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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission

Public Hearing

Case No. 15-23 [SQ700 Trust, LLC. - Capitol Gateway
Overlay District Review at Square 700, Lots 43 and
866]

6:33 p.m. to 8:01 p.m.

Thursday, November 5, 2015

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

1 Board Members:

2 ANTHONY HOOD, Chairperson

3 MARCIE COHEN, VICE CHAIR

4 PETER MAY, Commissioner

5 ROBERT MILLER, Commissioner

6

7

8 Office of Zoning:

9 SHARON SCHELLIN, Secretary

10

11 Office of Planning:

12 JOEL LAWSON

13 MATT JESICK

14

15 DDOT:

16 EVELYN ISRAEL

17

18 OTHER:

19 DENNIS R HUGHES, ESQ.

20 AMY PHILLIPS

21 BRAD KING

22 SHANE DETTMAN

23 DANIEL VANPELT

24 STEVE RADKE

25

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

2 CHAIRPERSON HOOD: Good evening, ladies and
3 gentlemen, this is the public hearing of the Zoning
4 Commission for the District of Columbia.

5 My name is Anthony Hood. Joining me are Vice
6 -- today's date, I'm sorry, is November the 5th,
7 2015. My name is Anthony Hood. Joining me are Vice
8 Chair Cohen, Commissioner Miller and Commissioner
9 May. Mr. Turnbull will not be joining us tonight. I
10 miss Mr. Turnbull. For those who know, we do watch
11 webstream so I noticed that none of my colleagues
12 missed me on Monday so I just wanted, for the record,
13 Mr. Turnbull, if you're watching this like I watched
14 on Monday, I do miss you.

15 Okay. We're also joined by the Office of
16 Zoning staff, Sharon Schellin, Office of Planning,
17 Jennifer Steingasser. Oh, I'm sorry. Mr. Lawson.
18 See that's what happens, you start messing around you
19 mess up. From the Office of Planning, Mr. Lawson,
20 Mr. Jesick, and Ms. Israel. We may be joined by
21 DDOT. I'm not sure.

22 This proceeding is being recorded by --

23 MS. SCHELLIN: Ms. Israel is DDOT.

24 CHAIRPERSON HOOD: Ms. Israel, you are DDOT?
25 See, that's what happens when you mess up. Okay.

1 Ms. Israel from the District Department of
2 Transportation. Forgive me.

3 This proceeding is being recorded by a court
4 reporter and is also webcast live. Accordingly we
5 must ask you to refrain from any disruptive noises or
6 actions in the hearing room, including the display of
7 any signs or objects. Probably could have skipped
8 that part.

9 Notice of today's hearing was published in
10 the D.C. Register and copies of that announcement are
11 available to the left on the wall near the door. The
12 hearing will be conducted in accordance with
13 provisions of 11 DCMR 3022 as follows: preliminary
14 matters, the applicant's case, report of the Office
15 of Planning, report of other government agencies,
16 report of the ANC, organizations and persons in
17 support, organizations and persons in opposition,
18 rebuttal and closing by the applicant.

19 The applicant has requested 30 minutes but
20 has up to 60. Organizations five minutes,
21 individuals three minutes.

22 Again, all persons appearing before the
23 Commission are to fill out two witness cards. These
24 cards are located to my left on the table near the
25 door. Again, upon coming forward to speak to the

1 Commission please give both cards to the reporter
2 sitting to my right before taking a seat at the
3 table.

4 The decision of the Commission in this case
5 must be based exclusively on the public record. The
6 staff will be available throughout the hearing to
7 discuss procedural questions. Please turn off all
8 beepers and cell phones at this time so not to
9 disrupt these proceedings.

10 Would all individuals wishing to testify
11 please rise to take the oath? Ms. Schellin, would
12 you please administer the oath?

13 MS. SCHELLIN: Yes. Please raise your right
14 hand.

15 [Oath administered to the participants.]

16 MS. SCHELLIN: Thank you.

17 CHAIRPERSON HOOD: Okay. At this time the
18 Commission will consider any preliminary matters.
19 Ms. Schellin, do we have any preliminary matters?

20 MS. SCHELLIN: The only preliminary matter, I
21 believe, at issue this evening are the experts that
22 have been proffered. I believe there is only one
23 that has not been previously accepted.

24 CHAIRPERSON HOOD: Okay. Mr. Hughes, if you
25 could -- let's go over that. We don't need to do the

1 two that we've had previously. And I'm not going to
2 call you Mr. Avitabile tonight. I think, didn't I do
3 that once before?

4 MR. HUGHES: I'm not sure, Mr. Chair.

5 CHAIRPERSON HOOD: Okay. Okay.

6 MR. HUGHES: It's an insult to Mr. Avitabile,
7 but that's okay.

8 CHAIRPERSON HOOD: I actually have a pretty
9 good memory when I make those mistakes. But
10 anyway --

11 MR. MAY: Are you going to call him Jennifer
12 Steingasser?

13 CHAIRPERSON HOOD: Okay. Okay, Commissioner
14 May, just know you've got one coming.

15 Okay. So, Mr. Hughes, let's go over the
16 proffer with this. Let's not go over the two that I
17 think -- just one as Ms. Schellin has already stated
18 we have not been over.

19 MR. HUGHES: That's correct, Mr. Chair. For
20 the record, Dennis Hughes with the law firm of
21 Holland and Knight. As a preliminary matter we'd
22 like to qualify Mr. Brad King of Gensler, who is two
23 seats to my right as an expert in architecture, and
24 we've submitted his resume as part of our prehearing
25 submission.

1 CHAIRPERSON HOOD: Okay. Colleagues, we have
2 the resume in front of us. I think it's Exhibit 11C.

3 MS. COHEN: No problem.

4 CHAIRPERSON HOOD: Any objections?

5 [No audible response.]

6 CHAIRPERSON HOOD: Okay. So we will give him
7 expert status.

8 MR. HUGHES: Thank you.

9 CHAIRPERSON HOOD: Okay.

10 MR. HUGHES: And Mr. Dettman has previously
11 been qualified, correct?

12 CHAIRPERSON HOOD: Has Mr. Dettman been
13 qualified before --

14 MS. SCHELLIN: Yes.

15 CHAIRPERSON HOOD: -- in front of the Zoning
16 Commission?

17 Okay. All right. I just knew that. Let me
18 stop having fun. Let's get down to business.

19 MR. HUGHES: Thank you, sir.

20 CHAIRPERSON HOOD: You may begin.

21 MR. HUGHES: Thank you. I would like to very
22 quickly introduce the team. To my right is Amy
23 Phillips of Monument, representing the applicant. To
24 her right is Mr. King, previously introduced. And to
25 the far right is Mr. Dettman who is a director of

1 Planning Services at Holland and Knight. And we're
2 joined in the audience by Mr. Steve Radke of Gensler,
3 over my left shoulder. And Mr. Dan VanPelt of
4 Gorove/Slade, should there be any questions regarding
5 traffic or transportation issues, or regarding the
6 area of flexibility we've requested in terms of
7 loading.

8 So with that said we were before the
9 Commission in June of this year to review the design
10 for an office building at the corner of M Street
11 Southeast and South Capitol, for the National
12 Association of Broadcasters and the Commission
13 approved that at that time. We mentioned, as part of
14 that procedure, that we would be returning soon with
15 designs for an apartment building to the immediate
16 south, and that's what we're here to share with you
17 tonight.

18 We are -- we believe we've demonstrated
19 compliance with the provisions of the Capitol Gateway
20 Overlay as set forth in our prehearing submission.
21 We are asking for two areas of flexibility, one being
22 the loading variance I mentioned. And the second
23 being a percentage of -- maximum percentage of lot
24 occupancy. And Mr. Dettman can detail that a bit
25 more if the Commission has any questions.

1 We're pleased to have a recommendation of the
2 Office of Planning. We appreciate the Office of
3 Planning's review, thorough review, and the meetings
4 that we have had with that office. I note that there
5 are a few points that -- in the summary, Office of
6 Planning's comments, a few points of clarification
7 they've requested, and we'll be glad to answer that
8 whenever the Commission would like as part of the
9 Office of Planning's presentation or our own.
10 Hopefully we'll get to it in our own few minutes.

11 And we also are appreciative of the comments
12 from the Department of Transportation. And finally
13 we met a number of times with Advisory Neighborhood
14 Commission 6D. I believe it was a total of four
15 times, and are pleased that we have the support of
16 the ANC and would request that their recommendation
17 be given great weight.

18 And with that said I'd like to turn the
19 presentation to Amy Phillips. Thanks.

20 MS. PHILLIPS: Good evening. Thanks for
21 hearing us tonight. My name is Amy Phillips with
22 Monument Realty. I represent the owner and developer
23 of the site that we're calling 1 M Street and 10 Van
24 Street as Dennis mentioned.

25 The site is located at the intersection of

1 South Capitol and M Streets, and the property was
2 recently subdivided and 10 Van Street will be a
3 residential building directly south of the 1 M Street
4 office building which is directly at the corner of
5 South Capitol and M. And as I just mentioned,
6 tonight we're here to present you with 10 Van.

7 Monument has been a D.C. based developer
8 since 1999. Our offices are at 1700 K Street, and
9 our portfolio of completed projects in the District
10 includes Columbia Center on 15th Street Northwest,
11 Potomac Place Condominiums at 4th and I Southwest,
12 conversion of the Congressional Quarterly Building in
13 DuPont to residential, Franklin Square North, an
14 office at 13th and L Streets Northwest, and 55 M
15 Street in the Capitol Riverfront which is just a few
16 blocks from this property.

17 We began investing in the Capitol Riverfront
18 neighborhood nearly 10 years ago and are excited to
19 be part of this new wave of development that we're
20 seeing today. 10 Van Street will have 170 units,
21 including townhome style units at the ground floor,
22 and those units will have direct access to Van Street
23 and South Capitol Street.

24 The exterior materials, which Brad will
25 detail a little bit more, include brick at the two --

1 as the two pure elements anchoring the property on
2 South Capitol, and a dark glazed brick at a
3 pedestrian scale for the essential townhome style
4 units. These units feature stoops with entries
5 similar to those found in historic neighborhoods
6 throughout the city, and the central section above
7 the open courtyard features metal, panel, and glass.

8 We think the building is very unique in that
9 it incorporates two level units and several three
10 bedroom units. In accordance with inclusionary
11 zoning, eight percent of the building's rentable area
12 or salable area will be set aside for residents with
13 income up to 80 percent of the area median.

14 The building is designed to a LEED Silver
15 standard with considerable green roof area. I know
16 that one of the comments from the Office of Planning
17 was that they had looked for -- or had hoped that we
18 would commit to additional points. We've got, I
19 think, a minimum, a 50 point minimum in our scorecard
20 today. We are looking to enhance that. We are very
21 definitely committed to achieving LEED Silver.

22 Parking occurs on three levels below grade.
23 We've got paces at a ratio, 0.58 per unit. And we
24 have bike parking in the garage and at the street
25 level. We've also coordinated the Van Street street

1 scape with gray pavers in accordance with the JVG
2 properties across the street on Van, and to the south
3 at South Capitol and N Streets. Or excuse me, Van
4 and N Streets.

5 And as Dennis noted, we're very pleased to
6 have the support of the Office of Planning, DDOT, and
7 ANC 6D. And I'll turn it over to Brad.

8 MR. KING: Good evening. My name is Brad
9 King. I'm with Gensler. I'm here to represent the
10 architecture of the proposed project at 10 Van
11 Street.

12 As Amy stated, the building is currently
13 located at the corner of M Street and South Capitol
14 Street in a combined lot with an office building to
15 the north, and the residential building to the south
16 portion of the street. We are, as Amy stated, just a
17 block from the current Metro stop Navy Yard.

18 The lot is currently a surface parking lot.
19 There is no structures on the lot currently so -- and
20 as stated, here's the stated lot and the subdivision
21 between the office building and the residential
22 building. The residential building has a front on
23 South Capitol Street and Van Street. It shares a
24 party wall with the office building to the north, and
25 there's an existing self-storage building to the

1 south.

2 I won't go into detail of a lot of the zoning
3 applications, but I wanted to just point out sort of
4 the massing node here on the bottom right. And some
5 of the occurrences that happened with the CG overlay.
6 There's the 15 foot requirements -- setback
7 requirement along the property line on South Capitol
8 Street. And there's also a one to one setback
9 requirement after the 110 foot building height, to a
10 maximum height of 130 feet.

11 There's also a requirement for 60 percent of
12 the façade wall along South Capitol Street to be
13 flush with the 15 foot setback.

14 This is the LEED scorecard that was
15 submitted. As Amy has stated, we're committed to
16 LEED Silver. We have currently 50 points into our
17 LEED status and are looking for additional points
18 here as stated as the seven and two, are maybe points
19 that we are looking to get into the project.

20 So here's the project. We are currently 13
21 stories, 176,485 square feet and 13 stories with a
22 height limit of 130 feet. We have three levels of
23 below grade parking and around 170 units. Nine of
24 those units are townhome units that front a long
25 South Capitol Street and there's four townhome style

1 units that are along Van Street as well.

2 The building is really proposing an aesthetic
3 that speaks to its neighborhood and its surrounding
4 context on the Southwest waterfront, and the building
5 provides a distinct facades that incorporate these
6 aspects of the old Navy Yard, its shipping heritage,
7 and warehouse history. The building is really
8 attempting to engage the community in its context and
9 create a sense of place that is unique for this
10 building and its residents, and that connects to the
11 greater surrounding amenities that are growing in the
12 Southwest waterfront.

13 The materials proposed, and there's a
14 material board behind you with our selected materials
15 so far. Really the based context of the building is
16 red brick, which is really the majority of the
17 façade. This red brick is proposed as a molded
18 brick. It's a molded brick rather than extruded
19 brick to give it a little bit more character, a
20 little range of textures. Not every brick is the
21 same. So it has a more historical context in that
22 sense. And to contrast that we've got a modern use
23 of a glazed brick that creates our townhome
24 expressions, and then a metal panel system that ties
25 the two facades together.

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1 Our proposed concept creates two facades that
2 are fairly distinct but use the same materials in
3 different manners. The South Capitol Street façade
4 is a formal façade that relates more contextually to
5 the monumental boulevard of South Capitol Street.
6 The façade is a formal façade with two vertical piers
7 expressed in brick that really create a bookend to
8 the site. And this bookend is meant to really
9 contain our facades, contain our building within this
10 context of the residential building itself.

11 The metal panel system is used as a bridge
12 that connects the two vertical piers of brick. You
13 can see the metal panel can weave -- weaves through
14 the courtyard and creates a connection between the
15 two vertical facades and ties them together.

16 This is also done through the base condition
17 that creates these townhome expressions that link the
18 facades as well. And this is to bring a street
19 context and a street level presence to the façade as
20 well. Not only does it respond to its larger
21 contextual elements along South Capitol Street, but
22 it creates a pedestrian scale as well along the
23 street.

24 You can see there's expressions here in the
25 elevations with the ties of the metal panel between

1 the two vertical facades. And then the townhome
2 expressions that link them together as well.

3 Van Street takes a little different
4 expression. Since it faces the Southwest waterfront
5 it takes more of its context from the industrial
6 heritage of Southwest waterfront and the old Navy
7 Yard. It uses the same materials, the red brick
8 foundation with the glazed brick as a projection and
9 an overlay over top of it, with a metal panel system
10 that weaves in and out of it to create the units and
11 the balconies, a few balconies along Van Street as
12 well. The dark brick is also used to create that
13 town home expression on Van Street as well.

14 You can see that here in the elevation, which
15 also points out our main building entrance as well as
16 two entrances for parking garage and loading docks,
17 which we'll get into later.

18 So the townhome expressions are brought to
19 the street. This is a ground floor plan. We have
20 two entrances with a through lobby so that we have a
21 connection from Van Street as our main entrance,
22 through lobby to South Capitol Street as well. And
23 those are connected into the main lobby and the
24 elevator core is here in the center.

25 The town homes are accessed. There's five

1 here on South Capitol Street that have direct access
2 off South Capitol, and four on Van Street that have
3 direct access off Van Street as well. There are
4 raised stoops and some privacy to townhome units that
5 are expressed along the façade and on the plan.

6 You also note here on the ground floors are
7 two garage entrances. We have an entrance here to
8 the north that is used for the office building that's
9 to the north as well. And so our parking garage on
10 the lower levels is only from this point on. The
11 rest to the north is for the office. So that garage
12 entrance is there for them, and we are expressing
13 some of their materials on this entrance as well.

14 And then we have the residential entrance
15 here on the south that leads, continuing down to the
16 parking garage, but it also has our loading
17 facilities here in the center of the building. And
18 this was really done because of the core placements
19 and the need for the townhome expressions. It really
20 drove us to a center placement of our loading dock,
21 and facilities in and out of our loading.

22 So here's our townhome expression. You can
23 see this on the street level. It really gives a
24 pedestrian feel to South Capitol Street beyond the
25 larger context of the vertical expression of the

1 facades. It really brings down the scale of the
2 building a bit to address the historical context of
3 row homes in the area and to give a unique and
4 different offering to the neighborhood. The
5 townhomes will have individual entrances. You can
6 see a stoop here with the entrance. And each
7 entrance has a small canopy over the stoop and over
8 the doors. It's our intent to have this canopy have
9 a downlight, as well as a decorative sconce here on
10 the side by the door to provide a distinct low and
11 light into those entries and provide safety and entry
12 experience for the individual owners or residents.

13 You can see that here in plan a little
14 better. Here is the individual entrance. This is on
15 South Capitol Street. The landscaping here on South
16 Capitol Street, response to the monumental boulevard
17 with a double row of planted trees. And then
18 individual plantings that provide some privacy for
19 the townhome units so that there is a buffer between
20 the townhomes and the street wall as well.

21 Van Street has a similar expression, just a
22 slightly smaller expression of that, but still has
23 that buffer to the townhome units so that there is a
24 privacy level there and the units are raised up from
25 the street so that they're two feet up, and that's

1 the need for the steps into the stoops. But that's
2 for another level of privacy as well, that they're
3 not directly on the street.

4 Just some quick street sections that show
5 that. Here's the stoop entrance on South Capitol
6 Street with a double row of tree plantings for the
7 monumental boulevard. Oh, I'm sorry. I keep
8 flipping around. And Van Street as well, with a
9 single row of trees.

10 As we move through the building we do have
11 the townhomes as stacked units. On the South Capitol
12 Street there is the unit that has a direct access of
13 South Capitol to a stacked unit. And there's an
14 interior stacked unit as well that has access from
15 the fourth floor, and to a stacked unit on South
16 Capitol. And then the stacked units for town homes
17 on Van Street.

18 Above the fourth floor we have -- the court
19 opens up into a U shaped building, and we have an
20 open court in that area. But we do have a closed
21 court from the second floor to the fourth floor to
22 provide light and air to the interior units as well.

23 Here is the second floor. You can see the
24 start of the interior court with the units around the
25 court. There is a fitness facility here that has

1 direct access to the court as well.

2 This is the fourth floor where we have the
3 loop corridor that gains access to the second stacked
4 units along South Capitol Street.

5 And then the typical floors, we finally have
6 the open court. It opens to the west along South
7 Capitol Street. That's to give a better light and
8 air to the units with better direct light to western
9 facades.

10 The roof plan is a -- this is our current
11 roof plan. This is really an amenity space for the
12 residents themselves. It houses the mechanical
13 equipment on the northern edge. There's a mechanical
14 room, electric room, cooling towards, and an
15 emergency generator. But it does provide some
16 amenity space for the tenants as well. A small dog
17 watch area with a dog walk, which is over here in the
18 Northwest corner. It's one of those outdoor communal
19 spaces, terraces, sunken lounges, a sun terrace, and
20 a small community room.

21 We included in this submission, our green
22 area ratio calculations. It's hard to read on the
23 screen. It does indicate where our green roofs are
24 located within the facility, or within the project,
25 including on the streets. The small area of roof

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1 over the fourth floor townhomes, the courtyard
2 itself, and then the roof structure above.

3 We're currently proposing a GAR of 0.22,
4 which is above the minimum required .2.

5 Our south façade uses the same brick that's
6 the foundation of the project and of the South
7 Capitol and Van Street facades. We're using some
8 brick coursing to articulate that façade, give it a
9 little bit of texture and a little bit of character.

10 These are just, again, the materials that are
11 shown on the boards behind you. But the Antietam
12 brick that lays darker brick, or Virginia Mist stone
13 which is really the base and foundation of the
14 project, and the glass and metal facades through the
15 courtyards.

16 I'll now turn it over to Shane who is going
17 to talk about our CG overlay.

18 MR. HUGHES: Thank you, Brad. Shane, could
19 you please -- Mr. Dettman, could you please focus
20 on --

21 MR. MAY: We usually call him Lance. I
22 noticed that's his middle name for the first time,
23 so.

24 MR. HUGHES: If you wouldn't mind, just going
25 through our compliance but focus on the areas of

1 flexibility as well? Thank you.

2 MR. DETTMAN: Sure. And good evening, Mr.
3 Chair and members of the Commission. I'll start my
4 testimony by taking you through the two areas of
5 variance relief that are requested by the applicant.
6 And if you desire I can go back to go take you
7 quickly through the provisions of the Capitol Gateway
8 Overlay that apply to this project.

9 As Dennis mentioned at the onset, the
10 applicant is requesting two areas of variance relief,
11 one being the variance from the lot occupancy
12 requirement of Section 1601.1 which, under the CG
13 Overlay provisions the applicant is required to meet
14 an 80 percent lot occupancy for the project. The
15 maximum lot occupancy being proposed on this project
16 is 88.3 percent, which occurs at the ground floor
17 level.

18 The second area of variance being requested
19 is from the loading requirements under 2201.1 for an
20 apartment building that has greater than 50 dwelling
21 units. Their loading requirement is one 55 foot
22 berth and one 20 foot service delivery space. The
23 applicant is only able to provide one 30 foot loading
24 berth, so there is a variance being requested for --
25 and the 20 foot service delivery spaces being

1 provided.

2 And so the applicant is requesting a variance
3 to provide that 30 foot loading berth in lieu of the
4 55.

5 As the Commission well knows, in order to
6 grant a variance an applicant must demonstrate to the
7 Commission that it meets the three prong test of the
8 variance; three prongs of the variance test. The
9 first being the need to demonstrate that the property
10 is affected by an exceptional condition, be it size,
11 shape, topography, or other extraordinary exceptional
12 condition related to the site, the buildings on the
13 site, or the surrounding context.

14 In this situation there are several
15 exceptional conditions that do affect the subject
16 property that give rise to practical difficulties in
17 meeting lot occupancy as well as the required
18 loading. First there is the -- as you know this is
19 sort of a -- it's a two building development. The
20 office building being previously approved to the
21 north and now we're looking at the residential
22 component of the project.

23 Although there are two separate buildings the
24 presence of the loading -- or the presence of the
25 parking garage access to the office portion of the

1 project is located on the residential portion of the
2 project, which takes up valuable building area along
3 the ground floor.

4 Secondly, although there's a need to provide
5 rear access from the apartment building to the town
6 homes, although they have entrances off South Capitol
7 Street and Van Street. They will have access to the
8 amenities inside the apartment building and so
9 there's a need to provide rear access out of the town
10 homes into the internal circulation pattern of the
11 apartment building so that it triggers the need to
12 provide additional circulation space within the core
13 of the building.

14 There's a need to combine parking and loading
15 access at the recommendation of the Department of
16 Transportation. And what that's done is it's sort of
17 buried the loading into sort of the heart of the
18 building a little bit more, which requires the
19 applicant to provide a little bit more maneuver space
20 inside the building, which again is taking up
21 valuable building area, which causes the building
22 footprint to kind of grow a little bit on the site.

23 And finally the building is relatively small
24 and narrow given the additional constraints imposed
25 by the 15 foot setback along South Capitol Street.

1 And so that even takes away the limited amount of
2 space that we have to accommodate the additional
3 circulation space and the maneuvering space that's
4 required to provide the loading within the interior
5 of the building.

6 Secondly the applicant needs to demonstrate
7 that as a result of the exceptional conditions that
8 affect the property, they will give rise to practical
9 difficulties for the property owner to meet the
10 Zoning Regulations, and we think that that practical
11 difficulty does exist as a result of those factors I
12 took you through in the first prong.

13 First, there's a need to provide -- the
14 loading would cause significant operation constraints
15 due to the extreme difficulty in getting a 55 foot
16 truck into the proposed loading area. I believe
17 there was some information introduced into the record
18 showing truck tracking diagrams that show based on
19 the width of Van Street and the kind of tricky
20 maneuvers that's required to get into the proposed
21 loading area, which is located as an offshoot off of
22 the parking garage entrance, it's virtually
23 impossible for a 55 foot truck to make that maneuver.

24 Also, it results in a loss of additional
25 program space due to providing the larger loading

1 berth. And so if we have to provide the 55 foot
2 berth in the same location that's being proposed, it
3 takes away from some of the core space, the
4 circulation space, and the lobby space that exist on
5 the ground floor.

6 There's also a practical difficulty in
7 meeting the lot occupancy requirement as a result of
8 the exceptional conditions on the property.
9 Providing additional open space along South Capitol
10 Street would require shifting of the penthouses
11 around which could affect the ability to meet
12 building -- penthouse setbacks up on the roof level.
13 And also there's the reduction in the depth of the
14 townhouses on Van Street and South Capitol Street
15 which would create a practical difficulty.

16 Finally the two variances can be granted
17 without causing a substantial detriment to the public
18 good, or substantially impair the intent, purpose,
19 and integrity of the zone plan and the Zoning
20 Regulations and map. There will be no impact to
21 surrounding properties, to light and air, due to the
22 significant setbacks that are provided on the
23 property and the width of South Capitol Street
24 located to the west.

25 The additional lot occupancy will allow the

1 building to hold the street wall along South Capitol
2 Street and Van Street, as opposed to setting it
3 further back in order to meet the lot occupancy which
4 would create an inconsistency in the street wall
5 along South Capitol Street.

6 Given the residential units, the size of the
7 residential units, we believe that the loading
8 variance can be granted without causing any
9 substantial detriment given that the need for a 55
10 foot truck is unlikely and that a 30 foot truck can
11 meet all of the loading requirements for the
12 building.

13 And finally, given the narrow width of Van
14 Street we believe that providing the 55 foot berth
15 and allowing 55 foot trucks to access -- try to
16 access that area, could have more harm than good on
17 the street scape and the pedestrian circulation along
18 Van Street.

19 And so with that, Mr. Chairman and members of
20 the Commission, that completes my testimony with
21 regard to the two areas of variance relief that have
22 been requested by the applicant. And again, I'm here
23 to answer any questions.

24 MR. HUGHES: Thank you very much. Just in
25 closing I wanted to address the items to the extent

1 they haven't been, just to refocus on the comments
2 from the Office of Planning's report, Mr. King, did
3 you get into the detail in terms of illumination of
4 the porches of the townhouses? And if not, could you
5 briefly speak to that?

6 MR. KING: Yes. I tried to describe those
7 briefly. There are small canopies over each of the
8 porches of the townhomes. The desire and thought was
9 to illuminate those canopies, one with a downlight
10 that will provide some lighting on the street -- on
11 the stoop as well as the steps, as well as a
12 decorative sconce adjacent to the door that will
13 provide an up and down light that will make the
14 entries glow and provide safety and provide
15 illumination for the townhome entries.

16 MR. HUGHES: Thank you. Thank you. And the
17 second point was a discrepancy that the Office of
18 Planning had noted between our plans and elevations
19 on Van Street at the second level. The plan was
20 showing windows and the elevation was showing no
21 windows. And so as part of the PowerPoint materials
22 that we've submitted, if you'll note revised sheet
23 12, which reflects a consistent condition showing the
24 windows on the second street -- I'm sorry, the Van
25 Street elevation on the second level.

1 I believe Mr. King did get into the
2 calculation and location of the green roof. That is
3 a new sheet 27 that's included in this package. And
4 then finally with regard to sustainability and the
5 LEED scorecard, Ms. Phillips addressed that in her
6 statement. So with that we thank you for your time
7 and look forward to any questions you might have.

8 CHAIRPERSON HOOD: Okay. I want to thank
9 everyone for their presentation. Let's see what kind
10 of questions we have up here, or comments. Vice
11 Chair Cohen.

12 MS. COHEN: Thank you. I may have missed it
13 but I really believe that the Office of Planning as
14 well as the ANC did encourage a higher LEED rating.
15 And I would encourage that too based upon this
16 project and I believe its future success, there
17 doesn't seem to be any reason why that I can see, and
18 maybe you could explain to me, why Gold would not be
19 the minimum that you couldn't upgrade.

20 MR. HUGHES: I will just jump in very quickly
21 just to note, we have looked at that and there are a
22 number of -- as you're well aware, a number of
23 buildings that have gone before us that have offered
24 different levels of certification or equivalent to
25 certification. And this, just to note, this is a

1 residential building and Brad and Amy can talk more
2 into the difficulties of getting certification for a
3 residential building at the Silver or Gold level as
4 opposed to an office building.

5 I'm not aware of any residential buildings
6 that have certified or committed to a level above
7 Silver in the CG Overlay. That's not to say they
8 won't tomorrow, but it is a difficult standard. So
9 with that preface I'll turn it over to you guys.

10 MS. COHEN: Just be more specific because
11 vague isn't helpful.

12 MS. PHILLIPS: And Brad can speak to this a
13 little bit more, but I think there are some very
14 basic mechanical systems and basic requirements for
15 LEED Gold that are very difficult to meet for a
16 multi-family residential particularly, concrete
17 structures and larger buildings. Okay. Brad can go
18 through that.

19 MR. KING: To really get from a Silver level
20 to a Gold level most of the points that are
21 achievable to reach that are through the energy
22 conservation. And it's a very difficult piece for a
23 residential building. That's fairly typical in an
24 office building because of the single source of
25 mechanical supply and energy consumption is really

1 controlled through a single source.

2 In a residential unit, in a residential
3 building it's very difficult to achieve because you
4 have 170 units that have individual heaters and heat
5 pumps, and you have electrical service to all those
6 units as well, as well as serving the public common
7 spaces. So there's just a number of redundant
8 systems, mechanical systems, electrical systems, gas,
9 heating, that all add to an energy that's a little
10 bit more inefficient than an office building.

11 So to achieve those points to get to a Gold
12 level are mostly done through energy consumption and
13 in a residential building it's just difficult to
14 achieve those points.

15 MS. COHEN: I'm aware of residential
16 buildings, and the name is the Solair in New York
17 City. It's in Battery Park City. I believe they've
18 achieved it and have similar individual. I may be
19 wrong but I obviously brought it up because I don't
20 think I was talking, you know, out of any -- I do
21 have that context.

22 So maybe you can come back and give us -- did
23 you meet with the Department of Environment and
24 Energy, the D.C. Department? Maybe they could come
25 up with some solutions. And if they say there aren't

1 any, I will let this go. But I think you should at
2 least have that meeting if you haven't already.

3 What is going on with the storage unit?
4 Again, I kind of don't get why they're not, you know,
5 selling it because it's not the highest and best use
6 and --

7 MS. PHILLIPS: It actually is for them right
8 now. They make a lot of money. It's a low cost for
9 them to maintain and they've owned it for a long
10 time. They have a low basis and it's a cash cow.
11 Maybe that's not a good word for the record, but they
12 have no intention of selling.

13 MS. COHEN: Interesting. Does it look like
14 that? My recollection is that it's not that pretty.

15 MS. PHILLIPS: That is what it looks like.

16 MS. COHEN: Okay.

17 MS. PHILLIPS: It was repainted recently.

18 MR. KING: In the rendering it's a little
19 cleaned up versus the other -- the actual facility
20 that's a little more dated.

21 MS. COHEN: Explain to me, you know, Van
22 Street and having condominium townhomes, or rental
23 townhomes, whatever they'll be, on that street
24 because it does get heavy traffic. There's the
25 sports affect. There are people who may not be well

1 behaved, especially after a game. And I just am not
2 convinced that they're marketable. But obviously
3 you've been in the business that I've not been in.
4 So can you tell me what your market strategy would be
5 for these?

6 MS. PHILLIPS: We think of Van Street as kind
7 of like a grittier New York style street, and that
8 the townhomes at that level give it more of a
9 pedestrian feel. There is going to be -- you know,
10 our primary entrance, and so does JBG's to the south,
11 primary residential entrances are on Van Street.
12 There will be big box retail probably toward the
13 south with JBG, and there will be more retail
14 bookending it at the north with 1 M Street. And we
15 feel like this kind of gives a little bit of
16 breathing room and that it gives it more of a
17 pedestrian feel. It's a very narrow street.

18 MS. COHEN: Yeah, and my own experience with
19 those streets after a lot of people get together
20 they're loud and filthy and you know, that puts a lot
21 of burden on homeowners if, again, it's going to --

22 MS. PHILLIPS: Right. Well, there are only
23 four that have access at those stoops. Again, we
24 think it enhances the street and makes it a little
25 bit more pedestrian friendly because right now there

1 really isn't -- there aren't any sidewalks. It is
2 the access point for pedestrians on -- or for
3 vehicles on game day to the Parking Garage B, so I
4 don't know how much pedestrian traffic you will have
5 during games. And the games are only 80 days a year
6 at home. So we think it will be actually an
7 enhancement to that street on all the nongame days.

8 MR. KING: Right. And it is part of the
9 reasons we've raised the townhome floors off the
10 street and created landscape buffer between the front
11 of the units and the street themselves, to create
12 some sense of privacy for those townhomes.

13 MS. COHEN: Well, again, you know, I would
14 presume there's some experience in your marketing,
15 but to me it was a bit hard to understand why
16 somebody would actually choose to have their home on
17 this very -- even though it's 80 days, it's 80 days.
18 It's not just a few days. But there are probably a
19 lot of people out there.

20 For the record I don't think anybody is here
21 from the ANC, but I want to again commend them for
22 their, not only their diligence and how they
23 articulate certain desires for their neighborhood,
24 especially in light of trying to advocate for a mixed
25 income community. I think it is a shame that we are

1 becoming more and more like San Francisco and New
2 York, which means the units are totally out of reach.
3 I know that you're putting in some inclusional zoning
4 units, but the hope of the ANC was to even go further
5 down in the income level.

6 And I support that. I support their efforts.
7 I think that their efforts are much more enlightened
8 than a lot of policy makers in this city when they
9 came up with the issues with regard to the overlay as
10 well as IZ. And we're losing opportunities. And so
11 all I can say to you because it's not required of
12 you, but really to consider it, to listen to them.
13 It's their neighborhood and they'll be there probably
14 after you sell this building to a pension fund.

15 I just think it's so, so important to have a
16 mixed community, and I thought the ANC did a fabulous
17 job in making sure it was one of their requests of
18 you. And that's all I have.

19 CHAIRPERSON HOOD: Okay. Somebody want to
20 respond to that or just take it for note, so noted?

21 MR. HUGHES: We take note of it.

22 CHAIRPERSON HOOD: Okay.

23 MR. HUGHES: Thank you. I guess if -- the
24 lawyer is always going to talk. I'm sorry. I
25 totally appreciate that and I did just look back at

1 the ANC report. Another item that I'm not sure I
2 mentioned earlier or has been mentioned, but they
3 were impressed with -- about this project, that it
4 was a bit different than other projects, residential
5 projects they've seen, is that there was a greater
6 variety of the size of the units and larger units.
7 Thank you.

8 MS. COHEN: And higher cost.

9 CHAIRPERSON HOOD: Okay. Commissioner
10 Miller?

11 MR. MILLER: Thank you, Mr. Chairman and
12 thank you for your presentation. I personally think
13 it's a very attractive building and I really like the
14 materials and the colors and the way the elements
15 work together. I too wanted to follow up on the Vice
16 Chair's comment about if you can take a look to see
17 if you can provide -- well, the eight percent of the
18 square footage that you said would be set aside for
19 80 percent AMI level, what does that translate -- and
20 I understand from the ANC letter that they said that
21 that's at least one of the townhouse units and maybe
22 four of the apartment style. Do you have a number
23 that the square footage translates to approximately?

24 MS. PHILLIPS: I think the numbers you're
25 referring to are the three bedroom units. So we have

1 four three bedroom townhomes and flats, if you will,
2 and one three bedroom townhome. I think ultimately
3 that the square footage percentage will result in 13
4 to 14 units.

5 MR. MILLER: Okay. And I too would encourage
6 you to see if you can -- of those 13 or 14, if you
7 can get some at the 60 percent AMI level. We do have
8 a case pending which would -- which proposes to lower
9 the AMI levels because there's a lot of frustration
10 in the city that the 80 percent AMI, area median
11 income, includes the richest counties, some of the
12 richest counties in the country, Fairfax and
13 Montgomery. And it just doesn't meet the affordable
14 level of our population.

15 So to the extent you can look at it and see
16 if you can make some of those units at the 60 percent
17 AMI level. I know that would be very much
18 appreciated by many of us, and the ANC.

19 And I do compliment you on the larger number
20 of -- on the larger units mix. What is the exact
21 unit mix? Or what is the approximate unit mix in
22 terms of how many two bedrooms, how many three
23 bedrooms, how many --

24 MS. PHILLIPS: I'm going to ask Brad that
25 question.

1 MR. MILLER: -- one bedrooms.

2 MS. PHILLIPS: I'm sorry. It's changing.

3 MR. KING: There is approximately 13 larger
4 units, nine two bedrooms for, four one bedroom flats,
5 and one three bedroom flat. And there's about 110
6 one bedroom units that range from a mix of one
7 bedroom to a junior one bedroom, and a one bedroom
8 with a den. And then the remaining, I'm not sure of
9 the count. It's about five or six are studio units.

10 MR. MILLER: Well, again, I compliment you on
11 that unit mix and particularly for the number of two
12 bedrooms and three bedroom units that you have there.

13 The ANC letter also referenced a commitment
14 that you had made to them, but I didn't see it in the
15 DDOT letter about not designating any residential
16 permit parking. Can you just confirm what the
17 commitment is?

18 MS. PHILLIPS: Sure. This was from the ANC
19 and it came after DDOT's report, I think, was
20 finished. And the ANC requested that the property,
21 the current owner not apply for listing on the
22 residential parking permits, director or registry.
23 And so we've agreed to do that. And which would mean
24 -- and ultimately this point, to be honest, I mean
25 the property is on a metered street, and so it

1 doesn't qualify for that today. But what we've
2 agreed to is to not request that, or if the policy
3 changes or to ask for a variance from that.

4 MR. MILLER: And to also put that
5 noneligibility into the condominium or --

6 MS. PHILLIPS: Yes.

7 MR. MILLER: -- leasing documents as well?

8 MS. PHILLIPS: Correct. Correct. And we
9 signed an agreement to that affect, which we did
10 submit to DDOT. I'm not sure that it went to Evelyn
11 directly. It went to somebody that the ANC directed
12 us to.

13 MR. MILLER: We'll ask them to comment on
14 that when they make their presentation.

15 Do you know now whether it is going to be a
16 condominium or rental?

17 MS. PHILLIPS: Currently we're leaning toward
18 a condominium. We won't know for sure until we
19 secure construction financing.

20 MR. MILLER: And so that does leave you the
21 question, what is the timeline on if you get this
22 approval when construction could begin?

23 MS. PHILLIPS: We're looking at the second
24 quarter of next year, most likely April.

25 MR. MILLER: Great. I think one of the

1 things I'd like to see, or maybe if it's somewhere in
2 the record you can point me to it is, I see the roof
3 plan but I didn't see any illustrative rendering of
4 what it looked like, what the pool and the dog wash,
5 and the walk. Is there a sheet or document?

6 If not, if you could provide that, it's
7 something that we like to see just to get a sense of
8 what's happening on the roof.

9 MS. PHILLIPS: Okay. Do you have one? So
10 we'll provide one to you.

11 MR. MILLER: Okay. Great. Thank you. I
12 think that's all my questions, Mr. Chairman. This is
13 a very exciting -- another exciting project in the
14 Capitol Gateway are that will do a lot to continue
15 the revitalization that's going on there and I
16 appreciate you bringing it forward.

17 MS. PHILLIPS: Thanks.

18 CHAIRPERSON HOOD: Okay. Thank you.
19 Commissioner May?

20 MR. MAY: Thank you. And I'm very pleased to
21 enjoy the benefits of going last. Several of my
22 questions have been answered, but I have a few more.

23 So can you explain to me -- you made
24 reference to the brick coursing on the south
25 elevation and I see a rendered elevation. But then I

1 also see where there's some banding that's shown and
2 then I also see a perspective view where there's no
3 banding shown. So what are you doing there to make
4 that not -- yeah, there we go. A big bland brick
5 wall. What are you doing to make that less bland?

6 Because I just heard that, you know, the
7 building next door ain't going away any time soon.

8 MR. KING: We are attempting to put texture
9 into that façade. You can see the lines that run
10 through here. At this scale it was hard to find the
11 brick texture and to get it to really read in the
12 rendering. But you can see the faint lines that sort
13 of run through here. Those are really the coursing
14 lines that will change the building façade a bit as
15 well.

16 The intent is to continue some of the soldier
17 coursing and some of the stack coursing to create
18 texture along the south façade without over
19 dominating with, you know, pattern or change of
20 materials. But to keep the foundation of the brick
21 material that wraps all the facades and continue that
22 along the south façade, over the storage unit. But
23 to enhance it with continuing those texture lines and
24 those coursing details that continue from South
25 Capitol to Van Street and are picked up on both

1 facades.

2 MR. MAY: Yeah. And it isn't reading in the
3 -- I mean, I can see now what you're pointing out in
4 the drawings. But, you know, just changing it from a
5 you know, one bonding pattern to another isn't going
6 to be enough and it's certainly not going to look
7 anything like that elevation.

8 So I think you probably want to take another
9 look at that and see if there's something else you
10 can do because again, we're going to be looking at
11 that for a really long, long time.

12 MS. PHILLIPS: May I -- I'm sorry. Am I
13 allowed to ask a question?

14 MR. MAY: Yeah. Yeah, sure.

15 MS. PHILLIPS: Would the Commission be open
16 to something graphic on that wall, some kind of a
17 painting or --

18 MR. MAY: You know, I'm not a really big --

19 MS. PHILLIPS: Okay.

20 MR. MAY: Particularly on a wall that's that
21 large --

22 MS. PHILLIPS: Uh-huh.

23 MR. MAY: -- I think it would be a hard thing
24 to do. I mean, if we were talking about something
25 that was townhouse scale you could almost see it, but

1 -- and we've done -- we've seen some projects where
2 there's a really big, you know, mural toward the top
3 of a building on this sort of a treatment. And if
4 you were next to you know, a six story building,
5 maybe, that would be different. But you know, it's
6 just too big --

7 MS. PHILLIPS: Okay.

8 MR. MAY: Unless you, I mean, I can't see
9 doing a mural that large or artwork that large. So I
10 think it has to be something more in the pattern of
11 the material that you're using. And I'm not sure
12 what the right solution is. I'm not going to try to
13 give you specific direction. And if I knew that the
14 building next door was going to go away sometime soon
15 I wouldn't be so concerned about it. But it seems
16 like it's going to be there for a very long time.
17 So.

18 MR. KING: Yes, we were a little leery of
19 over dominating that façade.

20 MR. MAY: Right.

21 MR. KING: And creating something that's more
22 of a distraction along South Capitol than an
23 enhancement.

24 MR. MAY: Right. Yeah, and I think that's
25 the correct attitude. But I think that what you've

1 done is it's maybe just a little too subtle. So
2 something with a little bit more heft to it. And
3 again, I don't know, you know simply doing banding in
4 darker brick isn't going to do it either because then
5 it's just going to -- it's going to look kind of
6 funny. It's going to telegraph too much about the
7 structure and I don't know that that really, you
8 know, does you know, very much for you to just show
9 off where the floors are, right?

10 MR. KING: Well, those horizontal elements
11 actually carry through the entire façade.

12 MR. MAY: Right.

13 MR. KING: So those coursing facades are
14 shown in this element here.

15 MR. MAY: Right.

16 MR. KING: And it's that same coursing façade
17 that ties the brick and then that band is even
18 included as the metal piece that interweaves
19 through --

20 MR. MAY: I'm not saying that you should not
21 continue the band. I just think that, you know,
22 taking that soldier course and making it a darker
23 brick is probably not going to be the right thing.
24 Right. That's all I'm saying.

25 Have you done a calculation of the penthouse

1 recreation room, or whatever you want to call it to
2 demonstrate that it is accessory to the rooftop use?

3 MR. HUGHES: Yes, sir. That is on -- if you
4 have this booklet it's on sheet 26.

5 MR. MAY: Okay. I'll look at that.

6 MR. HUGHES: It's at the very bottom right
7 corner.

8 MR. MAY: Okay. I didn't see it the first
9 time around, so.

10 MR. HUGHES: It's not something that was
11 submitted prior to this evening.

12 MR. MAY: Okay. No wonder I didn't see it.
13 Then, all right, the -- so talking about the quote,
14 townhomes, you know, when you described the townhomes
15 you talked about trying to relate to the context and
16 I can appreciate that and it's, you know, the move of
17 having, you know, the sort of Bayfront approach and a
18 bit more mass to it than just sort of a metal panel
19 thing. I appreciate that but I don't think that
20 you're really hitting the mark and you wind up
21 with -- I mean, I think the largest glass portions of
22 the façade are within those bays. And I mean, maybe
23 there is some -- I'm seeing some distortion in the
24 size of it here, but it just feels like that's -- you
25 know, they're really large and they're really -- you

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1 know, you're not going to get much privacy in those
2 rooms unless you put up a lot of window treatments or
3 a lot of junk to block the view.

4 And, you know, one of the things that happens
5 -- you know, I'm often skeptical of very large
6 expanses of glasses in office building as seems to be
7 the fashion, in part because of the way the stuff
8 inside them winds up being shown to the general
9 public. And, you know, you've got desks pushed up
10 against them, and stuff all over behind the desk, and
11 you can see all everybody -- you know, where the
12 slobs sit.

13 You can control that to some extent with
14 window treatments when you're in an office building
15 because you can -- you know, the building owner can
16 require certain treatments to get consistency. And
17 to some extent you can do that in residential
18 buildings. But in these sort of town home units I'm
19 not sure that you're going to be able to enforce that
20 and get yourself the sort of consistent treatment
21 from unit to unit as people do it. And so, you know,
22 somebody is going to have bright red drapes and
23 somebody is going to have nothing at all and be
24 traipsing around in whatever. What are you going to
25 do?

1 MS. PHILLIPS: We can write it into the
2 condominium documents.

3 MR. MAY: To do what?

4 MS. PHILLIPS: To have a certain color of
5 window covering.

6 MR. MAY: So you're going to limit the color?
7 Okay. I mean, I was going to suggest, actually, to
8 make it more sympathetic to the context, you might
9 want to look at a little bit more brick and a little
10 bit less glass. But certainly doing something, you
11 know, to control the appearance of those a little bit
12 is probably worthwhile because again -- I mean, I
13 don't have any problem with the expanse of the glass
14 and the rest of the façade. I think that that, you
15 know, at those proportions you're seeing so much
16 brick and window frame and everything else, it gives
17 you a completely different sense of the openness.
18 But those townhomes just really feel wide open.

19 So what's the actual width of the townhouses
20 along, or the townhomes along Van Street?

21 MR. KING: All the townhomes are 16 feet on
22 center.

23 MR. MAY: Sixteen feet on center. And
24 there's some, on Van Street, they've got columns in
25 them. Do you still have -- what kind of clearance do

1 you have between those columns and the sidewalls?

2 MR. KING: It's four feet to get -- that's
3 where the stair runs.

4 MR. MAY: No, I'm worried about the room
5 space.

6 MR. KING: I can't blow this up, but yeah
7 the --

8 MR. MAY: Yeah, over there.

9 MR. KING: -- columns located in here. So
10 when you come in there's four feet between the
11 columns and the wall so that it's an accessible route
12 and it provides access to the stairs.

13 MR. MAY: Right. But so what's the clear
14 space of the living space?

15 MR. KING: Oh, the clear -- they're at least
16 12 feet.

17 MR. MAY: At least 12. At least 12.

18 MR. KING: Yeah, 12 feet was our minimum for
19 a clear living space.

20 MR. MAY: Okay. Okay. All right. Well, I
21 mean 12 feet is comfortable although I'm not sure how
22 you get 12 feet clear and four feet clear and a
23 column in between and they're 16 feet wide. But I'll
24 let you figure out the math.

25 MR. KING: Yeah.

1 MS. PHILLIPS: The columns are adjacent to
2 the walls.

3 MR. MAY: I understand, but they have width,
4 right?

5 MS. PHILLIPS: Absolutely.

6 MR. MAY: And if we're talking about clear
7 dimensions it doesn't add up, but it's minor. I was
8 worried that it was looking like it was less than 10,
9 which I thought would have been --

10 MR. KING: No, it's not less than 10.

11 MR. MAY: -- really bad. No, that's okay. I
12 mean, that's all right.

13 MR. KING: Correct, it's a little less than
14 12.

15 MR. MAY: Yeah, okay.

16 MR. KING: But it's not 10.

17 MR. MAY: Yeah, that's good. That's fine.
18 What is the cladding on the penthouse? Is that all
19 just the metal panel and --

20 MR. KING: It's currently a metal panel
21 system. It may be some variations in the types of
22 metal, but we're currently --

23 MR. MAY: In types or in color?

24 MR. KING: Not necessarily color, but metal
25 types, so that one may be more of a steel look versus

1 darker metal panel accents.

2 MR. MAY: Okay. So I think we want --

3 MR. KING: We're trying to keep it in context
4 with the brick facades, keep them contextual and
5 relate to kind of the context of those brick facades.

6 MR. MAY: Right. So I mean, I think what you
7 should aspire to is something pretty straightforward,
8 and I think, you know, darker colors are better than
9 lighter colors. I also -- I mean, it looks like
10 there is some, you know, very strong vertical lines
11 there.

12 MR. KING: Yeah, there's --

13 MR. MAY: Is that just a rendering thing?

14 MR. KING: That's just a rendering thing.
15 Yes.

16 MR. MAY: Okay. Because it seems way too
17 heavy and --

18 MR. KING: Yeah, they look very busy in the
19 renderings. It's not that way.

20 MR. MAY: Yeah, yeah. Okay. Yeah, I mean, I
21 just urge simple and dark, or darker.

22 So there is no side setback for the stuff on
23 the south side?

24 MR. KING: At the roof level?

25 MR. MAY: Yeah.

1 MR. KING: That's correct.

2 MR. MAY: So I mean, we -- you know, for the
3 building to the north of this we let that go because
4 we knew that this building was coming in, and I'm not
5 -- particularly since we know that the public storage
6 building is going to stay there for a long time, I
7 don't like it. I'm not saying that it violates the
8 Zoning Regulations. I think I'll ask the Office of
9 Planning what they think about that because we've
10 been looking closely at penthouse regulations and the
11 penthouse setbacks. But I just think it, you know,
12 it makes the building seem, you know, that much
13 taller. Another, I don't know, 18 feet taller or
14 whatever. Again, you're going to be able to see that
15 pretty prominently from across the street because
16 you've got that low building next door.

17 And even if you can't do a full 18 foot
18 setback from that side, I think some gesture in that
19 direction would be helpful. A few feet. And again,
20 having a darker color helps because it helps it
21 receded even though it's against the bright sky
22 behind it, it still works better, I think with dark.

23 MR. KING: That's correct. Our main pallet
24 is a little darker metal.

25 MR. MAY: Yeah.

1 MR. KING: We have a variation in our metal
2 to create some movement, but the majority of the
3 metal is the darker.

4 MR. MAY: Right. And I do think that the
5 deck platform on that level and the handrail really
6 do have to be set back by those minimums. I don't
7 know how high the deck is off of the roof, but I'm
8 guessing it's four feet so you have the pool there.

9 MR. KING: Right. It's three foot 10.

10 MR. MAY: Yeah.

11 MR. KING: We're trying to keep it under the
12 four feet requirement.

13 MR. MAY: Right. And so I think that
14 actually does have to --

15 MR. KING: Right. So this --

16 MR. MAY: I do want to see that set back.

17 MR. KING: So the setback here on the parapet
18 includes the wall and the handrail.

19 MR. MAY: Right. I understand that.

20 MR. KING: And the guardrail.

21 MR. MAY: And I'm worried about the south
22 wall where I think there should be setback there.
23 Yeah. I think there has to be.

24 So anyway, those are things that I think that
25 need a little bit of work. Last thing is on the

1 loading area. So even with that, the loading
2 configuration the way it is on a sort of -- you have
3 a T turn kind of thing, you can't actually get a 30
4 foot truck in there without backing it in. Is that
5 right?

6 MR. VANPELT: For the record, Dan VanPelt
7 with Gorove/Slade Associates.

8 No, you cannot. A 30 foot truck will have to
9 back in from Van Street. Smaller trucks, we've
10 looked at it for a 20 foot cargo van, can head in off
11 of Van Street, can use the T, you know, hammerhead
12 essentially --

13 MR. MAY: Right.

14 MR. VANPELT: -- to back in. But when you
15 get to the size of a 30 foot it would be required to
16 back in off of Van Street.

17 MR. MAY: Now, I saw one version of that plan
18 where there's a column between the two parking
19 spaces. Is there a column between the two? There's
20 not?

21 MR. KING: No, we've gone through extensive
22 structural coordination to get rid of that column.

23 MR. MAY: Oh, that's a good idea. So is
24 there any way that you can tweak it a little bit
25 further to be able to get a 30 foot truck turned

1 around in there? I don't know what would need to be
2 tweaked. Maybe that wall along the side of the ramp
3 and maybe the ramp needs to -- I mean, I know that
4 shifting ramps is a nightmare because it changes your
5 clearances and so on.

6 MR. KING: Yeah, we're really stuck here.
7 The garage, and we show a plan here, the garage is
8 really below us. I keep pointing at this screen.
9 The garage really is -- this is the edge of our
10 garage below.

11 MR. MAY: Right. Yeah.

12 MR. KING: And so we're really tight between
13 these two distances and trying to get an elevator
14 core between with drive aisles. So really our
15 elevator placement really can't shift due to the
16 drive aisles. And that's really what's driving some
17 of the movement around it.

18 MR. MAY: Right.

19 MR. KING: And the location of the current
20 loading dock.

21 MR. MAY: Uh-huh. So is it completely
22 impossible for a 30 foot to do it, or does it just
23 take too many back and forth movements or --

24 MR. VANPELT: We did look at that, and I
25 mean, it's kind of a lot of back and forth

1 movements --

2 MR. MAY: Yeah.

3 MR. VANPELT: -- to get really into that
4 spot. And it wouldn't really land in a 30 foot
5 berth. It would land on the other side.

6 MR. MAY: Okay.

7 MR. VANPELT: And so it just didn't seem
8 practical.

9 MR. MAY: Okay. All right. It's a shame,
10 though. It just, you know, you're so close to having
11 that, you know, straight in, straight out kind of
12 scenario. I just thought I would ask. Thanks.

13 CHAIRPERSON HOOD: Okay. Mr. VanPelt, let's
14 leave that up. I'll go straight into the loading.

15 Show me how that's going to -- you have your
16 red marker tonight? Show me how that's going to
17 work. I know we're doing the back end, back
18 movement, or whatever the Office of Planning called
19 it and I guess you all called it the same thing. The
20 back end movement.

21 MR. VANPELT: Why don't we go back to the 20
22 footer first?

23 CHAIRPERSON HOOD: I want to see, how is that
24 going to work on Van Street.

25 MR. VANPELT: Uh-huh. So this is what we're

1 showing here is the modeling for the 20 foot vehicle.

2 So it comes in --

3 CHAIRPERSON HOOD: Let me ask this, is this
4 what we have in front of us?

5 MR. KING: It is, sir. Yes.

6 CHAIRPERSON HOOD: Okay.

7 MR. KING: No, I'm sorry.

8 MR. VANPELT: No.

9 MR. KING: They don't, they have the --

10 MR. HUGHES: The only copies that we provided
11 were the 55 foot berth. I don't believe we have
12 copies tonight for these additional drawings, but we
13 can provide those.

14 CHAIRPERSON HOOD: Okay. Well, why don't we
15 -- do you have this drawing, because this is what I
16 been looking at.

17 MR. VANPELT: You're looking at the --

18 CHAIRPERSON HOOD: Let's talk about this one.

19 MR. VANPELT: Uh-huh.

20 CHAIRPERSON HOOD: This is where all the
21 backend movements are.

22 MR. VANPELT: Yeah, and what this is showing,
23 Commissioner Hood, is really the practical difficult
24 of trying to get a 55 foot truck. So this just does
25 not work. But we can walk through why that's the

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1 case.

2 So a truck approaches, comes off of M Street,
3 down Van Street. You're looking at the swept path of
4 that. You know, it goes off the page there a little
5 bit. I don't know if you need us to scroll down but
6 you can get the sense of it. It comes down. To work
7 within the limits of the curb to curb of Van Street,
8 which is 24 feet, we've tried to work with that in
9 this analysis and we're showing a backing maneuver
10 into the site, kind of respecting the corner property
11 line there.

12 For a truck this large to work, you know,
13 work within that curb to curb of 24 feet, it would
14 end up with a curb cut that's at least 35 feet in
15 width.

16 CHAIRPERSON HOOD: So your example -- the
17 rationale for giving us this was showing us that this
18 wouldn't work.

19 MR. HUGHES: It's just practically --

20 CHAIRPERSON HOOD: Okay. So we'll --

21 MR. HUGHES: It's just, yeah, practically --

22 CHAIRPERSON HOOD: Okay. Okay.

23 MR. HUGHES: -- too difficult.

24 CHAIRPERSON HOOD: And that was my concern.
25 I didn't know why we were given this. Okay.

1 MR. HUGHES: Uh-huh.

2 CHAIRPERSON HOOD: And I may have missed
3 that. Let's talk about what will work.

4 MR. HUGHES: Uh-huh.

5 CHAIRPERSON HOOD: Let's go to the one you
6 had that will work.

7 MR. HUGHES: We'll start with the 20 foot
8 because I think that's pretty characteristic of a lot
9 of, at least cargo vans and some of the smaller vans
10 that will come here. Those can come in off of Van
11 Street. We actually modeled it, for some reason, a
12 little over to the side here. Over, I guess in the
13 northbound lanes. But it will come down the south.
14 It will have to swing a little wide and it will come
15 in. It could go head first in, coming down the ramp
16 just a little bit, and then back into that 20 foot
17 space in the loading area, be able to go head back
18 out. So this is all head in, head out. It's what
19 DDOT likes to see. It's what we like to try to
20 achieve if we can. But that's a 20 foot vehicle.

21 CHAIRPERSON HOOD: Now on Van Street are we
22 going to have parking on Van Street, or is that
23 strictly used -- what are we doing on Van Street?

24 MR. VANPELT: I think with 24 feet there
25 won't be any -- there is no parking on Van Street

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1 today. There won't be any parking on Van Street in
2 the future. And just with that size cart way, you
3 just don't have the room for it. I mean --

4 CHAIRPERSON HOOD: Okay.

5 MR. VANPELT: -- ask DDOT to comment on that,
6 but it's not our understanding that there would ever
7 be parking on Van Street.

8 CHAIRPERSON HOOD: Okay. All right. Let's
9 go to the 30 foot. Is it 30 or 25?

10 MR. VANPELT: Well, so what we --

11 MR. KING: I'm sorry. That's the 20.

12 MR. VANPELT: That's the 20. So just scroll
13 down one more. And so this is showing the 30 foot
14 truck coming down, and it speaks to the, I guess,
15 what Commissioner May was talking to us about is that
16 the 30 foot truck doesn't have the ability to come
17 head in and it can't negotiate with this column here
18 where the ramp is. So it needs to come down Van
19 Street and it has to back in and then back in to that
20 loading berth.

21 Part of what we've proffered as a loading
22 management plan, and this loading management plan
23 would actually have to have a flagger involved,
24 anything that's larger than a 20 foot truck is going
25 to have to be scheduled, and that flagger is going to

1 have to be in place to help these larger trucks get
2 in and out of that loading area.

3 CHAIRPERSON HOOD: So that whole effort will
4 be memorialized in the order, Mr. Hughes, about the
5 flagger and how it's going to work and --

6 MR. HUGHES: It is in the DDOT report.

7 CHAIRPERSON HOOD: DDOT report. Right.

8 MR. HUGHES: Mr. Chair.

9 CHAIRPERSON HOOD: But I'm saying, we'll make
10 sure all that's memorialized.

11 MR. HUGHES: Certainly include it as
12 conditions to any approval. Thank you.

13 CHAIRPERSON HOOD: Okay. I would agree with
14 the Vice Chair about DDOE. I'm not sure what's going
15 on but they do need to comment and I do think --
16 anyway. Let me just leave it there. I would agree
17 with Vice Chair.

18 I'm not sure about, and I appreciate the
19 blank wall. I heard the conversation about the
20 graphic. I don't think I want us to get the ANC mad
21 with us, so you know, the graphic on the blank wall,
22 I don't think that we -- please don't never say that
23 we recommended that because I don't want the ANC to
24 get mad with us. But as you can take it under
25 consideration what Commissioner May mentioned. But

1 the graphic, I just, I don't know. That probably
2 wouldn't work for that area.

3 I did have a note here about how the
4 pedestrian and the vehicle -- this design was such
5 safety. I can tell you, though, I'm concerned the
6 backing; everything is backing in. I don't know if
7 that meets what I've read about this being a safety
8 vehicle and pedestrian design, when I look at this
9 backing in or backing all the way in. That always
10 concerns me.

11 And I realize there are some difficulties
12 here, but to back all the way in sometimes, and I
13 know in some other areas we hear that. So I guess,
14 is there going to be any pedestrians on Van Street?
15 Because during the game, you know, trust me, I walk
16 down whatever street I can.

17 MR. VANPELT: I think even without the game
18 there, I think it's certainly the hope that there
19 would be pedestrians on Van Street. I know there's
20 retail being programed on Van Street so we hope
21 there's pedestrian traffic on Van Street.

22 I think just to speak to the back in
23 maneuvers, it's certainly not something DDOT wants to
24 see in projects, and we try to avoid that when we
25 can, just given the nature of Van Street. And I

1 think we've had this conversation before. We've
2 talked about other projects on this block and this
3 square, is that Van Street, while it is a street it
4 functions in many ways for all of these properties,
5 even on the other side of Van Street, like an alley.

6 So talking with DDOT, the loading management
7 plan is a way to mitigate that. Having the flagger
8 in place is a way to mitigate that, the conflict of
9 the backing maneuvers and the pedestrians.

10 I think one of the things to point out too
11 is, is that this design worked with DDOT to come up
12 with the access scheme that you see here. Originally
13 there was a curb cut for both the parking access and
14 a curb cut for the loading dock. And so I think we -
15 - you know, knowing that that really wasn't a
16 preferable scenario to have two curb cuts, this
17 consolidated is an improvement over where I think
18 where we originally started.

19 CHAIRPERSON HOOD: These type of
20 circumstances really need to work. I've been around
21 long enough, stuff we vote on and I hear it, it
22 sounds good down here. Then when we vote on it,
23 years later after you all the developers have done it
24 and gone, the transportation has given analysis of
25 the work, years later I can tell you that those of us

1 who are still in the community, we hear from the
2 community. And believe me, there are projects out
3 there right now. I just heard from one last week
4 that this Commission voted on about three years ago.

5 So those kind of things are starting to
6 really concern me now, and I'm not using this as the
7 template because I'm going to start doing it on all
8 of them. But I hear you Mr. VanPelt, but we've got
9 to make it work.

10 Three years from now when people are backing
11 down Van Street I'll be going to the game and I'll
12 probably hear it. And that's not necessarily a most
13 comfortably conversation.

14 MR. VANPELT: Yeah. Well, just to be clear,
15 you won't be seeing backing maneuvers during the
16 game. So, because of course --

17 MR. HUGHES: Right. Or hours before or after
18 the game.

19 MR. VANPELT: Yes, or to --

20 CHAIRPERSON HOOD: Let me just say this. I
21 hear that down here, but when I go out there I'll
22 probably see it.

23 MR. HUGHES: Then, Mr. Chair, as you had said
24 earlier, that would be a condition to any approval.
25 That would be --

1 CHAIRPERSON HOOD: I appreciate it down here.

2 MR. HUGHES: I'm not sure what more we can
3 do.

4 CHAIRPERSON HOOD: I understand. I
5 understand.

6 MR. HUGHES: In terms of the future.

7 CHAIRPERSON HOOD: But I'm just saying, I
8 appreciate it, and I hear it, and I believe you. But
9 you know, there's a time when you move on, we're
10 going to move to the next project, and we will see
11 they'll be backing down and then we'll hear the
12 people almost -- that's just, I'm a realist.

13 MR. HUGHES: Right.

14 CHAIRPERSON HOOD: That's just really what
15 happens.

16 MR. HUGHES: Understood.

17 CHAIRPERSON HOOD: Okay. I don't really have
18 anything else, other than the DDOE. I think that's
19 very important. I'm hoping we can see something from
20 DDOE. I'm not really sure. I guess I'm eventually
21 going to have to reach out to them and find out
22 what's going on. But I do agree with the Vice Chair
23 on this particular issues.

24 I really don't have anything in particular.
25 I think my colleagues did a very good job in asking.

1 And actually I agree with a lot of stuff and that's
2 unusual, that I heard tonight. So I appreciate my
3 colleagues getting those questions in.

4 I'm not sure, is Mr. Turnbull going to
5 participate in this?

6 MS. SCHELLIN: He wasn't sure.

7 CHAIRPERSON HOOD: Okay. Okay. All right.
8 And then I heard one time that these were going to be
9 condominiums, then I heard that we weren't sure. So
10 I just wasn't sure. It would be in the condominium
11 document. I heard some mixing information. So do we
12 know whether these are going to be condominiums
13 already or not?

14 MS. PHILLIPS: We're currently planning for
15 them to be condominiums. I can't, you know, I can't
16 tell. It's awfully hard to get condominium financing
17 for 170 units at this point. We're hopeful that
18 we're able to do that. If not then it will be in
19 lease documents or other things that we can do.

20 CHAIRPERSON HOOD: Okay. Great. Thank you.
21 Any other questions up here?

22 All right. Do we have anyone representing
23 the ANC tonight, here? Any cross from the -- well,
24 no one is here from the ANC. But they do -- I see 6D
25 does have a letter and I think someone mentioned

1 about the hard work that they do and I want to
2 commend them always because they always give us a
3 thorough analysis of what the work they do in working
4 with the applicants. So with all applicants,
5 actually. They work very well from what I see. Very
6 well together. And it's very thoughtful and good
7 information for this Commission.

8 Let's go to the Office of Planning and the
9 District Department of Transportation. Mr. Jesick
10 and then Ms. Israel. Ms. Israel from DDOT. Okay.

11 MR. JESICK: Thank you, Mr. Chairman and
12 members of the Commission. Office of Planning can
13 largely rest on the record this evening. The
14 applicant has addressed a number of our concerns that
15 were listed at the end of our report. They talked
16 about the lighting for the front stoops of the
17 townhomes. I think it could be helpful to also
18 submit to the record, some renderings or precedent
19 images to illustrate what type of lighting in fact
20 they're looking for there.

21 They've fixed an internal inconsistency in
22 their plans, they've provided the amount of green
23 roof. They talked a little bit about the LEED
24 rating. I think the Commission has also emphasized
25 that so I won't spend any time talking about that.

1 We also heard the Commission's discussion of
2 the south party wall. We would support an additional
3 articulation on that wall. One thing the Commission
4 could consider including in the order is also perhaps
5 a condition prohibiting advertising of any sort being
6 on that wall. That's certainly appropriate, say, on
7 Half Street. But on South Capitol I think probably
8 we would not support that sort of image on the wall.
9 Thank you.

10 MS. ISRAEL: Good evening, Chairman and
11 Commissioners. To address Commissioner Miller's
12 question previously with regard to RPP, the site is
13 currently not eligible for RPP. However, should that
14 change ultimately it will be incumbent upon the
15 applicant and the ANC to enforce that. Unfortunately
16 there is no mechanism at this time for us to enforce
17 and continue to maintain that as necessarily an RPP
18 free site.

19 Also, with regard to the loading back end
20 movements, although we don't typically like to see
21 back end movements, ultimately the loading management
22 plan for the site satisfies our concerns. There has
23 been limits on both the time of day and events going
24 on at the stadium which limit the amount of back end
25 movements and those times when it can occur, along

1 with a flagger.

2 Our concerns are certainly echoed by the
3 commissioners with regard to concern for
4 pedestrianism and traffics when it does have to do
5 with back end movements. However, these conditions
6 ultimately address our concerns.

7 Also, there is not an intention to change Van
8 Street for there to be parking on it as Mr. VanPelt
9 noted, because of the 24 feet curb to curb. There
10 just isn't the capacity to do that. If you have any
11 questions.

12 CHAIRPERSON HOOD: Okay. I want to thank you
13 both, Mr. Jesick and Ms. Israel. Let's see if we
14 have any questions of either one, colleagues.

15 I'm not seeing any. Mr. Hughes, do you have
16 any questions?

17 MR. HUGHES: I just have a very quick
18 clarification from Ms. Israel. Just that I thought I
19 heard her just say the loading management plan that's
20 set forth in the DDOT report that the applicants
21 agreed to, that addresses your concerns about the
22 backing into Van Street?

23 MS. ISRAEL: Yes, it does.

24 MR. HUGHES: Thank you.

25 CHAIRPERSON HOOD: Okay. Next we will go to

1 any other reports of any other government agencies.
2 We do have Exhibit 17, NCPC report. Okay, yeah, I
3 find the proposed building at Square 700, Lot 43866
4 is consistent with the intent and requirement of the
5 Capitol Gateway Overlay district and would not be
6 inconsistent with the comprehensive plan and the
7 National Capitol, nor affect other federal interests.

8 Any other reports that I may have missed?
9 Also report of the ANC, I will read the last part of
10 the ANC's revised -- ANC 6D's revised letter in
11 support. And I think Commissioner went through --
12 Commissioner Miller went through a number of those
13 things thoroughly. So I will just say, "Furthermore
14 ANC 6D requests that in keeping with the Obernon
15 (phonetic) Society's very safe building guidelines,
16 glazing and reflective of the building glass facades
17 be reduced, individual noise such as bird deterrent
18 window film and etching. We introduce -- " I'm
19 looking for the part here where I saw. Okay. "As
20 regularly scheduled and properly noticed public
21 meeting on October 19th, 2015 with a quorum, Advisory
22 Neighborhood Commission 6D voted four yes, zero no,
23 and two abstentions to send the Zoning Commission
24 this letter in support, and that is our Exhibit 16."

25 Okay. Do we have any persons, organizations

1 or persons who are here in support who would like to
2 testify?

3 Any organizations and persons who are here in
4 opposition?

5 Okay, Mr. Hughes, if you have anything you'd
6 like to rebut, or if not we'll take your closing.

7 MR. HUGHES: Mr. Chair, I don't have anything
8 necessarily to rebut. I would like to ask
9 Commissioner May just for perhaps some further
10 clarification on the -- I think we understand the --
11 further articulation on the south wall. But you
12 request to further study the roof structure set back,
13 is that -- it's not a zoning compliance issue or a
14 Height Act issue, but it is something -- preference
15 and a --

16 MR. MAY: Well, you know --

17 MR. HUGHES: I just want to understand what
18 we can do to accommodate given the physical
19 limitations.

20 MR. MAY: Right. I think you should take --
21 well, the physical limitations are driven by what
22 you've chosen to put on the roof to some extent.

23 MR. HUGHES: Understood. Understood.

24 MR. MAY: So I mean, the question is whether
25 -- I mean, I think it's worth an examination of

1 trying to get some kind of setback. I'm not -- you
2 know, I understand given the north/south dimension of
3 the building it's not practical to require the full
4 18 six setback, or whatever the height of the
5 penthouse is, or whatever.

6 But having some sort of setback at that
7 point, that communicates, you know, a change in the
8 fact that we're at the penthouse level.

9 MR. HUGHES: Okay.

10 MR. MAY: So, I don't know, is it four feet?
11 Is it six feet? I don't know. Something --

12 MR. HUGHES: Okay.

13 MR. MAY: -- that helps communicate that.
14 And I do think that the setback for the deck itself
15 should be compliant like the rest of the facades.
16 Again, it's something to look at. You know, you can
17 come in here with whatever you want to try to do
18 and --

19 MR. HUGHES: No, we understand.

20 MR. MAY: -- and then we'll, you know -- and
21 then, you know, we'll see what the consensus of the
22 Commission is.

23 MR. HUGHES: No, I just wanted to catch up to
24 the conversation. I appreciate that.

25 MR. MAY: Yeah. I mean, it just has to do

1 with the fact that this is going to be a highly
2 exposed façade for a long period of time and you
3 know, we take some -- we've taken some pains in the
4 modifications of the penthouse regulations to try to
5 address setbacks that are properties where the
6 property is abutting a lower building. And this is
7 one of those circumstances and we see that it's going
8 to be this way for an extended period.

9 By the way, on the subject of the south
10 façade, you know, one of the things that has been
11 done on other projects when we have these large blank
12 facades is to include some at-risk windows. I know
13 that that's an expense, and I know that that adds
14 complications for when the building gets built next
15 door, how many ever years in the future. But it is
16 an option and it doesn't mean having, you know, full
17 windows all the way across. Maybe it's just, you
18 know, one window on each side. It certainly would
19 benefit the apartments for the time being and it
20 gives them, you know, south facing window. It's just
21 something to look at, so I think you should come back
22 with what you think is appropriate and then we'll go
23 from there.

24 MR. HUGHES: Sure. Certainly. Thank you.
25 With that clarification, Mr. Chair, I appreciate that

1 we have a list of items that the Commission has asked
2 us to study. I appreciate the comments we've heard
3 from all of you and from the Office of Planning and
4 from the Department of Transportation. We think that
5 it's going to be a great addition to this
6 neighborhood and we'd like -- we'd request the
7 Commission's support and approval of the project and
8 certainly, you know, take your lead in terms of what
9 sort of post-hearing submission you would like for us
10 to provide. Thank you.

11 CHAIRPERSON HOOD: Okay. We want to thank
12 you all for indulging us and answering our questions
13 and hearing our comments, and taking them, and noting
14 and trying to further do some discovery as some of my
15 colleagues have mentioned.

16 Ms. Schellin, let's see what -- do we need to
17 go over the list of things we've asked for?

18 MS. SCHELLIN: Okay. They were encouraged to
19 reach a higher LEED rating. They should meet with
20 DOEE. They should try to reach a lower affordability
21 level. They should maybe try to reach the 60 percent
22 level, provide a roof plan showing what will go on up
23 there, the south façade they should take another look
24 at that. I think Commissioner May has thrown out
25 some ideas there. Commissioner May also thought the

1 townhouses should have less glass on them. And also
2 Commissioner May felt the south side, the roof should
3 have a setback. Also they should use darker colors
4 up there.

5 And Commissioner Hood also agreed that DOEE
6 should comment on this case.

7 MR. MAY: Can I add something else? I mean,
8 I think one of the things that you should think about
9 or we should be thinking about is the Office of
10 Planning's suggestion that there should not be an
11 advertising on that south wall of the building. So I
12 think that's something for the applicant to consider.

13 MR. MILLER: Mr. Chairman, I think Office of
14 Planning also asked for an illustrative rendering of
15 the illumination of the townhouses, and it was an
16 illustrative rendering of the roof that I was seeking
17 to find out what's going on. I think they did have a
18 roof plan but an illustrative rendering of what's
19 going on, on the roof. That's what I was talking
20 about. Thanks.

21 CHAIRPERSON HOOD: Okay. Is that everything?

22 MS. SCHELLIN: Yes.

23 CHAIRPERSON HOOD: Is that everything, Mr.
24 Hughes?

25 MR. HUGHES: I believe so. I was being

1 asked, does the -- I think the Office of Planning had
2 suggested either a rendering or a sort of precedent
3 images. And if the Commission is agreeable to
4 precedent images that would certainly be our
5 preference.

6 CHAIRPERSON HOOD: Who asked for that? One
7 of us? Oh, Mr. Jesick.

8 MR. JESICK: We'd be fine --

9 CHAIRPERSON HOOD: Even though you don't have
10 a vote, but I mean, your --

11 MR. JESICK: We'd be fine with precedent
12 images.

13 CHAIRPERSON HOOD: Okay.

14 MR. JESICK: That's fine with us.

15 MR. HUGHES: Thank you.

16 CHAIRPERSON HOOD: Okay. All right. And I
17 would just say, we want to make sure you get the
18 information you need so you can continue that
19 support. Okay. All right.

20 MS. SCHELLIN: How much time?

21 CHAIRPERSON HOOD: Yeah, let's go some time.

22 MS. SCHELLIN: Do you need?

23 MR. HUGHES: I believe we need approximately
24 four weeks to prepare these -- provide these
25 additional materials and to meet with DDOE.

1 MS. SCHELLIN: Okay. So that would --

2 MR. HUGHES: It's primarily renderings and
3 the restudy of the roof structure, the architects
4 need some time to think that through.

5 MS. SCHELLIN: So that would be December 3rd,
6 3:00 p.m. We could also have drafts, findings of
7 facts, conclusions of law also by then. And if the
8 ANC chooses to file a response that would be due by
9 December 10th. Is DDOT and OP looking to respond to
10 anything? No? Okay. So that would be it and then
11 we could put it on for December 14th.

12 CHAIRPERSON HOOD: Okay. Do we have anything
13 else, Ms. Schellin?

14 MS. SCHELLIN: No, that's it.

15 CHAIRPERSON HOOD: We all on the same page?

16 MR. HUGHES: Yes. Thanks very much.

17 CHAIRPERSON HOOD: Okay. So with that I want
18 to thank everyone for their participation tonight and
19 this hearing is adjourned.

20 [Hearing adjourned at 8:01 p.m.]

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