

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
2 Office of Zoning
3 Zoning Commission of the District of Columbia
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5
6
7 PUBLIC HEARING
8

9 CASE NO. 07-26F

10 CITY MARKET AT O CONDO, LLC AND
11 ROADSIDE DEVELOPMENT

12 Modification of Previously Approved PUD
13 And Zoning Map Amendment at Square 398
14

15
16
17 6:33 to 7:05 p.m.

18 Monday, December 15, 2014
19

20
21 441 4th Street, N.W.

22 Jerrily R. Kress Memorial Room

23 Second Floor Hearing Room, Suite 220 South
24 Washington, D.C. 20001
25

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1 Board Members:

2 ANTHONY HOOD, Chairman

3 ROBERT MILLER

4 PETER MAY

5 MICHAEL TURNBULL

6

7 Office of Zoning:

8 SHARON SCHELLIN, Secretary

9

10 Office of Planning:

11 JENNIFER STEINGASSER

12 KAREN THOMAS

13

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C O N T E N T S

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Testimony of:

MR. GLASGOW	7
MR. LAKE	8
MR. SPONSELLER	9

P R O C E E D I N G S

1
2 CHAIRPERSON HOOD: Good evening, ladies
3 and gentlemen. This is a Public Hearing of the
4 Zoning Commission for the District of Columbia.
5 Today's date is Monday, December the 15th, 2014.
6 We are located in the Jerrily R. Kress Memorial
7 Hearing Room.

8 Joining me are Commissioner Miller,
9 Commissioner May, and Commissioner Turnbull. My
10 name is Anthony Hood. We are also joined by the
11 Office of Zoning staff, Ms. Sharon Schellin; the
12 Office of Planning staff, Ms. Steingasser; and Ms.
13 Thomas.

14 This proceeding is being recorded by a
15 court reporter and is also webcast live.

16 Notice of today's hearing was published
17 in the D.C. Register and copies of that
18 announcement are available to my left on the wall
19 near the door.

20 The hearing will be conducted in
21 accordance with provisions of 11 DCMR 3022 as
22 follows: preliminary matters; Applicant's case;
23 report of the Office of Planning; report of other
24 government agencies; report of the ANC, in this
25 case, the 6E; organizations and persons in

1 support; organizations and persons in opposition;
2 rebuttal and closing by the Applicant.

3 The following time constraints will be
4 maintained in this meeting. The Applicant has --
5 we've asked the Applicant for 10 minutes, but he
6 has up to 60, organizations 5 minutes, individuals
7 3 minutes. We think we would be better advised if
8 we asked our questions, because we did review --
9 we have reviewed the record.

10 All persons appearing before the
11 Commission are to fill out two witness cards.
12 These cards are located to my left, on the table
13 near the door. Upon coming forward to speak to
14 the Commission, please give both cards to the
15 reporting sitting to my right before taking a seat
16 at the table. When presenting information to the
17 Commission, please turn on and speak into the
18 microphone, first stating your name and home
19 address. When you are finished speaking, please
20 turn your microphone off, so that your microphone
21 is no longer picking up any sound or background
22 noise.

23 The staff will be available throughout
24 the hearing to discuss procedural questions.
25 Please turn off all beepers and cell phones at

1 this time so not to disrupt these proceedings.

2 Would all individuals wishing to testify
3 please rise to take the oath. Ms. Schellin, would
4 you please administer the oath.

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

9 WITNESSES: Yes.

10 [Witnesses sworn en masse.]

11 MS. SCHELLIN: Thank you.

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

14 MS. SCHELLIN: Other than the proffered
15 expert, it appears he's previously been approved,
16 so I think we're good, other than the Commission
17 accepting him.

18 CHAIRMAN HOOD: Okay. I think we've
19 already accepted him previously. Am I correct?

20 MS. SCHELLIN: Yes.

21 CHAIRMAN HOOD: Okay. So we don't need
22 to go back, unless there is some objection. Okay.
23 I'm not seeing any.

24 Okay, Mr. Glasgow, if you want to go
25 ahead, you may begin. Again, 10 minutes probably

1 will do it.

2 Somebody must have used this. It must
3 have been the transition. They must have had to
4 use that. Okay. You may go ahead, Mr. Glasgow.

5 MR. GLASGOW: Thank you Mr. Chairman,
6 members of the Commission. For the record, I'm
7 Norman M. Glasgow, Jr., of the law firm of Holland
8 & Knight. Here with me are Mr. Richard Lake of
9 Roadside LLC and Mr. Robert Sponseller of Shalom
10 Baranes Associates.

11 By way of background, the project has an
12 approved FAR of 770,780 square feet, and if this
13 modification is approved, the projects will still
14 have an FAR of 770,780 square feet. This involves
15 recapturing FAR lost during the construction of
16 the project, and the desire to replace it within
17 the final portion of the building to be
18 constructed at the southeast corner of 9th and P
19 Street, N.W.

20 Also, with respect to the historic
21 preservation amenity, all the amenities --
22 restoration of the O Street Market, provision of
23 affordable housing -- has all been done.
24 Applicant provided 90 units of affordable housing
25 where 80 units were required under the

1 Application, and a much deeper affordability.
2 That will be discussed very briefly by Mr. Lake.

3 The proposal has the support of the ANC,
4 Office of Planning, and DDOT, and we are not aware
5 of any opposition. If there are no preliminary
6 questions, I'd like to proceed with the testimony
7 of the witnesses.

8 MR. LAKE: Good evening. My name is
9 Richard Lake, Roadside Development. It is my
10 pleasure to be before you to talk about City
11 Market at O. We have recently completed three
12 residential buildings, a hotel, a 182-key hotel,
13 and, of course, a rebuild of the market, including
14 Giant Food grocery store. We are very proud of
15 the accomplishments of City Market at O,
16 especially the Hodge Building, which was named
17 after our dear friend, Michael Hodge, who was with
18 the City for 27 years.

19 We delivered 90 units of affordability,
20 and 44 of those units have been leased to
21 residents 30 percent or lower of the AMI, 32 units
22 have been leased to residents earning 50 percent
23 or lower of the AMI, and 14 units leased to
24 residents earning 60 percent or lower of the AMI,
25 and, better yet, it's 100 percent occupied, not

1 only 100 percent leased.

2 We have fulfilled all of our obligations
3 under the PUD as it relates to our community
4 outreach and commitments. We have enjoyed a
5 strong working relationship with the city, with
6 the community, with the ANC, OP, and HPRB. We're
7 extremely excited about this last phase of the
8 building, and we think it finishes up nicely along
9 9th Street.

10 Thank you very much.

11 MR. SPONSELLER: Good evening. My name
12 is Robert Sponseller. I was the design principal
13 for the project, and I'm going to begin with just
14 some slides that sort of summarize where we are
15 today on the site, with the construction.

16 This first image is of the senior
17 affordable housing building, looking south on 7th
18 Street. You'll recall, I'm sure, like it was
19 yesterday, our discussion about the design
20 originally was to differentiate the various uses
21 on the site, and break down the scale of the
22 project by tailoring each building to its specific
23 use. This is an image of the affordable senior
24 housing building at the corner of P Street and 7th
25 Streets, and it employed an architecture of a

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1 certain color of brick masonry and a rain screen
2 panel.

3 This is an image of it looking at the
4 elevation on 7th Street and its relationship to
5 the historic market. We rendered the building as
6 a cube that contained a lot of outdoor spaces for
7 those senior residents, and then again, an image
8 of the collage, of the new and the historic
9 together. This is the east residential building
10 over the historic Giant Food store and restored
11 19th century market building.

12 And then a few from O Street, looking
13 north into the east courtyard. Again, you can see
14 another skin type was employed for east
15 residential apartment building. We looked at a
16 very interesting horizontal proportion to the bay
17 windows for the building, juxtaposing the
18 verticals of the historic market so that it would
19 remain the most prominent building on the site.
20 This is a detail of those bays.

21 And then, along 8th Street, yet another
22 skin. On the west side of 8th Street is our west
23 residential building with a corrugated metal panel
24 and a lot of outdoor space, a lot of outdoor
25 terraces for the residents. One of the things we

1 learned from the marketing input is that that
2 outdoor space is quite valuable. The need for
3 terraces is quite strong.

4 Here is the restored corner of 7th Street
5 and O Street, and it was very purposeful in our
6 design that we didn't have anything that would
7 counter the power of that historic tower in the
8 site. This is the O Street Market corner detail
9 with the restored signage from its original
10 construction.

11 So that's sort of where we are today, and
12 what we're -- oh, one more slide. This is the
13 interior of the restored market. If you haven't
14 been in it, it's quite interesting. We were able
15 to restore and rebuild the trusses that framed the
16 volume, and the grocer has cooperated with an
17 interesting display of goods inside that volume.
18 So it's very apparent, as you walk through the
19 store, that that historic building has a lot of
20 integrity in the final design.

21 And then, finally, the market with the
22 backdrop of the east residential building behind
23 it.

24 Okay. So we've put together a series of
25 slides that illustrate the four modifications that

1 we're proposing. Three of these are illustrated
2 in this comparison that we've put together,
3 standing in the public realm, walking around the
4 building, and looking at the impact that these
5 modifications would have in the public realm.
6 We've juxtaposed -- with these images, we've
7 juxtaposed the original submittal, the approved PD
8 on the top of the page, and on the bottom of the
9 page we've shown the proposed. It's a little hard
10 to tell the difference so we've stacked them
11 consistently from sheet to sheet, so that it would
12 be as clear as possible.

13 One of the modifications relates to the
14 interior courtyard solely, and so that is not
15 illustrated in these perspectives, and it has to
16 do with adding bay windows to the interior of the
17 building. And then, as I go around the site, as
18 we go around the site with these renderings, I'll
19 highlight the issues that they help to illustrate,
20 the minimal impact from these redesigns.

21 I do want to mention that we submitted,
22 for set down, a certain design for one of the
23 modifications, namely the rooftop structure number
24 6, which faces P Street on the north here. This
25 is the original design and we had submitted to

1 you, for set down, a design that we then, after
2 the comments at the set down hearing, we went back
3 to the drawing board. We redesigned the building
4 to minimize that issue, and I think we actually
5 came up with a better resultant building design
6 through our modifications. We had to move a lot
7 of interior workings of the buildings to push the
8 issue away from the street, and let me just
9 highlight what that issue was.

10 Of the three that are illustrated here,
11 on the exterior, one of those had to do with
12 providing rooftop access to the residents,
13 additional rooftop access to the residents. In
14 order to do that, we had to extend two elevators
15 to that roof. This will allow for greater
16 residents and ADA access to our roof planes. One
17 things we've noticed in the residential design
18 typology in the city is that the rooftops are
19 quite valuable for, as an amenity space, for the
20 residents, whether it be for dog-walking or eating
21 outside, et cetera. These are very important
22 spaces, and so the two elevators will allow for
23 greater connectivity to that roofscape.

24 What we did, in order to minimize the
25 impact of those two elevators, is we originally

1 had them up along the P Street façade. You'll
2 recall the orange boxes that appeared in our first
3 filing. We pushed the core to the interior of the
4 building, moving it about 18 feet away from the
5 edge along P Street, so that it is not visible and
6 that it complies with the one-to-one setbacks from
7 P Street, and that's a very significant
8 modification.

9 In redesigning that rooftop structure, we
10 actually eliminated an original variance that we
11 had for the PUD, for rooftop structure 6, which is
12 illustrated here, at the top of the image. You
13 can see how that was close to the edge, and,
14 therefore, required a variance. We received that
15 variance from you but in the redesign we've been
16 able to eliminate that variance altogether. So,
17 the access to the roof is within the one-to-one,
18 and we no longer need the variance for the rooftop
19 structure.

20 The second issue that's part of what
21 we're revealing here in the public realm
22 perspectives has to do with the 2 percent that
23 we're seeking in an overall building height
24 modification for this wing of the project. When
25 we put a central plant onto the building, in 2008

1 -- you will recall we modified our PUD to add the
2 central plant -- we asked for 2 percent to run our
3 major condenser water lines around the top, so all
4 the floors of the building, when you put a large
5 plant that serves as infrastructure for multiple
6 buildings on a site, you need a little bit of
7 extra height at the top of the building to run
8 those lines around. So that 2 percent relates to
9 that issue.

10 In hindsight, I should have asked for
11 that when we originally modified the penthouse
12 design, to accommodate a central plant in the
13 original modification, but we're asking for it
14 now. That is very hard to discern in the image.
15 This light buff line of the building will not be
16 modified at all. Most of the change is happening
17 on the upper two floors. It's about 1 foot, 8
18 inches in height. It's hard to discern in the
19 views.

20 The last issue, as I go around and I'll
21 about, is the extension of the eighth floor, which
22 was originally designed as a rooftop structure
23 number 4, on the south end of the building. We've
24 met with the Office of Planning and Historic
25 Preservation and we came up with a design that

1 really renders that not visible from the public
2 realm, as well. We've extended that volume up to
3 the north wing, to connect to the P Street
4 frontage of the building, and provide for more
5 accessible series of roofscapes, as you march
6 around the site.

7 So that's the quick summary of the
8 changes, and I'll go through street by street, if
9 you'd like, if there's time, and illustrate those.
10 Would you like me to do that?

11 CHAIRMAN HOOD: Yes.

12 MR. SPONSELLER: Okay. So this view is
13 looking on the 9th Street side of the project,
14 looking from the north, looking towards the
15 Convention Center, if you will. Again, the upper
16 image is the approved and the lower image is the
17 proposed. You can see the modification we made by
18 pushing back the edge of that penthouse so it's
19 out of sight from the public realm, and you'll
20 also notice that extension of the rooftop
21 structure that was originally approved is not
22 visible from this vantage point.

23 The next vantage point is coming in on
24 more detail on the 9th Street frontage. Again,
25 now we're just across the street from the project

1 on 9th Street, looking southeast, and, again, you
2 can see that the top floor extension is not
3 visible. You can also see the cleaner look that
4 we've come up with for the wing along P Street,
5 versus the approved design where you saw a
6 multitude of boxes. Now you have one simple
7 volume.

8 On the image to the right is the same
9 juxtaposition of approved versus proposed. Again,
10 this shows that we've eliminated that orange box
11 that we had, by redesigning the penthouse overrun
12 for elevators and pushing it to the interior. This
13 just shows that you don't see any of that, from
14 that intersection.

15 And this is at 8th Street and P Street
16 now, on the north side of the project.

17 The next image is standing on the south
18 side of 9th Street, looking northeast. We're right
19 across the street from the hotel. The hotel,
20 which is actually designed by another
21 architectural firm, flanks our building to the
22 south, and our wing will extend from the existing
23 hotel to the north, and you can see that that
24 rooftop structure is, again, not visible from the
25 west side of 9th Street, looking northeast, around

1 the site. And that is, by the way, the point,
2 that it not be visible.

3 The next series of comparisons are a
4 little more dogmatic. They are architectural
5 elevations and plans, which clearly render the
6 changes, and, again, they're a little hard to
7 discern so I'll go slowly.

8 The west side of the project is what's
9 been built to date, actually all the way up to
10 this line, if you will, and the change that we're
11 proposing is to add -- again, the top is the
12 approved and the bottom series is the proposed,
13 and we're proposing to add this elevator overrun.
14 It's about 6-1/2 feet above the rooftop structure
15 number 6, and it's set back from the front edge,
16 as I illustrated in the diagrams.

17 And I'll go through these quickly, and
18 then if there's any questions, I'll go back and
19 provide as much detail as required.

20 This is the 9th Street elevation, and,
21 again, there are two items to discuss on this
22 sheet. The approved is on the top. On the
23 proposed we're adding this little element here,
24 set back again, set back at greater than a 45-
25 degree angle from the street. It's the elevator

1 overrun. These will be Gen2 elevators, so the
2 overrun is minimized, and we're extending this
3 volume, that you can see on the approved elevation
4 here, to the north, set back to the wing that
5 fronts on P Street. There are no other
6 modifications.

7 Okay. And then in plan -- again, this is
8 the previously approved design and this is our
9 rooftop structure number 4 and 6, and I'll show
10 you the proposed in a moment -- you can see the
11 waiver that we required with that rooftop
12 structure, originally, that we did receive from
13 the Zoning Commission, and rooftop structure
14 number 6, also the elevations, the 90 and the 100
15 on that wing of the building. We needed the 2
16 percent to run our condenser water lines around,
17 so those become 91,8 and 102, and those are
18 illustrated in our proposed roof plan, which is
19 shown here.

20 So we've eliminated the waiver request --
21 the variance request, sorry -- for rooftop
22 structure number 4. We've pushed it back from the
23 street so that it complies with the one-to-one
24 setbacks. We've internalized the elevator overrun
25 by restructuring the internal corridor system of

1 the building, to allow the elevators to function
2 on the interior, and we've extended rooftop
3 structure number 6 to the north, to meet up with
4 that volume on P Street.

5 Okay. These are, again, building
6 sections, again, proposed and -- approved is on
7 the left and proposed is on the right. The
8 original approved design that showed the 90 feet,
9 now becoming 91 feet 8 inches with 2 percent for
10 condenser lines. This is along the P Street
11 frontage. On the 9th Street frontage, the
12 previously approved rooftop structure being
13 extended now, in the same position and with the
14 same setbacks and with the same height as
15 approved, but extended further to the north, along
16 9th Street.

17 And this is the why on the issue of the
18 central plant. Our central plant is located on
19 the building that I showed you in the images,
20 which was kind of the green textured tiles next to
21 the historic market. It's on the roof of that
22 building. It's also very difficult to see from
23 the ground, by the way. And the condenser water
24 lines will actually run down through the building,
25 and work their way underneath 8th Street, and up

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1 into the tops of the west wing, and then they will
2 serve from the top down, they'll serve all the
3 units, with a central loop. This is a system that
4 a lot of colleges and universities use. We think
5 that it saves between 25 and 30 percent on the
6 energy usage, overall, for the project, so it's a
7 very, I think, important aspect of the design, and
8 it speaks to the 2 percent in height that we need,
9 mainly along P Street.

10 That's sort of a quick run-through of the
11 proposed, and I can go back to any detail you'd
12 like, any of the images you'd like, or fill in as
13 needed.

14 MR. GLASGOW: That concludes our direct
15 presentation.

16 CHAIRMAN HOOD: Okay. Thank you all very
17 much for the presentations. Let's see if we have
18 any questions. Colleagues? Let me ask, right
19 quick. I was trying to remember, Mr. Glasgow, was
20 this on the consent calendar?

21 MR. GLASGOW: We had asked for consent
22 calendar and it was determined by the Commission
23 that we should come back for a hearing.

24 CHAIRMAN HOOD: Okay. All right.
25 Commissioners, any questions? Mr. May.

1 MR. MAY: Yeah. So, can you explain a
2 little bit more where the FAR came from that you
3 are now using on that extra top floor?

4 MR. SPONSELLER: It was originally part
5 of the commercial portion of the project, and
6 consisted of the hotel, the parking, and the
7 retail uses. Those were under-built. As a total
8 of the gross square footage of the project, it's
9 about less than 1/2 of 1 percent of the total
10 gross area, but it's about 4,200 square feet,
11 total.

12 MR. MAY: So 4,200 square feet was not
13 built, that had been in the original plans.

14 MR. SPONSELLER: In the design, yeah.

15 MR. MAY: Okay. But what happened? I
16 mean, did the overall form of the building change,
17 or was it just the way it got built out with, I
18 don't know, mechanical space, so that -- I mean,
19 how did it get not built? It doesn't happen very
20 often that things don't get built.

21 MR. SPONSELLER: We measured it. At the
22 beginning, we measured it, when we were finished,
23 as as-built drawings, and so I could, if you'd
24 like, I could put together kind of a tracking of
25 each individual change and how it all adds up, but

1 it was a total net difference on the commercial of
2 4,200 square feet.

3 MR. GLASGOW: Commissioner May, we'll
4 find, in a lot of our projects, there will be
5 something that's dimensioned 90 feet --

6 MR. MAY: Right.

7 MR. GLASGOW: -- and it's not built 90
8 feet.

9 MR. MAY: Right.

10 MR. GLASGOW: It's 89, 6 inches. It's
11 whatever. And you start doing that through
12 700,000 square feet and sometimes we're a little
13 over and sometimes we're not, we're a little less.

14 MR. LAKE: If I may, one of the things
15 that's technical about this building is that we
16 bring all the trucks down two levels below grade,
17 and so there's a ramp that comes down from 9th
18 Street that runs down, and we elevated 8th Street
19 a little bit to accommodate for that. That was a
20 lot of engineering, and I think some of that
21 square footage in some of that parking area got
22 lost when we had to accommodate those trucks, when
23 we finally got into the engineering of that ramp.
24 It wasn't fully detailed when we were here before.

25 MR. MAY: But, I mean, if you're talking

1 about parking space that was lost, that would have
2 been underground. It would have counted against
3 FAR.

4 MR. LAKE: Well, no. We have parking,
5 actually, at grade. Some of the FARs actually
6 parking that's at grade with the store.

7 MR. SPONSELLER: It's on the west side of
8 8th Street and it is right behind the retail bays
9 that line 8th Street, so between those retail bays
10 getting a little smaller and additional parking
11 ramp, access ramp would have taken out some FAR on
12 the commercial, and other changes to hotel or
13 commercial uses would have added up to that, and
14 we could break that down, if you'd like.

15 MR. MAY: That's okay. That's
16 sufficient. It's not the usual argument that we
17 get on a modification, so I just want to
18 understand.

19 MR. SPONSELLER: It's 1/2 of 1 percent of
20 the total.

21 MR. MAY: Okay. So, can you go back to
22 the very first comparison image, the perspective
23 views?

24 MR. SPONSELLER: Yeah.

25 MR. MAY: There we go. So, let's see if

1 my thing will work here. Right here, this cornice
2 line versus the new one there, you've extended the
3 roof line in order to help your setback, right?
4 Or you've made it higher.

5 MR. SPONSELLER: We've gone up 1 foot 8
6 inches on that roof plane --

7 MR. MAY: Right, and then --

8 MR. SPONSELLER: -- and we've extended
9 that by the 2 percent.

10 MR. MAY: And then how far further out --
11 because it definitely looks like it's deeper.

12 MR. SPONSELLER: It's about a foot, a
13 foot and a half deeper, but we also pushed back
14 the northern face of rooftop structure 6, to
15 accommodate the one-to-one setback.

16 MR. MAY: No. I understand that. But
17 part of it also came from the foot or so that you
18 pushed it out.

19 MR. SPONSELLER: Yes, which is inside our
20 property line, by the way.

21 MR. MAY: I'm not disputing that. I'm
22 just trying to understand how much you moved it,
23 because it is -- you know, if you look at the
24 bottom image versus the top image, your top floor
25 now is far, far more prominent because of that

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1 small move. I mean, far -- I'm a nitpicker, so
2 it's far, far different.

3 MR. SPONSELLER: It's a little bit
4 different. I would agree with that.

5 MR. MAY: Yeah. I just wanted to know, in
6 terms of actual measurement, how different it is,
7 and you're saying it's about a foot and a half
8 taller?

9 MR. SPONSELLER: It's a 1 foot 8 inches
10 taller --

11 MR. MAY: Right.

12 MR. SPONSELLER: -- in terms of the 2
13 percent --

14 MR. MAY: Right.

15 MR. SPONSELLER: -- and then that eyebrow
16 is about a foot deeper, a foot to a foot and a
17 half deeper, and the rooftop -- it's a combination
18 of things. The rooftop structure is further
19 south.

20 MR. MAY: Well, I mean, I appreciate what
21 you've done to hide --

22 MR. SPONSELLER: Yeah.

23 MR. MAY: -- to push the structure back,
24 and I'm glad you believe that now you have a
25 better design for the building, as a result. It's

1 nice to know that when we make comments about some
2 of these things it actually doesn't just cause
3 pain but it actually makes the design better.

4 MR. SPONSELLER: It was actually a good
5 comment, yeah.

6 MR. MAY: Occasionally that happens, I
7 guess. But it is more prominent. I just wanted
8 to understand how different it was, so that's it.

9 MR. SPONSELLER: All right.

10 CHAIRMAN HOOD: Let the record reflect
11 Roadside said we made a good comment. Okay. Any
12 other questions? Mr. Turnbull.

13 MR. TURNBULL: Yeah, I just had -- I'm
14 trying to just, looking at the roof now, is roof
15 4, roof structures, I mean, 6 and -- well, you've
16 got roof structure 4, you've got roof structure 6,
17 and I guess what's below roof structure 4 is roof
18 structure 5. Is that all recreation space? I see
19 trees up there. People can all walk out there.
20 So --

21 MR. SPONSELLER: The -- go ahead. Finish
22 your --

23 MR. TURNBULL: So roof structure 4 is an
24 amenity building, or are you at the top -- I'm
25 trying to remember what was going on up there.

1 MR. SPONSELLER: I can tell you exactly
2 what's inside there. Roof structure 4 will have a
3 lobby, so that one can get to the top elevation
4 and outside, under cover. So that will be a
5 conditioned rooftop access lobby inside rooftop
6 structure 4 --

7 MR. TURNBULL: Okay.

8 MR. SPONSELLER: -- but that's a small
9 part of it. The main portion is an air handler
10 unit that's required for the corridor supply, for
11 the building, and a couple of other shafts that
12 come up for the garage ventilation and such. It
13 is not all amenities inside rooftop structure 4.

14 MR. TURNBULL: Okay.

15 MR. SPONSELLER: Yeah. It's mainly
16 mechanical.

17 MR. TURNBULL: Mainly mechanical.

18 MR. SPONSELLER: Yeah.

19 MR. TURNBULL: Now, can you then walk
20 around on these roofs, then?

21 MR. SPONSELLER: So what we've done is
22 we've -- building upon the west rental roof deck,
23 we'll have an accessway so that, from either this
24 core or the other core, one can come out and walk
25 in, sort of a connected landscape up on the roof

1 of the building.

2 MR. TURNBULL: Okay.

3 MR. SPONSELLER: You'll be able to walk
4 around the entire roofscape, and that's one of the
5 things that rooftop structure 6 does, is it makes
6 the roof planes closer together vertically, so
7 that experience is more aligned.

8 MR. TURNBULL: Yeah, and all of the
9 heights you've done now meet the one-to-one
10 setback.

11 MR. SPONSELLER: Yes.

12 MR. TURNBULL: They look like either 10
13 feet, 14 feet, or --

14 MR. SPONSELLER: Yeah, we've dimensioned
15 them. It's 10 feet 3 inches for 4, 16 feet and
16 change for the overrun, and 14 feet 10 inches, I
17 think, for rooftop structure 6, from its edge.

18 MR. TURNBULL: Okay.

19 MR. SPONSELLER: So they all comply.

20 MR. TURNBULL: Okay. Thank you.

21 MR. SPONSELLER: Yeah.

22 CHAIRMAN HOOD: Okay. Commissioner
23 Miller.

24 MR. MILLER: Thank you, Mr. Chairman.
25 Well, I just wanted to thank the Applicant for

1 providing the renderings and making the changes
2 that you've made, and eliminating the need for
3 relief from the one-to-one roof setback. I agree,
4 it's a lot cleaner look and the whole project is
5 incredibly well-designed and very attractive, and
6 all of the components of it -- the affordable
7 housing, the O Street Market -- have really all
8 turned out fantastic. So I'm very pleased with
9 this project, going forward, with this
10 modification.

11 CHAIRMAN HOOD: The only question I have,
12 on 8.09 -- I believe that's the proposed roof line
13 --

14 MR. SPONSELLER: Yes.

15 CHAIRMAN HOOD: -- where we have the --
16 we went from 72 to 82, unless I'm reading this
17 wrong. Can you help me understand that Phase 2
18 piece?

19 MR. SPONSELLER: No, that's exactly
20 right. This -- let's say the west wing, the 9th
21 Street wing of the new phase, there was an element
22 that went up to 82, and now we're extending that
23 element to the north. That's the change. But it
24 was 82, initially, and it's still 82. It's just
25 extending north now, if you follow my -- I can

1 show you.

2 CHAIRMAN HOOD: No. I think I get the
3 drift. Okay.

4 MR. SPONSELLER: Those two dimensions,
5 the 72 and the 82, are the same. It's the extent
6 of the roof structure 4 that is extended now to
7 the north.

8 CHAIRMAN HOOD: Okay. Mr. Glasgow, you
9 were here from the very beginning. I'm not going
10 to bring up what I usually bring up in this case,
11 but let me just ask you a question. How is it
12 going? Is the community happy? Is the Applicant
13 happy? Is everybody happy now?

14 MR. GLASGOW: Yes. Very much so. And we
15 have the letter from ANC --

16 CHAIRMAN HOOD: I see they're happy, --

17 MR. GLASGOW: Yes.

18 CHAIRMAN HOOD: -- Chairman Padro. But I
19 was just curious, how did that all work out,
20 because I know, early on in this process, the
21 Commission didn't set it down the first one or two
22 times, because there were some issues. But I hear
23 now that everybody seems to be pretty happy.

24 MR. GLASGOW: Yes. That is all the
25 feedback that we got.

1 CHAIRMAN HOOD: So it's a win-win.

2 MR. GLASGOW: Yes, it is.

3 CHAIRMAN HOOD: That's all I wanted to
4 hear. Okay. And I'll leave my side remark -- I
5 guess I can keep that to myself from now on. I'll
6 just deal with the person that called me, who's no
7 longer in that position, and have a little fun
8 with them.

9 Okay. Let's see. Do we have anyone here
10 from ANC 6E, for any cross? Not here? So
11 everybody likes that project, and it actually
12 looks real good. It's coming along. Okay.

13 Let's go to the Office of Planning. We
14 do have a DDOT report, but we'll go to Office of
15 Planning. Is anybody here from DDOT? I see a
16 bag.

17 MS. THOMAS: No. That's mine.

18 CHAIRMAN HOOD: Oh, okay.

19 MS. THOMAS: Good evening, Mr. Chairman,
20 members of the Commission. Karen Thomas, for the
21 record. We stand in support of this Application,
22 this modification request. We're very satisfied
23 that the Applicant removed the roof structure
24 setback relief that was requested originally, and
25 we believe that the Application, as presented

1 right now, would respect the PUD as it was
2 approved. Thank you.

3 CHAIRMAN HOOD: Thank you, Ms. Thomas.
4 Commissioners, any questions of Office of
5 Planning? Okay. And we do have a DDOT report.
6 Do we have a DDOT report, or am I getting it
7 confused? Okay, yeah, we do have a DDOT report,
8 and it basically is in full support of the
9 modification.

10 Let's go to the Office of Planning -- I
11 mean, I'm sorry -- Advisory Neighborhood
12 Commission 6E. Any cross-examination, Mr.
13 Glasgow?

14 MR. GLASGOW: No, sir.

15 CHAIRMAN HOOD: Okay. And, again, let's
16 go to Advisory Neighborhood Commission 6 -- thank
17 you, Ms. Schellin. I'm trying to do this off the
18 top of my head. You'd figure after 16 years I
19 would have it by now. Anyway, Advisory
20 Neighborhood Commission 6E, and, basically, what
21 Chairperson Padro goes on to say is they supported
22 on the consent calendar, so we know they support
23 this, and it's in their letter, and it's in this
24 exhibit, which is our Exhibit 24, ANC report,
25 which is in support.

1 CHAIRMAN HOOD: Okay. Let's go to any
2 other government reports. I didn't see any, other
3 than the DDOT report, which was already mentioned.
4 Let's go to any persons who are here who would
5 like to testify, organizations or person who would
6 like to testify in support. Any organizations or
7 persons who are here who would like to testify in
8 opposition?

9 Okay, Mr. Glasgow, do you have any
10 closing?

11 MR. GLASGOW: Yes, sir. I have a request
12 to the Commission, if you'd please grant the
13 requested modification.

14 CHAIRMAN HOOD: Okay. I think it's
15 pretty straightforward. Colleagues, any
16 discussion?

17 Okay. I would move that we grant Zoning
18 Commission Case No. 07-26F, this is a modification
19 to approve PUD Square 398 and Lot 32, and I ask
20 for a second.

21 MR. MILLER: Second.

22 CHAIRMAN HOOD: It's been moved and
23 properly seconded. Any further discussion?

24 All those in favor, aye.

25 COMMISSIONERS: Aye.

1 CHAIRMAN HOOD: Any opposition? I'm not
2 hearing any. Ms. Schellin, would you record the
3 vote.

4 MS. SCHELLIN: The staff records the vote 4-0-1 to
5 approve a proposed action in Zoning Commission
6 Case No. 07-26F, Commissioner Hood moving,
7 Commissioner Miller seconding, Commissioners
8 Turnbull and May in support, Commissioner Cohen
9 not present, not voting.

10 And I'm assuming since this is a
11 modification, no amenities and benefits have
12 changed conditions rather, so you're not asking
13 them to go through that process, are you?

14 CHAIRMAN HOOD: No. We shouldn't have to
15 go through, no. This is very minor.

16 MS. SCHELLIN: Thank you.

17 CHAIRMAN HOOD: Okay. All right. I want
18 to thank everyone for your participation, and keep
19 up the good you're doing. It's definitely looking
20 well over in that area. So, anything else?

21 MS. SCHELLIN: Just to get a draft order
22 from, if you could get me one in about 2 weeks,
23 maybe. Thank you.

24 CHAIRMAN HOOD: Okay. Anything else?

25 MS. SCHELLIN: No, sir.

1 CHAIRMAN HOOD: So, with that, this
2 hearing is adjourned. Thank you.

3 MR. GLASGOW: Thank you very much.

4 [Whereupon, at 7:05 p.m., the Special
5 Public Meeting of the Zoning Commission was
6 adjourned.]

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