscaping up above,
10 leading you into the two-story-high lobby, that takes you
11 into the residential component of the building. Down the
12 street you can see the retail animation that's coming up
13 from N Street along Van Street, to really make sure that
14 we have a very well-activated base to the building.

15 And then this is the overall top-down view,
16 that really shows kind of the solid brick podium
17 building, with the ironspot brick and the very light,
18 transparent top, and the heavy articulation that we've
19 been able to achieve on the upper portion of the
20 building, as it terraces back to the rec spaces and the
21 penthouse space on the roof, as well.

22 And then this takes us back to our initial
23 rendering. It places all of that into context again.

24 MR. HUGHES: Thank you, Mr. Pontarini. With
25 our last few minutes, if I could bring Mr. VanPelt

1 forward to review his firm's study, and especially
2 discuss the loading variance and our discussions with
3 DDOT. Thank you.

4 MR. VANPELT: Good evening, Commissioners. For
5 the record, my name is Dan VanPelt. I'm principal at
6 Gorove/Slade Associates. I am just going to very quickly
7 kind of run through our efforts and focus on the items
8 that are in the DDOT's staff report.

9 We started our work by engaging DDOT earlier
10 this year, to talk about the scope of the transportation
11 study. We also talked with them about site design
12 elements, like the parking, the loading accommodations,
13 and public space items like vaults. Our report was
14 submitted to DDOT, and it concluded that this project
15 will not have a negative impact on the transportation
16 network. Actually, I was before you last year and talked
17 about the transportation study for the office building
18 that was proposed for this site. This site, the
19 residential use will generate significantly fewer trips
20 than that office use would have.

21 We've interacted with DDOT since their staff
22 report was published, and we're pleased that DDOT concurs
23 with our findings and our proposed loading management
24 plan. DDOT does have several conditions that they've
25 requested, in addition, and the applicant agrees to all

1 of them. And just to list those, they are to provide
2 interim sidewalk on the west side of Van Street, north of
3 the site, to make a missing pedestrian connection up to N
4 Street; provide a transportation information screen in
5 the residential lobby that will display real-time
6 transportation information; install 11 short-term bicycle
7 racks in public space; provide at least one 240-volt EV
8 electric vehicle charging station; and then continue to
9 work with DDOT during the public space proving process,
10 to further detail curbside management.

11 So, I think that's an overall summary. I'd be
12 happy to answer any of your questions that you may have.

13 Oh, okay. The loading variance. I think one
14 of the things that we did study, looking at trying to
15 accommodate a 55-foot truck in the building, and the
16 width of Van Street puts us in a practical -- there's a
17 situation where we have a real practical difficulty in
18 trying to get a 55-foot truck to maneuver into a loading
19 berth off of a 25-foot-wide street, which really isn't
20 much wider than most of our district alleys. So, I think
21 looking at that, and also looking at the fact that most
22 residential projects are using 30-foot trucks -- it's
23 largely what we're seeing -- it seems that that could be
24 accommodated within the geometry of Van Street, and it
25 seems that that's the appropriate scenario.

1 MR. HUGHES: Thank you. Commissioners, that
2 concludes our presentation and we're certainly available
3 to answer any questions. Thank you.

4 CHAIRMAN HOOD: Okay. Thank you all for your
5 presentation. Commissioners, any questions?
6 Commissioner May.

7 COMMISSIONER MAY: Okay. So the first thing
8 you can clarify for me is the LEED certification. Your
9 paperwork said, probably scoring in LEED certified range,
10 and then we have a supplement that says silver, but then
11 we have the ANC report which congratulates you on going
12 gold. So, I don't know what happened there. Tell me.

13 MR. MOLL: Regarding the first submission for
14 certified, we feel confident that we'll be able to --
15 we've worked with our sustainability expert and the rest
16 of our consultants, and we do feel like we could get to a
17 silver certified level of LEED. We're not exactly
18 certain where the ANC thought we were proposing gold.
19 That was probably the one part of their letter that we
20 weren't sure where that came from.

21 May; Okay. Well, just so you know, for us,
22 I'm sure your attorneys will probably tell you this, but
23 silver is kind of baseline now, and so we'd expect that.
24 If you're really going to come in the room with something
25 that was certified, I think you would have gotten a

1 really hard time from us. And then, so, you know, I was
2 encouraged when I saw gold because I thought, oh, maybe
3 the ANC had worked you over and gotten you up to gold,
4 and maybe they will, or maybe my fellow commissioners
5 will, so we'll see.

6 So, the court variance, basically, the way you
7 avoid that is putting a trellis over the court, which the
8 Office of Planning explained why it's not a good thing,
9 not just that it's not permitted by why it's not a good
10 thing. And your solution is to put a trellis over it,
11 which does not address the problem. I mean, it addresses
12 the zoning problem, maybe, but it doesn't address the
13 real problem, which is you have units, especially ones on
14 lower floors, that are looking out on a 10-foot wide
15 court, and we tend not to build things like that anymore.
16 That kind of went out, I don't know, 50 years ago.

17 So tell me why you think that's a good idea.

18 MR. MOLL: So, a couple of things. I'll
19 address one that is these units, on both, in the court
20 and the units that abut them, that have at-risk windows.
21 We envision that those units would, if there was ever a
22 building that was built to the north of us, which,
23 eventually there probably will be, that we'd be able to
24 modify those units and combine them. So that's sort of,
25 if and when a building gets build there, that's what we

1 would like to do. The units that are in the courtyard
2 are relatively small, and so when we combine them to the
3 units that are next to them, they become two-bedroom plus
4 a den, or a three-bedroom unit, so they don't get to be
5 prohibitively large.

6 COMMISSIONER MAY: Why aren't you just doing
7 that now? Why aren't you just making the units so that
8 they all have some good outside light, and then we could
9 look at that court and say, "Well, yeah, it's only the
10 window on the den."

11 MR. MOLL: Right now, we, the -- right now we
12 think the units lay out really well as they are. It's
13 something that we would be, you know, we would be okay
14 putting capital in, into the future, to modify them.
15 Right now we like the units as they lay out, and so long
16 as there's not a building to the north of us, there's a
17 lot of light that comes in.

18 COMMISSIONER MAY: So -- I mean, this is one of
19 those circumstances where it seems pretty likely to me
20 that there's going to be a building there pretty soon. I
21 mean, I don't know what's actually happening with that
22 lot, but, you know, just about every lot there, in that
23 neighborhood, is changing, and changing very quickly. So
24 it's not like, you know, you'd expect it to be there for
25 another 20 years. I mean, I'd say, I'd be surprised if

1 we don't see something built there in 10 years.

2 MR. MOLL: It very possibly could be 10 years.
3 We've had conversations with the owner of the lot. They
4 have no intention of selling any time soon. You know --

5 COMMISSIONER MAY: Public store is really
6 lucrative, or something?

7 MR. MOLL: Apparently. You know --

8 COMMISSIONER MAY: Okay.

9 MR. MOLL: -- we'd be very interested in buying
10 the site if they were interested. But, at some point, it
11 probably will be developed. We're not saying that it
12 won't be.

13 COMMISSIONER MAY: Okay.

14 MR. MOLL: We want markets, or we want units
15 that lease, and we don't want to lease units that don't
16 have any light, or that look into tiny courtyards, so we
17 would certainly look at combining the units.

18 COMMISSIONER MAY: All right. Well, I mean, it
19 seems to me that the sensible thing to do would be to
20 combine the units now, since you have a number of larger
21 units. It's not like you're working a building that's
22 maxing out at one-bedroom units. You've got two- and
23 two-plus-bedroom units. It seems to me that you could
24 rearrange them and make that situation less problematic.

25 So, I have a couple of comments on things. The

1 residential entry between the garage doors just seems to
2 be weird. Now, maybe you're perfectly comfortable with
3 that, but, I don't know, the garage door tends to stay
4 open on a parking garage. I mean, maybe it doesn't for a
5 residential building like that. I don't know. And I
6 know that the loading dock isn't going to be used that
7 frequently, but it will be used regularly, because you've
8 got retail there. So it just seems weird. I'm not
9 saying that it's something that needs to change. Just,
10 it's an unusual circumstance that we see, you know, two
11 garage doors and then the residential entrance in between
12 them.

13 MR. MOLL: I can address a couple of things,
14 and then, if you guys want to jump in. When we studied
15 the planning of the ground floor, we looked at a lot of
16 different options, and ultimately we settled on this,
17 both for the architecture, which David can speak to a
18 little bit, but also for the -- the reason, I think David
19 might have mentioned this, that the pedestrian typically
20 is walking to the north to get to the Metro, and so the
21 experience to the pedestrian has if the lobby is located
22 south of all of that, is by two doors with no retail
23 activation, and, at that point, is 45 or 50 feet, and
24 then past the self-storage building, for a while, anyway.
25 So it's not a pleasant experience, where we minimize that

1 when we put the parking garage to the south. The parking
2 garage, itself, is not meant to be a public garage.
3 There is residential and retail parking there, but it's
4 not meant to be public.

5 COMMISSIONER MAY: So the garage will stay in
6 the -- the door will be down, most of the time?

7 MR. MOLL: That's right. We have a motion
8 sensor on it, so it's only activated. You know, an
9 example that we like to use for urban areas where garages
10 are is on P Street, in between 14th and 15th, the garage
11 that goes into the The Hudson and The DeSoto. Those are
12 pretty large apartment buildings with ground-floor
13 retail. That garage is very rarely open. You have a
14 little bit of traffic that goes in and out in the
15 mornings and in the evenings, but at peak times, when
16 people are going to cafes and restaurants, you don't have
17 a lot of conflict there.

18 COMMISSIONER MAY: Okay.

19 MR. COLBERT: I actually had two more points to
20 make about this. This is Eric Colbert. If you look at
21 Sheet Number A305, you'll see where the position of the
22 elevators are located in the building, and one of the
23 most difficult things in designing apartment buildings is
24 when you have a -- when the building turns a corner, you
25 tend to end up with this not very usable space in the

1 interior part of the corner. And, so, that's the idea
2 location for elevator cores.

3 So, if we had put the loading dock up against
4 the parking garage entrance, it would have moved the
5 elevator core south, so not only would it put it in a
6 much more ideal place for units to get light and air,
7 but, also, it would have created a problem with the
8 zoning setback facing South Capitol Street, of the 1-to-1
9 required ratio on that façade.

10 MR. MOLL: There's also one more point that we
11 looked at. So, another issue is that this provides a
12 pretty gracious refuge for pedestrians, if they were
13 walking by. If they weren't going to the lobby and they
14 were walking north- or southbound on Van Street, there's
15 a large sort of area of refuge in between the loading
16 area and the parking area that's dedicated to the lobby.
17 If we had to move it, and if we were required to add
18 another area of refuge, that would shrink the amount of
19 retail that goes up Van Street, which we've made an
20 attempt to do, to sort of activate the street.

21 And, so -- and one more thing about the
22 sidewalk --

23 COMMISSIONER MAY: I really was just trying to
24 make one little comment about how it was weird. That's
25 not the big issue. I'm still getting to the big issues.

1 I didn't mean to cut you off, but, really, there are
2 another things that I want to talk about.

3 MR. MOLL: Fair enough.

4 COMMISSIONER MAY: The other thing I mentioned
5 is DDOT mentioned some conditions in their report. Are
6 those conditions that you've agreed to?

7 MR. MOLL: Yes.

8 COMMISSIONER MAY: Okay. So, let's talk a
9 little bit about the penthouse. First of all, if I
10 understand the, if what I see in the drawing is correct,
11 the platform in which you have your pool, there's no
12 guardrail protecting you from falling off that, right?

13 MR. MOLL: On the pool?

14 COMMISSIONER MAY: At the pool level. The pool
15 level is 4 feet above 130 feet, right? So there's no
16 guardrail there?

17 MR. MOLL: There will be a guardrail.

18 COMMISSIONER MAY: There will be a guardrail.

19 MR. MOLL: Yes.

20 COMMISSIONER MAY: So you've got 130 feet, plus
21 4 feet, plus a handrail.

22 MR. MOLL: The handrail is set back 1-to-1 and
23 it's at the 130-foot line.

24 COMMISSIONER MAY: I mean, there's a guardrail
25 that's out toward the edge of the building. Yes, I see

1 that. I'm wondering if there's a guardrail that keeps
2 you from falling off the 4-foot platform that is the pool
3 deck.

4 MR. MOLL: So the pool is meant to do an
5 infinity-edge pool.

6 COMMISSIONER MAY: Right, and it's the deck
7 that surrounds it, as well.

8 MR. MOLL: That's correct, on the north and the
9 east side.

10 COMMISSIONER MAY: Right. And I see where, on
11 the south and the east side, there are steps, so I
12 understand why you wouldn't need a guardrail there. And
13 then, but, to the north of the pool and along that same,
14 on the northwest side there, I mean, there's no guardrail
15 that's going to be needed there?

16 MR. MOLL: That epoxy wood flooring will be
17 flush with the top of the pool.

18 COMMISSIONER MAY: I understand it's flush with
19 the top of the pool, but it's not flush with the top of
20 the roof, right? You've got a 4-foot high platform that
21 your pool is set into, and part of it -- I know you've
22 got an infinity pool so you don't need to have a handrail
23 to keep people from falling off the edge of the infinity
24 pool. I got that. It's the other parts of that deck,
25 where there might need to be a guardrail for safety

1 reasons -- and I'm not sure that that's allowed, is what
2 I'm getting at. I mean, 130 feet plus 4-foot structures
3 are okay, so guardrails and things like that, but 130
4 plus 4 plus a guardrail doesn't really work.

5 I don't know how this is done in other
6 buildings. I know I've seen 130-foot tall buildings with
7 pools on top. Maybe I just never noticed it.

8 MR. MOLL: I think that's a really good point.
9 You know, an idea is that we could add steps into those
10 areas, too, so there wouldn't need to be a rail.

11 COMMISSIONER MAY: Right, and you may need to
12 do that. I want to make sure that you're not showing us
13 something that has 130 feet plus 4-foot platform plus a
14 guardrail.

15 MR. MOLL: Understood.

16 COMMISSIONER MAY: All right. So, the
17 penthouse level amenity space. I know we've seen
18 interior amenity space that is accessory to the outdoor
19 amenity, but the way, I think, the regulation reads, it
20 says when not in conflict with the Height of Buildings
21 Act. So we're reading that, basically, on the basis of
22 the new Height of Buildings Act, but we don't have a
23 zoning regulation that says that you can do this yet. I
24 mean, maybe it is. Maybe it is okay.

25 MR. HUGHES: 411.1 says that it's okay if it's

1 conformance with the Height Act, and it is in conformance
2 with the Height Act, so we're unaware of an issue.

3 COMMISSIONER MAY: Okay. I have to think that
4 through a little bit, because I think we're trying -- I
5 mean, this is exactly the sort of use that we had in mind
6 in changing the Height Act in the first place, and,
7 actually, I'm very pleased that what you've done is a
8 very understated penthouse and not some really elaborate
9 kind of thing. It looks very fine and very refined, and
10 I think works well with the architecture of the building,
11 which, overall, and the architecture of the building is
12 very fine. But we're in this weird state at the moment,
13 where we don't have the penthouse regulations yet.

14 MR. GLASGOW: Commissioner May, Norman Glasgow
15 with Holland & Knight. When we looked at the regulations
16 and how they are drafted today, once the change was made
17 to the Height Act, then I had advised that I believe that
18 they could do this, and come to this Commission and have
19 this approved, in this forum, consistent with the
20 regulations as they sit now.

21 COMMISSIONER MAY: Okay. All right. So then
22 we'd need a calculation that demonstrates that this is
23 accessory, under the current regs, because that's one of
24 things we were trying to define in the new regs, and the
25 current definition is, I think, we've been going by a 20-

1 percent standard, or something like that?

2 MR. GLASGOW: We've done 20 percent, but I
3 think that there has been accessory up to 25 percent.

4 COMMISSIONER MAY: So we just need to, I think,
5 a calculation that shows that the interior amenity space
6 is, could be considered, quote, accessory to the exterior
7 space.

8 All right. Then the last thing is the setback
9 on the penthouse, on the court facing South Capitol, and
10 that is really, really problematic, because it is on the
11 front face of the building, and it's -- granted, the
12 court is facing the front of the building. And I think
13 it should be set back and I don't understand why it
14 cannot. It's a cooling tower. It's not an elevator
15 tower that has to be right at that corner.

16 So, why can't you move your stuff around? I
17 mean, this is one of the things that I'm most concerned
18 about in writing the penthouse regulations now, is that
19 we guard those setbacks, because they are vitally
20 important, and that it should not be, you know, you
21 decide you want to have a certain amount of amenity space
22 and then, therefore, you're forced to seek relief in
23 order to get the mechanical penthouse. The mechanical
24 penthouse comes first, and then the amenity space is
25 whatever else you can get. So explain to me why this is

1 really, truly necessary, because I have a hard time
2 believing it is.

3 MR. COLBERT: I think the best way I could
4 answer that is to say that we looked at a number of
5 configurations that it could have created more gross
6 square footage of the building, but given the
7 configuration, and, I think, the elegant way that David
8 has designed the building, with the big opening of the
9 court facing South Capitol Street, it kind of limits the
10 amount of area with the 1-to-1 setback that we can have
11 in the penthouse, so that if we didn't have that
12 adjacency on the north side of the court, we're going to
13 have to take away probably at least half of the space
14 that's available for recreation space.

15 COMMISSIONER MAY: Right. Exactly. That's
16 exactly the point I'm trying to make. The mechanical use
17 has to come first. The amenity space -- I know it's
18 important to have, and that's what we're trying to allow
19 in changing the Height Act, but you have to accommodate
20 the mechanical space with the appropriate setbacks before
21 you start looking at the amenity space. So, thank you.
22 You've made my point.

23 MR. COLBERT: Well, what makes it more
24 difficult is the fact that the floorplates of the
25 building get smaller as you go up in the building, to try

1 to reduce the overall scale of the building, as opposed
2 to us just going straight up. So, you're continuing to
3 set back on the floors, but then that really penalizes
4 you when you get to the top of the building, in terms of
5 any permitted uses that can exist there. And, obviously,
6 given our position next to the ballpark, being able to
7 have recreation space up there is really critical to the
8 marketing of the building.

9 COMMISSIONER MAY: I agree it's important. I
10 want to have as much of it as possible, but I wouldn't
11 want to have it at the expense of having the penthouse
12 butting up against the wall of that courtyard.

13 MR. GLASGOW: Well, Commissioner May, one of
14 the issues that we have here is when you look at the bar
15 depth, which is 53'4", when you go up 18'6", so that's 36
16 feet of it, right there.

17 COMMISSIONER MAY: Right.

18 MR. GLASGOW: So you've got one of those
19 situations where -- because, as we know, residential
20 buildings either want to be C-shaped, E-shaped, L-shaped,
21 or something like that.

22 COMMISSIONER MAY: Right.

23 MR. GLASGOW: Every time you have one of these
24 pinch points there -- because we have had a number of
25 cases where we have had a setback relief in those

1 interior parts of those knuckles, over time, and we have
2 been very careful to make sure to set back the building
3 as the face that fronts South Capitol Street, to make all
4 of those setbacks. And, also, when we looked at the site
5 lines, as you were going north on South Capitol Street --
6 and we'd had some studies on that, at one point in time,
7 because I asked that you all look at that -- it's very,
8 very difficult to see any of this area here, because of
9 the amount of the setback and where it is if you're going
10 north. Because if you're coming south on South Capitol
11 Street, you don't see it at all. You don't perceive
12 that.

13 COMMISSIONER MAY: Right. If you're across the
14 street, you'll be able to see it. It's set back at more
15 than 1-to-1. The street is 110-feet wide, and you've got
16 a 15-foot setback, so you absolutely will see it from
17 across the street.

18 MR. GLASGOW: This piece right in here?

19 COMMISSIONER MAY: Yes. You'll see it from
20 across the street.

21 MR. GLASGOW: I thought we had some studies
22 that showed that that was a very difficult view to see
23 much of this.

24 COMMISSIONER MAY: You know, I can do the
25 geometry in my head. You can see it from across the

1 street. I'm absolutely convinced.

2 MR. GLASGOW: Well, I think that --

3 COMMISSIONER MAY: And you probably don't even
4 need to be all the way across the street. If you get far
5 enough to the south, the amount of space that you get to
6 complete that triangle gets longer. So when you're just
7 south of the building and you're coming up to the
8 intersection, you'll be able to see it from the other
9 side of the street. I mean, granted, you're not going to
10 be looking at it if you're driving, but if you're walking
11 up, yeah, you're going to see it.

12 MR. HUGHES: Mr. Commissioner, just to clarify.
13 Is your concern with the proximity of the wall of the
14 roof structure to the open courtyard?

15 COMMISSIONER MAY: Yes, the major courtyard.

16 MR. HUGHES: Okay.

17 MR. GLASGOW: Well, I think if the record is
18 left open, we would like to show something on that.

19 COMMISSIONER MAY: Okay. You're welcome to
20 try, but I do not believe that I will ever be convinced
21 that it's appropriate. I mean, given the argument that
22 was just been made here, this is all about preserving
23 some arbitrary amount of amenity space, because you can't
24 design the cooling tower to fit somewhere else. I mean,
25 I just don't buy it. That's not a valid argument. This

1 is not a circumstance where I don't believe that it
2 cannot be seen. I believe it can be seen, and I don't
3 think that you're going to be able to prove it otherwise.
4 So I think you need to find another place to put the
5 cooling tower.

6 MR. GLASGOW: All right. And the question that
7 I have, then, is if -- because, at some point, at least
8 if some of the things that I looked at previously were
9 correct, there's some distance here, and I don't think
10 that it's 18 feet, where it is almost invisible to see
11 that piece, back in there, at that part of the building.
12 So if we could do some studies. In other words, this
13 setback is a couple of feet.

14 COMMISSIONER MAY: I mean, you're welcome to do
15 the studies, and maybe there is some setback that's less
16 than 18 feet, that would do the trick. I mean, even as
17 it is right now, if you took away the cooling tower,
18 you're still going to have the elevator tower that's
19 within the 18'6". I mean, maybe it's 17'6" or something
20 like that, when you turn the corner there. And I could
21 see it if that was the case, the argument that you had to
22 make, because I understand the difficulty of placing
23 elevators within the building. But I don't see it, when
24 here you're solely driven, it seems, by maximizing the
25 amenity space. I think you need to figure out another

1 way to design the penthouse and the amenity space,
2 because I think there's enough room to get really good
3 amenity space up there and still have your setbacks met.
4 And, again, this is something that's very important in
5 the upcoming discussions about the penthouse regulations,
6 that setbacks for mechanical uses have to come first,
7 before the maximization of amenity space.

8 MR. GLASGOW: I think that's it for me, Mr.
9 Chairman.

10 CHAIRMAN HOOD: Okay. All right. Thank you.
11 Let's go to Commissioner Turnbull.

12 COMMISSIONER TURNBULL: Thank you, Mr.
13 Chairman. I just love to follow Commissioner May. He's
14 so pointed.

15 I want to thank you for your presentation
16 tonight. I think it's a very elegant-looking building
17 and I think the architectural quality is very unique.
18 It's a very handsome building and I like it very much.

19 I'm glad, when you started your explanation of
20 the architecture and looking at the neighborhood you did
21 not make reference to trying to pick up on the
22 architecture, in small letters, of the garages across the
23 street. Those are structure that we did not approve, for
24 the record --

25 [Laughter.]

1 COMMISSIONER TURNBULL: -- and I think it was a
2 unanimous decision by this Commission.

3 Anyways, getting back to your building, as I
4 say, I had -- Commissioner May actually touched on some
5 of the points that -- he talked about the lobby entrance,
6 and we struggle with a lot of different projects when
7 lobby entrances are between a loading dock and an entry,
8 and a garage ramp. But I think you've answered enough
9 questions. I think I feel comfortable with it. I'm not
10 totally comfortable with that, but I think I understand
11 and I can go along with that.

12 This is going to be a rental building, as I
13 understand?

14 MR. HUGHES: That's correct.

15 COMMISSIONER TURNBULL: And that gets back to
16 the court, the north court that Commissioner May was
17 talking about, and he's raised a good point. But I can
18 see your point, that for the next 10, 20 years, whatever
19 -- we've had those garages for 10 years now, I think --
20 so what's a temporary use sometimes becomes long-lived.

21 I did look on, looking at Commissioner May's
22 comment about the pool, and I think he raised a valid
23 point, although I do see, on Drawing A411 -- although
24 it's hard to read; I think it's 411, or maybe it's not.
25 Maybe there was another one. It looked like there was a

1 double railing, but maybe not. Maybe it's not. Maybe
2 I'm looking at something else.

3 But getting back to that, I think we are going
4 to need some more drawings that clearly show what's going
5 on up there, maybe a section through there, or a couple
6 of elevations that sort of show the area around the pool.
7 I mean, it looks like, I see it's raised and then I see
8 it's terraced down on the bird's-eye view, but it's still
9 not clear on certain points with what's really going on.
10 So if you could prepare some drawings on that, that would
11 be appreciated.

12 I guess the only other thing, for me -- again,
13 I like the overall design of the building; I think it's
14 got some handsome elements to it -- is the penthouse, and
15 I struggled with that. That was, I guess, from an
16 architectural standpoint, the biggest point that I
17 struggled with was seeing this thing butt up right next
18 to the north wall of the courtyard. Commissioner May
19 didn't really ask for it, but I think I'm going to ask
20 for you to look at some revised floor plans up at that
21 penthouse, to see if we can get that work a little bit
22 better. I mean, you've got at least 21 feet or more
23 going back toward the accessory uses, and just looking at
24 what's up there -- and I think, Commissioner May, you've
25 got a utility room -- there's things in there. Then

1 you've also got this residential penthouse stair that
2 comes up from the unit down below.

3 I think there's some give-and-take in that
4 plan, that you can massage this thing to be able to get
5 some space on that courtyard. That's just my feeling,
6 but I think I'd like to see some revisions up at that
7 penthouse, to try to make that work.

8 Other than that, I think, architecturally, I
9 feel good with it, so thank you.

10 MR. MOLL: Commissioner Turnbull, can I ask you
11 a question, please?

12 COMMISSIONER TURNBULL: Yes.

13 MR. MOLL: Would the Commission -- and I think
14 Commissioner May had said this, as well, but would the
15 Commission let us look at some studies that may not be
16 the full setback, the full 18-foot setback?

17 COMMISSIONER TURNBULL: I guess we'd actually -
18 - I suppose we would, yes. I would like to see you try
19 to push that back as far as you can, though.

20 MR. MOLL: Okay.

21 COMMISSIONER TURNBULL: If you can't make
22 18'6", then I think we'd need some explanation as to why.

23 MR. MOLL: Thank you.

24 COMMISSIONER TURNBULL: Okay.

25 CHAIRMAN HOOD: Some years ago, when I was in

1 front of the Board of Ethics, down the hall, I asked
2 them, "Could I ask a question?" They told me,
3 "Typically, we don't do that," but that was interesting.
4 I have never seen that. I don't think I've seen that --
5 but you needed clarification, so, okay, that was good.
6 It was just the way you started off. I said, okay, he's
7 on the witness stand.

8 [Laughter.]

9 CHAIRMAN HOOD: All right. Who would like to
10 go next? Okay. Commissioner Miller.

11 COMMISSIONER MILLER: Thank you, Mr. Chairman.
12 Yeah, I would concur with Commissioner Turnbull about the
13 attractiveness of the design, and the materials, and all
14 the articulation. It's very interesting, and I think it
15 does definitely work in that neighborhood, and it will be
16 a definite asset for the neighborhood and for the city.
17 And I'll look forward to seeing what you come up with, in
18 terms of pushing that penthouse back from the north wall
19 of the courtyard, and any studies you have that show how
20 it looks from across the street.

21 I think it's also great that it is converted
22 from an office to 290 residential units, and the 25,000
23 square feet of retail, although I guess the retail was
24 about the same. Was it about the same in the earlier --

25 MR. MOLL: Yes. It's pretty close. It may not

1 be exactly the same but it's very close.

2 COMMISSIONER MILLER: Yeah. The 290
3 residential units, are they all market rate?

4 MR. MOLL: There is an IZ component to it.

5 COMMISSIONER MILLER: Right. And, so, what is
6 the amount of units that you're providing, at what levels
7 for this particular project?

8 MR. MOLL: The IZ component, for the CR zone in
9 the Capital Gateway District is 8 percent, and that
10 equates to just under 24 units, so we'll provide 24
11 units, at 80 percent of AMI, or under.

12 COMMISSIONER MILLER: Right. And you saw the
13 ANC's comment that they would hope that maybe you would
14 try for some more than just the minimum, or maybe at a
15 slightly deeper affordability level. Did you consider
16 that or have any dialog with the ANC about that subject?

17 MR. HUGHES: Yes, Commissioner, and, actually,
18 you could probably respond best to the dialog, the
19 correspondence.

20 MR. MOLL: Yeah. I would say we worked hand-
21 in-hand with the ANC on a number of issues, and they were
22 comfortable with everything else that we came up with.
23 So we got them comfortable, I think, with a lot of their
24 concerns, and we worked with them on a lot of issues, and
25 we are complying with the IZ law, and we'll be able to do

1 that.

2 MR. HUGHES: And to supplement that,
3 Commissioner, there was a question raised at the first
4 ANC meeting about 80 percent, the 80-percent AMI, and
5 that the units would only be available to folks who
6 qualified at 80 percent, and they wanted to know, what
7 about the people who were less than that. And so we
8 provided information to the ANC to better explain how the
9 process works, the different sized units, and so forth,
10 and I think when we went back in October, they seemed to
11 be satisfied with that additional information, to explain
12 how the process worked.

13 MR. MOLL: I think their concern was only
14 people that made 80 percent of AMI would be able to rent
15 the units, which is not the IZ language, so we sent them
16 that information.

17 COMMISSIONER MILLER: It's at or below 80
18 percent AMI.

19 MR. MOLL: Correct.

20 COMMISSIONER MILLER: Of course, some of us
21 think of the 80-percent AMI, in the District of Columbia,
22 it is not deep enough to begin with, given the District's
23 average income versus the area, the metropolitan area's
24 median income, but that's another, bigger issue. But to
25 the extent you are able to do more in that area, I

1 certainly, and I'm sure others would appreciate you doing
2 more.

3 I don't really have any other comments, Mr.
4 Chairman. Thank you. Thank you for your presentation.

5 CHAIRMAN HOOD: Okay. Vice-Chair?

6 VICE-CHAIR COHEN: Thank you, Mr. Chairman.
7 Again, I just want to repeat that your LEED numbers
8 really should be deeper. They should be higher
9 standards, minimally silver, preferably gold. So if I
10 could twist your arm, I think it will benefit you in the
11 long term, certainly, with attracting residents, because
12 I think certainly the younger population is becoming much
13 more sophisticated when it comes to sustainability and
14 green.

15 I actually probably liked the layout of the
16 rooftop, but the measurements are of concern to my
17 colleagues, so, obviously, we'll wait to get more
18 documentation on that.

19 And I'm moving away from the Chairman, because
20 I'm going to ask a question that really is a little bit
21 out of the box. You've done a lot of development in the
22 District of Columbia, which I'm familiar with, the ones
23 on P Street, especially, and I'm just curious how
24 successful you've been in meeting any type of minority
25 and women-owned business requirements. I'd just like to

1 know, because it doesn't look so good from sitting up
2 here, the front row of your group. So I just wanted to
3 have some idea of how successful you've been.

4 MR. MOLL: In terms of our projects and our
5 partners on projects, we take great pride in being able
6 to partner with minority businesses. We have done so on
7 a number of recent projects that have both won and have
8 not won. Gallaudet is an example of one that we have won
9 recently, where we have a very diverse team that's on
10 that bench. 965 Florida Avenue is an example of one.
11 Atlantic [ph] Plumbing, unfortunately, we didn't win that
12 project, but, again, a very diverse group of both
13 consultants and team members, and within the ownership.

14 MR. GLASGOW: Sherman Avenue.

15 MR. MOLL: Sherman Avenue, yeah.

16 VICE-CHAIR COHEN: All right. Just keep trying
17 and pushing. It's really important in the city.

18 CHAIRMAN HOOD: I don't know why the Vice-Chair
19 needed to move away from me because she always asks
20 questions that are out of the box, so I don't understand
21 what the difference was tonight.

22 I'm just curious, can you show me a rendering
23 where your signage is? I think, in your comments -- I
24 just want to see where that is, and make sure we know
25 exactly where the signs are going to be placed. And if

1 you can direct me to it. I'm trying to do everything
2 electronically.

3 MR. PONTARINI: Sorry. You're referring to the
4 retail signage?

5 CHAIRMAN HOOD: Any signage. Yeah. Any
6 signage that you have. You can just direct me to them.
7 Show me where all the signage is, what you have right
8 now.

9 MR. PONTARINI: Sure. If you start with A405,
10 which is a rendering of the northwest view --

11 CHAIRMAN HOOD: Okay.

12 MR. PONTARINI: -- this is right at the corner
13 of Van and N Street. You can see that that corner retail
14 unit, which is a two-story-high expression of glass has
15 signage in the upper level, on both facades.

16 CHAIRMAN HOOD: Both sides. And that's in the
17 glass? Is that in the glass?

18 MR. PONTARINI: Yeah. In this case, we're kind
19 of illustrating it behind the glass, or kind of at the
20 glass surface. I mean, a lot of this needs to be refined
21 once the retailer comes on board and there's a bit more
22 specific feedback. This just a --

23 CHAIRMAN HOOD: But this is not to scale. It's
24 just trying to show us.

25 MR. PONTARINI: Yes. That's right. And then -

1 -

2 CHAIRMAN HOOD: The position is -- I'm just
3 trying to understand. The position is exactly, the
4 position is where you're going to put the sign.

5 MR. PONTARINI: Yeah. I think at the corner we
6 would have something that would be of this scale, up
7 high, because it is intended to be a bit of a two-story
8 treatment. And then, if you go, I guess, to A407, which
9 is the north street view, looking at N Street from the
10 corner of South Capitol, you can see, along N Street, at
11 the first-floor level, just above the ground floor there,
12 you can see a whole band of signage that we're
13 illustrating for the retail or restaurants or food
14 services.

15 MR. MOLL: I would just add that -- and David
16 mentioned this -- but right now they're just kind of
17 placeholders. You know, it would be our desire to work
18 with the retailers once they're on board, to create
19 attractive storefront and attractive signage. You know,
20 we've found, in our developments, that where you sort of
21 prescribe signage and say that it has to be 12 inches
22 tall, and it has to be white lettering, when you
23 prescribe that type of thing, those retailers actually
24 don't do well, because they're unable to portray their
25 brand to the pedestrian that's walking by. So we want to

1 create an environment that's attractive, and that's not
2 in-your-face, but, at the same time, it allows the
3 retailer to provide their brand and their signage.

4 So, for the renderings and for what we've
5 presented, we've tried to show where the general signage
6 would be, the location of it, but it's supposed to
7 substitute what eventually would actually be there, just
8 the location of it.

9 CHAIRMAN HOOD: Okay. I will tell you, the
10 reason I'm asking, is because right across the street we
11 actually had the same issue with the Nationals Stadium,
12 and every time I'm in the stadium I think about Mr.
13 Parsons -- and I don't know if you, too, Mr. Turnbull.
14 Had we not done and said what we did about that signage,
15 I don't know what would have happened, and I think about
16 it every time I look at that sign. I think of John
17 Parsons. Even though it says Nationals, I think about
18 Mr. Parsons, and I think of the same thing here, in this
19 case. Here, lately, signage has been an issue, and we
20 look at scales, and I know there are other avenues that
21 look at signage. Mr. Glasgow and Mr. Hughes, I know you
22 all will probably tell me that. But I also know that
23 this Commission is very concerned about the scale of
24 signage, and the placement, and what we actually approve
25 versus the rendering versus what's in our order. So I

1 just wanted to bring that point up.

2 Why don't we have anything right now, as far as
3 a placeholder going out South Capitol, at least from what
4 I see?

5 MR. PONTARINI: It should be extending along
6 South Capitol, as well, the same way it's kind of
7 rendered here at that mid-height zone, or that first-
8 floor zone. I think it would just extend up South
9 Capitol.

10 CHAIRMAN HOOD: Do we have a rendering showing
11 me a placeholder there? See, that's kind of my point.

12 MR. PONTARINI: Well, I guess the thing I would
13 refer to there would be the elevations, which are, if you
14 look at 401, A401, for example, which is the west
15 building elevation, you can see at the north end of South
16 Capitol, above the doors there's a ribbon of signage
17 where it says Sign, Sign, Sign above each one of those
18 doors. So that's demarcating that zone of retail
19 signage, and that extends. It steps up when it gets to
20 the two-story-high retail. It kind of shifts up a bit,
21 but there's still a zone between the ground floor and the
22 second floor.

23 CHAIRMAN HOOD: I need you to work with me,
24 because I'm looking on my -- I don't have my plans.

25 MR. PONTARINI: A401.

1 CHAIRMAN HOOD: I'm on 401.

2 MR. PONTARINI: Do you see where the trees are?
3 Right at the bottom of each one of those tree canopies
4 there's a continuous horizontal --

5 CHAIRMAN HOOD: See, that is so far hidden. Do
6 you know what -- well, maybe it's not hidden on the --.
7 It's still hidden.

8 MR. PONTARINI: It wasn't intentional to hide
9 it. It's just where we're trying to depict the landscape
10 and the building beyond, but we could certainly prepare a
11 drawing that has the trees removed.

12 CHAIRMAN HOOD: Yeah. I think something well-
13 defined that shows exactly what we're trying to do, not
14 behind the tree. Or maybe what you could have done was
15 screen back the tree a little bit so you can see the
16 signage and we know where the placement of it is. That's
17 kind of where I am, and I appreciate the placeholder, but
18 I like to know where the places are.

19 MR. GLASGOW: Mr. Chairman, and we would submit
20 an A401, just with the trees removed, to show that.

21 CHAIRMAN HOOD: You know what? I don't if we -
22 - A401? You know what? I don't know if we want to do
23 that, because I don't want to mix up anyone, and say,
24 well, the trees are not going to be here. You know what
25 I'm saying? If we just scale it back, or even make it a

1 little more defined. I don't want to change what you
2 have here.

3 MR. GLASGOW: When we did the project,
4 recently, a couple of weeks ago, when we had the hearing,
5 we did have the drawings with and without the trees, on
6 lowest level. That was at Square 749 for the Toll
7 Brothers case, for that Phase II of that project.
8 Because we were doing a lot of plannings just like this.

9 CHAIRMAN HOOD: But even if you did it in
10 another color, that might help us out, for the placement.
11 Red, or -- not yellow, but red, something that's more
12 defined. I don't want you to have to change the
13 landscaping, what you've got. We don't want to cause any
14 confusion later on down the road. Okay?

15 MR. GLASGOW: Okay.

16 CHAIRMAN HOOD: All right. Thank you. That's
17 all the questions I have. Any -- Mr. Turnbull?

18 COMMISSIONER TURNBULL: Well, Mr. Chair, I
19 think they probably have it. It would be much to adjust
20 the rendering of that corner to help out. I don't know
21 if that would be much of an issue for you.

22 MR. HUGHES: We can provide that.

23 COMMISSIONER TURNBULL: Okay.

24 CHAIRMAN HOOD: Okay. Thank you.

25 COMMISSIONER TURNBULL: The only other thing I

1 was going to say is, I think it's one of the first
2 projects that I've seen in a long, long time that's
3 actually used Corten. I thought people had forgotten
4 about Corten, and then, all of a sudden here we've got
5 Corten showing up. So it's nice to see a material like
6 that coming back, so, appreciate it.

7 CHAIRMAN HOOD: Okay. Any other questions? Is
8 the ANC -- what is it? -- 6D? I don't see anyone from
9 ANC-6D. We'll get to their report shortly. That's
10 Exhibit 14. Let's go to the report of the Office of
11 Planning and the report of District Department of
12 Transportation. Mr. Jesick and Ms. Chamberlain.

13 MR. JESICK: Thank you, Mr. Chairman, and
14 members of the Commission. The Office of Planning, I
15 think, as the Commission did, had a very positive
16 reaction to the architecture of this building. We're
17 very pleased with the design. We did raise a couple of
18 concerns in our report, one being the LEED, the other
19 being the court on the north wall, and we feel that with
20 the most recent information submitted by the Applicant,
21 that that has addressed at least the court from a zoning
22 perspective, and we were pleased that the Applicant has
23 continued to look at their LEED score and tried to bring
24 that up.

25 So they have addressed all our concerns and we

1 can recommend approval of the project. Thank you.

2 CHAIRMAN HOOD: Okay. Ms. Chamberlain.

3 MS. CHAMBERLAIN: Good evening, Commissioners
4 and Chairman Hood. As mentioned already by the
5 Applicant, we support this proposal and this proposed use
6 for residential is actually a reduction in the trip
7 generation from the project that was approved last year,
8 and we are very pleased that the Applicant has agreed to
9 all our conditions and recommendations. So, I'm here if
10 you have any further questions.

11 CHAIRMAN HOOD: Okay. Let's see if we have any
12 questions of either DDOT or the Office of Planning.
13 Okay. I'm not seeing any.

14 MR. HUGHES: The Applicant doesn't have any
15 questions, Mr. Chair.

16 CHAIRMAN HOOD: Thank you for helping me. I
17 need all the help I can get.

18 Does the Applicant have any cross-examination
19 of the Office of Planning --

20 MR. HUGHES: No, sir.

21 CHAIRMAN HOOD: Okay. Are there other
22 government reports? I don't believe we had anything.
23 Okay. No, I don't think we have any other government
24 reports. A report of the ANC, we do have a letter from
25 the ANC. It's our Exhibit 14. ANC-6D's report, is dated

1 for October 26, 2014, which is our Exhibit number -- I
2 think that's 15. Okay, Exhibit 14. I'm sorry. And,
3 basically, it just says that ANC-6D supports efforts to
4 encourage pedestrian, bicycle, and public transit access
5 to the site, but, at the end of the day, they voted, on
6 October 20th, with a quorum, ANC-6D voted 7-0 to send the
7 Zoning Commission this letter in support of JBG Company's
8 proposed project in this case, 1244 South Capitol Street,
9 S.E., in Case 14-15, and that's dated October 26th.

10 Okay. Do we have any organizations or person
11 who are here in support? Any organizations or person who
12 are here in opposition?

13 Okay. Mr. Hughes and Mr. Glasgow, do you have
14 any rebuttal, and, if now, you can give us your closing.

15 MR. HUGHES: No rebuttal, Mr. Chair, and we
16 just want to thank the Commission for its consideration.
17 I'm very excited about this project and I appreciate all
18 the positive response we've received. I think the items
19 that have been raised tonight we can certainly address in
20 short order, and look forward to the Commission's
21 approval of the Application. Thank you.

22 MR. GLASGOW: Mr. Chairman, in that vein, if
23 the issue that's outstanding is the roof structure, if
24 there could be an indication to the Applicant that the
25 rest of the building is as the Commission would hope, and

1 that we're dealing with is submitting information on
2 that, I think that helps them with respect to moving the
3 project forward.

4 CHAIRMAN HOOD: Okay. Colleagues, you've heard
5 the request from Mr. Glasgow, and I think this case, it's
6 usually just one vote, right? Okay. All right. So
7 those who had that issue want to speak up? Commissioner
8 May?

9 COMMISSIONER MAY: There were a few smaller
10 things where some clarification was needed, like the
11 handrail at the pool level and things like. So, I mean,
12 those are pretty straightforward items. I think the only
13 really outstanding issue, for me, is, really, the setback
14 of that penthouse, and I think there is a way to make it,
15 to get it set back to 18 feet, 18'6", or very, very close
16 to it, and would like to see that.

17 Now, you've suggested that maybe you can prove
18 that it won't be that visible or that maybe something
19 slightly less would be okay, and you're certainly welcome
20 to do that. But I think that is the single big issue.
21 Otherwise, the project is really great. I mean, there
22 are a lot of great thing about the architecture and the
23 design of the building, overall. It's just that's the
24 one issue, from my perspective. Others?

25 VICE-CHAIR COHEN: Mr. Chairman, I would just

1 like to emphasize the need to look at the LEED
2 certification, and make sure that it at least meets
3 silver.

4 CHAIRMAN HOOD: Okay. Anything else? Any
5 other signals we want to send, as requested?

6 COMMISSIONER TURNBULL: Just the rendering for
7 yourself.

8 CHAIRMAN HOOD: Oh. Almost forgot that. Okay.
9 Yes, if we can get that. Anything else?

10 MS. SCHELLIN: I made a note that, I think that
11 Commissioner Miller was looking for maybe a rendering
12 showing how the project looked from across the street.

13 COMMISSIONER TURNBULL: I think they were going
14 to provide that --

15 MS. SCHELLIN: Provide that anyway?

16 COMMISSIONER TURNBULL: I was just confirming
17 that they were going to provide it, yes.

18 MS. SCHELLIN: Commissioner May also asked for
19 a calculation regarding the interior amenity space, and
20 there was a cooling tower issue. Is that all part of the
21 penthouse?

22 COMMISSIONER MAY: That's the penthouse setback
23 issue.

24 MS. SCHELLIN: Okay. I'm sorry. And
25 Commissioner Turnbull had actually asked for drawings

1 regarding the pool area, the elevation sectional
2 drawings, and asked that maybe some revised floor plans
3 regarding the whole penthouse issue, maybe it would all
4 work out. Commissioner Cohen hit on the LEED, and then,
5 of course, Commissioner Hood asked for drawing regarding
6 Sheet A401, something that made the signage stand out a
7 little bit better.

8 CHAIRMAN HOOD: Okay. So, are we all on the
9 same page? Do we need to do any dates?

10 MS. SCHELLIN: Yes. How much time do you think
11 you need for this?

12 MR. MOLL: A couple of weeks would be enough.

13 MS. SCHELLIN: Okay. So this will have a
14 decision, then, in January?

15 MR. MOLL: January is okay.

16 MS. SCHELLIN: Okay. So, a couple of weeks.
17 Then we can give you until -- because the ANC needs an
18 opportunity to weigh in -- so how about until December
19 8th? Does that work?

20 MR. MOLL: I think we're meeting with the ANC
21 on December 8th, but, if not, we'll try to get with them
22 beforehand.

23 MS. SCHELLIN: Okay. So, then, how about
24 December 15th, and then we'll allow the ANC to respond
25 December 22nd? That way you'll already have met.

1 MR. MOLL: Yeah. That would be great.

2 MS. SCHELLIN: And then we need draft Findings,
3 Facts, and Conclusions of Law also by December 22nd, all
4 filings by 3:00 p.m.

5 MR. MOLL: Okay. Thank you.

6 CHAIRMAN HOOD: Do you know when this ANC
7 meets?

8 MS. SCHELLIN: They're going to meet, they
9 said, on December 8th with them.

10 MR. MOLL: The second Monday of the month, I
11 believe.

12 CHAIRMAN HOOD: Okay. So that should be enough
13 time for them. Okay. One of the things we get accused
14 of is doing stuff in the summertime and around holidays,
15 so I don't want to have that problem.

16 Okay. Anything else?

17 MS. SCHELLIN: So, Mr. Hughes, you will advise
18 the ANC, then, of the dates?

19 MR. HUGHES: I'll be glad to.

20 MS. SCHELLIN: Okay. Great.

21 CHAIRMAN HOOD: Okay. Ms. Schellin, do we have
22 anything else?

23 MS. SCHELLIN: No, sir.

24 CHAIRMAN HOOD: Okay.

25 MS. SCHELLIN: I'm sorry. Let me just advise

1 them of the January date that we'll put this on the
2 agenda. We'll put it on for the first meeting, which
3 will be January 12th, and now nothing else.

4 CHAIRMAN HOOD: Okay. I want to thank everyone
5 for their participation tonight, and we appreciate the
6 presentation for the hearing, and with that, this hearing
7 is adjourned. Thank you.

8 [Whereupon, at 8:05 p.m., the Public Hearing of
9 the Zoning Commission was adjourned.]

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