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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission

Public Hearing

Case No. 11-03C [Wharf District Master Developer,
LLC., Second-Stage PUD for Southwest Waterfront,
Parcel 1, Market Square and Market Shed.]

6:33 p.m. to 8:11 p.m.

Thursday, January 21, 2016

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 MICHAEL TURNBULL, Commissioner

7

8 Office of Zoning:

9 SHARON SCHELLIN, Secretary

10

11 Office of Planning:

12 JENNIFER STEINGASSER

13 MATT JESICK

14

15 DDOT:

16 RYAN WESTROM

17

18 Other:

19 NORMAL GLASGLOW, JR.

20 DOUGLAS HOCKING

21 SHAWN SEAMAN

22 MATT STEENHOEK

23 ELINOR R. BACON

24

25

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

2 CHAIRPERSON HOOD: Good evening, ladies and
3 gentlemen. This the public hearing of the Zoning
4 Commission for the District of Columbia. Today's
5 date is January 21st, 2016. We're located in the
6 Jerrily R. Kress Memorial Hearing room.

7 Excuse me. My name is Anthony Hood. Joining
8 me this evening are Vice Chair Cohen, Commissioner
9 Miller, May, and Turnbull. We're also joined by the
10 Office of Zoning, Ms. Sharon Schellin, Office of
11 Planning staff, Ms. Steingasser and Mr. Jesick,
12 District Department of Transportation, Mr. Westrom.

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

21 The hearing will be conducted in accordance
22 with provisions of 11 DCMR 3022 as follows:
23 Preliminary matters, the applicant's case, report of
24 the Office of Planning -- excuse me, again. Report
25 of other government agencies, report of the ANC,

1 organizations and persons in support, organizations
2 and persons in opposition, rebuttal and closing by
3 the applicant.

4 The following time constraints will be
5 maintained in this meeting. The applicant has 15
6 minutes, and I want to remind the applicant that we
7 have read the record and the submissions.
8 Organizations, five minutes. Individuals, three
9 minute.

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

17 Would all individuals wishing to testify
18 please rise to take the oath? Ms. Schellin, would
19 you please administer?

20 MS. SCHELLIN: Yes. Please raise your right
21 hand.

22 [Oath administered to participants.]

23 MS. SCHELLIN: Thank you.

24 CHAIRPERSON HOOD: Okay. Ms. Schellin, do we
25 have any preliminary matters?

1 MS. SCHELLIN: Yes, sir. The applicant has
2 proffered four expert witnesses, three have
3 previously been accepted by the Commission as
4 experts. There is only one that the Commission has
5 not accepted -- or has seen before, and that would be
6 Mr. Hocking. His resume is at Exhibit 13F.

7 CHAIRPERSON HOOD: Okay. Commissioners, as
8 stated, the other three I'm sure we don't --
9 typically our practice not to revisit. I'm sure we
10 don't have any problems with the ones we've already
11 accepted. Let's look at Mr. Hocking, Exhibit 13F.
12 He's being proffered as an architect. Correct, Mr.
13 Glasgow?

14 MR. GLASGOW: Yes, sir.

15 CHAIRPERSON HOOD: Any objections, or --

16 MR. MAY: I have questions. I mean, this is
17 -- I mean, as resumes go for this sort of thing it's
18 -- it's light. So Mr. Hocking, it doesn't say here
19 whether you're licensed to practice in a
20 jurisdiction. Are you?

21 MR. HOCKING: Yes, I am. I'm licensed to
22 practice in 13 states, one of which is the
23 Washington, D.C. too.

24 MR. MAY: Okay. So that sort of information
25 is kind of what we might want to see on a resume.

1 MR. HOCKING: I apologize for that. It was
2 more I guess the glossy version of a resume as
3 opposed to a hard resume.

4 MR. MAY: It's not even the glossy version.
5 It's like the, you know, the text version that you
6 know, if it were 144 characters. I don't know. I
7 mean, it just -- something a little bit more
8 detailed, listing of projects. That sort of thing.
9 It's okay. I mean, if you're -- you know, it
10 indicates that you have the experience. The real
11 glaring question was whether you're licensed and --

12 MR. HOCKING: I am, sir.

13 MR. MAY: So, I have no objection.

14 CHAIRPERSON HOOD: Any other comments? Any
15 other objections or anything?

16 Okay. So we will give you expert status.

17 MR. HOCKING: Thank you.

18 CHAIRPERSON HOOD: Ms. Schellin, do we have
19 anything else?

20 MS. SCHELLIN: No, sir.

21 CHAIRPERSON HOOD: Okay. Mr. Glasgow, and
22 again, we have read the record. Believe it or not we
23 do review this so we -- I would think it would be
24 more advantageous to us to ask our questions. But if
25 you -- I don't want you to stand on the record. Just

1 give us your quick view and we'll ask our questions.

2 MR. GLASGOW: Yes, sir. Thank you, Mr.
3 Chairman. For the record, my name is Norman M.
4 Glasgow, Jr. of the law firm of Holland and Knight.
5 Here with me are Mr. Shawn Seaman, Matt Steenhoek,
6 and Doug Hocking. We would have a very brief
7 presentation by Mr. Seaman and Mr. Hocking. And we
8 can go right into that unless the Commission members
9 have any preliminary questions of me.

10 Okay. Please proceed with your testimony.

11 MR. SEAMAN: Thanks. Thank you, Chip. Good
12 evening, Chairman Hood and Zoning Commission Members.
13 My name is Shawn Seaman. I'm a principal at PN
14 Hoffman, the project director for Hoffman Madison
15 Waterfront. This evening we'll be presenting the
16 third separate second-stage PUD for the Wharf Project
17 with a presentation of the Parcel 1 commercial office
18 building in Market Square.

19 Chip didn't want me to speak for too long,
20 but I did want to give you an update on the project,
21 explain the few projects that you'll be seeing in the
22 coming months, and also an update on our status for
23 the benefits of the project.

24 You'll recall that the Wharf now includes
25 approved second stages for Parcel 2, 3A, 3B, 4, 5,

1 11A, 11B, Capitol Yacht Club, and several parks and
2 public spaces. These Phase 1 projects are fully
3 permitted now by the District and under construction
4 at this time.

5 The current construction encompasses about
6 1.7 million square feet. The project broke ground in
7 April of 2014 and the first phase of development is
8 anticipated to deliver in fall of 2017. We're
9 shooting for a ground breaking in the middle of
10 October of 2017.

11 Matt's showing some images on the screen. I
12 think the important thing is our partnerships have
13 recently decided to pursue several of the Phase 2
14 project components as part of the current Phase 1.
15 This includes tonight's case, 1103C, as well as
16 1103E, which is advance of the recreation pier at the
17 terminus of 7th Street, and 1103F, the advancement of
18 the pier 4 improvements at the south end of the site,
19 both of which will, weather permitting, be before you
20 on Monday for a setdown hearing.

21 Advancing these projects will create a more
22 complete public realm at critical entry points to the
23 project, the north, the south, and right in the
24 middle, and will greatly improve the public
25 environment.

1 I wanted to take the opportunity to also
2 update on the public benefits for the project. Tab E
3 of the case exhibits has a summary of total Wharf
4 public benefits and also an indication of the Parcel
5 1 items specifically.

6 As far as the committed Phase 1 and where
7 we're at now, Phase 1 is delivering 131 units of
8 affordable housing at the deepest levels, 30 and 60
9 percent AMI. The Wharf has achieved, at this point,
10 of construction 40.5 percent CBE participation, which
11 equates to \$142 million spent with certified business
12 enterprises in the District.

13 We have 84 District residents and jobs at the
14 Wharf, including 26 from Ward 8. Seventy percent of
15 the 35 apprentices are from D.C., and a third of
16 those are from east of the river in wards 7 and 8.
17 And our First Building Future's Training Cohort
18 starts on February 1st, where we've taken the lead in
19 coordinating with D.C. agencies to have that cohort
20 focused on public housing resident population.

21 And finally, Hoffman Madison has contributed
22 a million dollars to the District's Workforce
23 Intermediary Program.

24 I know you're anxious to hear about the
25 Parcel 1 design. Parcel 1 was approved unanimously

1 by ANC 6D on December 14th of last year, and by the
2 CFA for concept approval June 18th of last year.

3 At this time I'd like to introduce Doug
4 Hocking, the principal and lead designer at KPF, to
5 present the design of the building. Thank you.

6 MR. HOCKING: Great. Thank you, Shawn.

7 So I'm going to lead you through the sort of
8 design development for the project so far, and the
9 first part of which is the site as you know it.
10 There's a certain significance to this site that I
11 think we really greatly appreciate. The sort of
12 notion that this is the first piece of the puzzle, so
13 to speak, as you come down and you look from the
14 Memorial Bridge, or from the District itself. That
15 sort of position holds a great responsibility.

16 And I think as we began the process of
17 looking at what we should do with this site, and the
18 building, the first thing that we noticed was the
19 sort of warp and weave of the texture of the rest of
20 the Wharf buildings as they go down the Wharf itself.

21 So we decided that it was important for us to
22 break the massing up. We did that in a simple sort
23 of two-bar composition so that there is a sort of,
24 you know, a Wharf side bar, and then there is a
25 secondary bar that fronts Market Square so to speak.

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1 The center space of that then becomes an atrium. It
2 has to do with our lobby, how the lobby flows through
3 the building. And that massing is further broken up
4 by a retail presence that exists low, facing Market
5 Square. So the notion that our building has to
6 bridge the several sort of environments, itself
7 became a sort of driving force for what we needed to
8 do.

9 So as you go through the images of the
10 building what you'll see is the texture of the wall
11 is also incredible important. It had to break up the
12 scale itself, and I personally think that the all-
13 glass building in this position for the Wharf would
14 be exactly the wrong thing to do. So we ended up
15 using a 10 foot by two story grid. That allows us to
16 sort of represent the human scale of the building.
17 It also gives us depth of wall, something that's
18 incredibly important to the sort of composition, but
19 also that notion that this building is something
20 different than you would typically expect from a
21 commercial product.

22 You can also begin to see several of the mews
23 that are broken up. You can see the atrium space
24 glinting between the two bars. You can begin to see
25 the retail bar low down, that transition piece as it

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1 goes to Market Square. And a secondary sort of
2 vertical slot that deals with the circulation path
3 from Market Square to our building. All of those
4 kind of create this overall composition that I
5 believe takes the sort of notion of our building be a
6 good participant for the Wharf, for the buildings,
7 but also for the pedestrian environment.

8 If you're looking from the Wharf then
9 obviously the notion with F and B and people, the
10 importance of the retail presence becomes sort of
11 apparent that this place has to be vibrant. Our
12 building needs to support that.

13 So by bringing the lobby from Main Avenue
14 through the building to the atrium space, we're
15 bringing the workers from our building to both sides,
16 to the Wharf, but also to Main Avenue.

17 And then as you can see, the retail presence
18 as it drops down from the two cornerstones, those two
19 bars, you begin to see this inside out, that the
20 building is trying to represent.

21 You also, if you can sort of pick it out at
22 the top of the building, you'll notice the portion of
23 the project will be like a little flexibility end
24 which is that 10th floor setback that drops down off
25 of the building height and allows us to create an up

1 and down in the project that I think is important
2 because the rest of the Wharf has that sort of up and
3 down when you look at their elevations.

4 Again, in terms of the environment, hopefully
5 this building will support a vibrant retail presence
6 and hopefully that retail presence will spill out on
7 beautiful days towards the Wharf, and the building
8 texture as you see it at this point, becomes
9 paramount. A person can go up and start to touch the
10 wall. This wall that has depth and materiality that
11 sort of looks beautiful but also has the scale of the
12 pedestrian environment.

13 When you're looking sort of at the corner
14 here too, what you begin to see is that relationship
15 between the lower level retail bar, the Market Shed
16 going into Market Square. You can begin to see how
17 that two-part composition collapses on Main Avenue,
18 really supporting the lobby entrance right in the
19 beginning of -- in the middle of it.

20 Going around the building, just in terms of
21 the elevations, you'll see sort of the elements that
22 I talked about. But one of the parts that I think
23 that we're all very happy with too is this notion of
24 terrace and how terrace is an important part to the
25 building in terms of an amenity for the tenants, but

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1 also this notion of bringing people to the outside of
2 the building at different elevations of the project.
3 So when you look at the retail you can begin to see
4 at the third floor, on top of the retail, is a
5 tenants -- is a terrace that announces the presence
6 of a program element, but also breaks up the building
7 massing. And then another one at the fifth floor, at
8 the bottom of that notch, which is that sort of
9 singular piece off the circulation path from Market
10 Square. Obviously the roof terrace on the top, and
11 then that 10 floor terrace.

12 So the notion is, as you walk around this
13 project you'll be able to see people and activity
14 from the inside coming out, adding to the vibrancy of
15 the place. The lobby entrance is situated right in
16 the center between a water feature, which is to the
17 left of this image, and the retail environment. So
18 breaking up the scale in terms of the architecture is
19 also important, so the notion of water, something
20 that sort of exists just a little farther down in
21 terms of the actual water of the Wharf, coming to
22 Main Avenue is a theme that also exists throughout
23 the Wharf Project itself.

24 As you go around towards the other little
25 addition, this one is actually a little more

1 challenging in the sense that it's the loading and
2 it's also the parking that comes in. We've reduced
3 the depth of this wall slightly to accommodate some
4 programmatic needs. But the texture of it is of
5 similar quality to the rest of the project. And
6 again, the Wharf side, seeing those two split.

7 Now, what's interesting about the split bar
8 is we've changed the curtain wall elevation to be
9 more clean on the upper levels to make a transition
10 from the atrium space down below to going up top.
11 And you can also begin to see that 10th floor terrace
12 as it sort of peeks around.

13 So planning wise, what's important about the
14 ground floor, and there are several things obviously
15 that are important, but the lobby, seeing the lobby
16 flow through and around the core. The core that's
17 already at this point sort of being poured in essence
18 down below us. But also the elevator that takes you
19 down on the Market Square portion. That's a public
20 elevator that will allow people to come from the
21 parking through up -- up through our building and
22 through the Market Shed that I'll talk about later.
23 So that's an important public amenity as you go
24 forward.

25 The massing as you go up, it's also important

1 on that Wharf side that the building perimeter that
2 we could build to, which is that dash line, on that
3 side we're actually providing greater relief. We're
4 pulling the building back from the Wharf. And that
5 gives more access to light and air from that position
6 and also sort of allows our building to have more of
7 a secondary ground floor presence as opposed to a
8 potential plan where we filled this site or flooded
9 the site, so to speak, as you go through it.

10 This section, simple section taking you
11 through, showing the sequence between Main Avenue,
12 the lobby, and the Wharf. And then the upper floor
13 plans and plan on the right showing you not only the
14 10th floor terrace, but the two plans show you the
15 position of that notch as it exists looking towards
16 Market Square.

17 So the roof is obviously an important
18 amenity, but it's also an important part of the
19 building for the rest of the District looking down on
20 it, looking around on it, and looking up at it. So
21 in terms of the position what we've done is we've
22 taken the occupiable terrace and focused it more on
23 the Wharf side as opposed to around the complete
24 building perimeter. That allows the occupancy to be
25 away from Main Avenue and potentially away from the

1 residences as they go farther down Main Avenue.
2 Allows us to be a little more sensitive in terms of a
3 neighbor and how we're positioning it.

4 And you can also see as you go forward, the
5 notion of the terrace, the wood terrace, the
6 occupiable one is obviously supported by a green
7 roof, both on top of the penthouse itself, but around
8 the Main Avenue side.

9 So when designing the penthouse, the building
10 itself has a sort of stature and an elegance that I
11 think is very important. And what we really wanted
12 to do with the penthouse was to create a space that
13 was occupiable but deemphasize that as an
14 architectural element. So the choice of dark
15 materials is important because dark materials recede.
16 If this was white, or bold, or something like that,
17 those materials would be at the forefront. Those
18 materials would be part of the architecture. We
19 really wanted to be a good neighbor and also sort of
20 serve its purpose as it faces the Wharf.

21 The wall details themselves as we go into it,
22 the depth of wall is important. The notion that this
23 wall is not flat, that this wall has some
24 articulation to it, is the key part to how we've
25 designed it. And then you can begin to see the sort

1 of cellular nature of it and the people behind, the
2 notion that the scale of our wall brings the human
3 scale back to the building as you go forward. The
4 secondary wall, which is a little shallower that
5 faces the alley side is there. And then again the
6 simplified version of the curtain wall and the office
7 space that exists above the atrium space below, which
8 obviously is key in terms of the transparency and the
9 notion of using slender elements so that people can
10 see out.

11 The retail environment is a strategy of a
12 neutral pier where we're designing the frame that
13 exists around it. We're also designing the second
14 floor, but the actual storefront itself that would be
15 for the retail tenant would be up to their design as
16 you went out on the project.

17 So on the north side -- or on the Main Avenue
18 side, the waterfall on the left is a series of three
19 planes. That is water falling down a vertical
20 surface that is aggregated so that the water has air
21 in it, creating white -- a waterfall as it goes down.
22 This lobby in the center sort of portion, and then
23 you're seeing the sort of peek of the retail presence
24 right around the corner.

25 And then heading back into the lobby. The

1 lobby itself is seen as a very transparent entity
2 that is between two rocks. The sort of notion that
3 you can come into this sort of transparent part and
4 catch a glimpse of the Wharf on the other side, while
5 paired with the retail environment and the waterfall
6 on the other.

7 So now I'm going to talk briefly about the
8 Market Shed. This was done by my colleague, Dave
9 Bagnolr of McGarl Bagnolr. The shed itself is a key
10 element in terms of its scale, even though it's not
11 the biggest building on this one. It holds an
12 important role in terms of the pedestrian experience.
13 It's designed so that it is reminiscent of the other
14 sheds or complimentary to the other sheds in the
15 project, so there's this kind of constant
16 architectural language that exists around it. It's a
17 simple form of highly transparent glass below, a
18 simple sloped roof going down to the center. That
19 center is then the circulation path through the
20 building to not only Market Square but to the
21 elevators in Parcel 1 as you go forward.

22 So it's a beautiful object. The notion that
23 people are in it and out it and it sort of holds this
24 sort of court so to speak, within the frame. And
25 then obviously it's position from the Banneker

1 Overlook, the idea that this is low, it's sitting in
2 a position of significance between the two as you
3 walk in and see the sort of view from the Wharf.

4 Simple elevation. You can see that sort of
5 beginning opening as it goes through in terms of
6 that. And then the transparency of the glass. So
7 again, a very elegant building, one that's
8 representative of a lot of the other sort of smaller
9 scale buildings in the project, and one that will
10 hold a great place in this project.

11 That concludes my presentation.

12 MR. GLASGOW: Mr. Chairman, this concludes
13 the direct presentation of the applicant.

14 CHAIRPERSON HOOD: Okay. Thank you very
15 much. We appreciate the very brief presentation. I
16 think it, as I stated earlier, it would be
17 advantageous for us to ask our questions up here if
18 we have any. Any questions, colleagues?

19 Who would like to go first? Commissioner
20 May.

21 MR. MAY: So I appreciate getting the status
22 report on the project over all. But it's hard to
23 keep -- you know, it's hard to remember what parcel
24 is what and you know, it looks like everything is
25 under construction from the view that I see

1 regularly. So what's actually not, you know, not
2 happening immediately at this point? I mean, what's
3 left to do after the other set downs that you've got
4 and so on?

5 MR. SEAMAN: Including the two set downs for
6 next week and this Parcel 1, what remains is
7 southeast of 7th Street.

8 MR. MAY: Uh-huh.

9 MR. SEAMAN: Which includes four parcels,
10 Parcel 6, 7, 8, and 9, and that's the portion that's
11 between 7th Street Park, which will be part of the
12 first phase, and then down to and including M Street
13 Landing, which is immediately across from Arena
14 Stage. And I'm sorry, and Parcel 10.

15 So Parcel 10 and Parcel 9 frame the M Street
16 Landing Park. Parcel 11A and 11B, which you'll
17 remember the Saint Augustin's Church and the condos,
18 that's --

19 MR. MAY: It's under construction I remember.

20 MR. SEAMAN: Those are nearing completion
21 now. They'll deliver this summer along with the
22 waterfront park.

23 MR. MAY: Okay. So the -- so 7th Street Park
24 is part of Phase 1?

25 MR. SEAMAN: Seventh Street Park is part of

1 Phase 1. We had originally intended to build the
2 recreation pier, which is about a \$10 million pier as
3 part of Phase 2.

4 MR. MAY: Yeah.

5 MR. SEAMAN: We're seeking to advance that
6 now and release an additional tranche of TIF Pilot
7 funding to build that as part of Phase 1, because we
8 felt it was important to finish 7th Street Park and
9 the environment around the hotels.

10 MR. MAY: Right. Okay. And then what about
11 the -- what parcel includes the park all the way at
12 the south end? I mean, that's not 7th Street is it?
13 Is that 7th Street?

14 MR. SEAMAN: The park all the way at the end
15 is the --

16 MR. MAY: Is 7th Street?

17 MR. SEAMAN: -- waterfront park.

18 MR. MAY: Is the waterfront park.

19 MR. SEAMAN: No, that's 6th -- that's at the
20 end of 6th Street.

21 MR. MAY: Yes. So what's the status of that?

22 MR. SEAMAN: The three and a half acre
23 waterfront park is under construction now and will
24 deliver --

25 MR. MAY: It is under constriction now.

1 MR. SEAMAN: And will deliver this summer.

2 MR. MAY: Okay.

3 MR. SEAMAN: Yeah.

4 MR. MAY: Okay. Good. Thanks. Just, like I
5 said, so many parcels.

6 MR. SEAMAN: Sorry.

7 MR. MAY: Yeah, it's just hard to keep track
8 of it all. And those important public amenities that
9 are a benefit to the community are, I think,
10 important to get done as early as they can.

11 So I think you mentioned the ANC voted
12 unanimously to support -- I don't recall seeing a
13 report from ANC. Is that --

14 CHAIRPERSON HOOD: Twenty-four.

15 MR. MAY: Twenty-four. Okay. I'll check
16 that. I don't know why I didn't see it, but I'll
17 check it.

18 MS. SCHELLIN: It was just uploaded this
19 afternoon.

20 MR. MAY: That's why.

21 MS. SCHELLIN: That's why.

22 MR. MAY: All right. And what's the status
23 with the fish market? I mean, your building is, you
24 know, beautiful buildings and next to it is the fish
25 market. So is that -- I mean, I see that -- you

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1 know, I saw a view that included one of those
2 floating eating areas that's I think not there
3 anymore. So I mean, things are changing, right?

4 MR. SEAMAN: Yeah, things are definitely
5 changing at the fish market. We have a -- we
6 completed a master plan for the Deputy Mayor's Office
7 for -- that was back in 2011, I believe. And we are
8 advancing the master plan for the land side of the
9 fish market. So the waterside barges and those, that
10 arrangement where they sell fish off the barges will
11 remain. We're improving the land side which you
12 could sort of get a glimpse of in the Market Square
13 presentation.

14 MR. MAY: Right.

15 MR. SEAMAN: It will include a rehab of the
16 now designated historic old fish cleaning building
17 and lunchroom building that was designated by HPRB as
18 historic. So there will be a rehab of that.

19 MR. MAY: Is that the parcel that's sort of
20 surrounded by other additions, or is it --

21 MR. SEAMAN: It's the one with the cupola
22 right in the middle of the fish market.

23 MR. MAY: Right. But it's got like lots
24 of --

25 MR. SEAMAN: Lots of --

1 MR. MAY: -- additions on it.

2 MR. SEAMAN: Yeah, the additions will be
3 scraped away and the lunch room building will be
4 sensitively rebuilt adjacent.

5 MR. MAY: Okay. Yeah, I imagine a lot is
6 going to be scraped away. Okay.

7 MR. SEAMAN: Yeah. And there would be a
8 couple, a couple new pavilions landside and then a
9 market hall structure.

10 MR. MAY: Okay. So I mean, there was some
11 publicity about the discussions with the vendors and
12 so on and I assume all that's -- since it's receded
13 from the paper all that is moving along?

14 MR. SEAMAN: We're working towards
15 resolution. We have LOIs, Letters of Intent, with
16 two of the three leaseholders at the fish market.

17 MR. MAY: Right.

18 MR. SEAMAN: The one landside leaseholder.
19 And one of the purveyors of fish on the waterside,
20 and we're in mediation with the other waterside fish
21 seller.

22 MR. MAY: And eventually, I mean, I know
23 you're going to be developing landside, but you are
24 the master lessor or whatever, for those barges,
25 right? So I mean, are they going to -- are you going

1 to try to get them to clean up a little bit too?

2 MR. SEAMAN: Yes. We're the lessee of the
3 fish market, so the --

4 MR. MAY: Okay.

5 MR. SEAMAN: -- barges are our tenants.

6 MR. MAY: Yeah.

7 MR. SEAMAN: There is common area maintenance
8 for the fish market, so the intent is to make that
9 program a little bit more robust. We're now hauling
10 the trash down there so we're doing it a little bit
11 more regularly.

12 MR. MAY: Yeah.

13 MR. SEAMAN: We're rebuilding a trash and
14 operations facility with refrigerated trash rooms
15 and --

16 MR. MAY: Right.

17 MR. SEAMAN: -- to try to get rid of some of
18 the smell. And then there will be more ongoing
19 maintenance of the restrooms and the common area
20 facilities.

21 MR. MAY: So I mean, I think the part that
22 people who are going to the market see is you know,
23 kind of normal market stuff, not necessarily super
24 attractive, but also not really unclean looking. But
25 when you get on the water side or you look at it from

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1 above, which is the perspective along the -- you
2 know, again, my bicycle route, you know my bicycle
3 route now, you know, you can see all that stuff and
4 it just, it looks really junky and it's just -- at
5 some point I'm hoping it gets cleaned up. So that's
6 all. That's why I'm asking about it.

7 And it's, you know, there are a lot of people
8 who actually walk that route and there are tourist
9 groups that bike through there on bike tours and, you
10 know, look out over the waterfront and it's like, you
11 know, they have to see it all. So it's not like I'm
12 the only person seeing it is all I'm saying. It's a
13 visible thing and so some point in the future.

14 All right. So back to your buildings. I'm
15 really interested in the waterfall feature. And we
16 saw one image of that. Do you have precedent images
17 or anything like that because it's a little bit hard
18 to really understand what it's going to look like
19 other than it looks like just a whole big wall of
20 water. I mean, is it -- is there going to be further
21 design development of that? Is it, you know --

22 MR. HOCKING: There's certainly more design
23 to develop with that.

24 MR. MAY: Yeah.

25 MR. HOCKING: But it's a common waterfall

1 technology, so to speak.

2 MR. MAY: Right.

3 MR. HOCKING: That's used. And it's a simple
4 material that we have with us now, it's
5 representative of that. Yes, that piece.

6 MR. MAY: Okay.

7 MR. HOCKING: Where it's, in this case, black
8 stone, it's aggregate, and it's sharp. And the idea
9 is that the water cascades down it. And if water was
10 on a smooth surface there would be no air and you
11 would see just a mirror.

12 MR. MAY: Right.

13 MR. HOCKING: And so the stones itself create
14 the air, the air gives the white, it makes it feel
15 like a waterfall. So it's a very common sort of
16 approach, but it's also very elegant --

17 MR. MAY: Right.

18 MR. HOCKING: -- in terms of --

19 MR. MAY: So I mean, you say it's common
20 approach. I wouldn't -- you know, if there were
21 precedent images that you have of where it's already
22 been done --

23 MR. HOCKING: Certainly.

24 MR. MAY: -- I think that would be
25 interesting because right now I mean, it looks -- I

1 mean, it certainly does look interesting. It's not
2 the common thing that you see, and we certainly have
3 seen -- there are a few sort of building face
4 waterfalls in Washington.

5 MR. HOCKING: Yes.

6 MR. MAY: And those are the ones I'm
7 picturing. It doesn't sound like it's exactly the
8 same so I'm just interested to see what it actually
9 looks like.

10 MR. HOCKING: I can give you several
11 precedents then.

12 MR. MAY: Okay. That's good. So when the
13 ANC voted to approve this did they -- were they
14 understanding of -- did they understand the relief
15 that you're requesting with regard to the rooftop
16 use? Was that part of the discussion?

17 MR. SEAMAN: Yes, I believe that was part of
18 the presentation to the ANC.

19 MR. MAY: Okay. I don't know if that's
20 mentioned in their letter, but I'll look at that
21 because that's -- I mean, that's critically important
22 that they understand what that use is. That's the
23 whole point of that being a special exception.

24 MR. GLASGOW: At the bottom of their letter
25 they talk about the ANC generally approves the

1 flexibility that the applicant has requested
2 regarding penthouse setbacks.

3 MR. MAY: It's not the setbacks, it's the --

4 MR. GLASGOW: Oh, yes.

5 MR. MAY: -- it's the use.

6 MR. GLASGOW: And then they get on to the
7 use. And they certainly do not want --

8 MR. MAY: A night club.

9 MR. GLASGOW: -- a night club.

10 MR. MAY: Right.

11 MR. GLASGOW: Up there. And they have some
12 question concerning a bar/cocktail lounge or a
13 restaurant. And did you want to get into that with
14 more detail in our discussions?

15 MR. SEAMAN: Yeah, I think -- we don't have a
16 tenant for the building right now.

17 MR. MAY: Right.

18 MR. SEAMAN: We do want to open it with the
19 rest of the Phase 1, so we wanted the flexibility to
20 be able to try to lease it to either a restaurant, a
21 bar, or ancillary office space if the tenant
22 required.

23 MR. MAY: Right.

24 MR. SEAMAN: So that was the reason we
25 requested the relief. There was no intent for having

1 a night club or --

2 MR. MAY: Sure.

3 MR. SEAMAN: -- a disco.

4 MR. MAY: And I think that's fine. You know,
5 and I think that the higher the building gets the
6 less the concern is about what that use might be on
7 the roof. But again, because it's -- you know, we
8 just passed these regulations and we included the
9 requirement for, you know, seeking a special
10 exception or to have that use, I think it's important
11 that we, you know, we have it on record that the
12 community support of that potential use.

13 MR. GLASGOW: Well, you will want to read the
14 bottom of --

15 MR. MAY: Yeah.

16 MR. GLASGOW: -- their letter and the top of
17 the next page.

18 MR. MAY: I'll want to read the entirety of
19 their letter. And I will as soon as I get a -- as
20 soon as I can.

21 MR. SEAMAN: The one other thing, I'm sorry,
22 that I might point out is the 501 residences in
23 Parcel 2 are going to be the closest neighbors and we
24 own and will be leasing that apartment building. So
25 anything we do up there would need to be --

1 MR. MAY: Yeah.

2 MR. SEAMAN: -- sort of --

3 MR. MAY: Compatible to the -- right.

4 MR. SEAMAN: -- copycatted with the -- and
5 compatible, yes.

6 MR. MAY: Okay. So we'll talk about the real
7 issue that I see, which is the setback relief. The
8 side setback relief, can you explain that to me
9 because looking at the roof -- I mean, I look at the
10 dimensions that are in the plans, but there is some
11 relief that's required because of that -- the cutout
12 section on the north side, I guess.

13 MR. HOCKING: It would be the north side.
14 Yeah, it's actually a minor setback.

15 MR. MAY: Yeah.

16 MR. HOCKING: In terms of that. It's one bay
17 so it would be one 10 foot wide versus I think four
18 stories tall as it goes back up. It's a notch that
19 you can see in the plan.

20 MR. MAY: Right.

21 MR. HOCKING: Right.

22 MR. MAY: Yeah, I mean, I see it there and I
23 mean, what is the setback there?

24 MR. HOCKING: The setback is five feet.

25 MR. MAY: No, no, no, I mean what's the

1 setback of the penthouse from that notch?

2 MR. HOCKING: Fifteen feet.

3 MR. MAY: It's 15 feet and it's a 16 foot
4 penthouse. Okay. So the other one is the more
5 problematic one. And I understand the way you have
6 laid out your core that that -- there is a certain
7 technical reason for that. But I think that's
8 surmountable.

9 One of the things that was prominent in the
10 discussion of the new penthouse regulations is that
11 when we get into occupied space in the penthouse,
12 that the things that have to be taken care of first
13 are mechanical needs and setbacks. And then if
14 there's space left over we can talk about occupied
15 space. And that's clearly not what's happening here.

16 And so I -- and I've been a stickler about
17 this and I've made it an issue in a few other zoning
18 cases or BZA cases, and I'm going to stick to it. I
19 think that the setback has to be met and I think your
20 building needs to be changed so that it meets that
21 setback. And if it's not, I'm not going to support
22 it. That's really what it comes down to.

23 Now, I don't know whether the rest of the
24 Commission is going to support it or not. I
25 understand, you know, the desirability of it. I

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1 understand that it may not be a Height Act violation.
2 It's not about the Height Act, it is the principle
3 about allowing occupied use on rooftops. I have
4 supported it and it was not easy even getting to that
5 support of it. But the support was conditioned that
6 the occupied use was not going to undermine the
7 setback requirements, whether it was setback
8 requirements driven by Height Act or setback
9 requirements driven by the Zoning Regulations.

10 So I mean, that's my principle and that's
11 what I'm sticking to here. I mean the one foot one,
12 surely you can fix that one way or another. I mean,
13 there's got to be a way to take care of that. Even
14 if it's a slight, you know, trellis piece or overhang
15 or something like that, over that bit of cove, and
16 that's not really going to have a significant impact.
17 I understand this is going to affect the look of the
18 building, but that's the point. Right? I don't want
19 to have to -- I don't think we should be looking up
20 and seeing building above that height. I also don't
21 think that's an architectural embellishment. People
22 have tried that argument too. That's not what this
23 is about.

24 So any setback involving an occupied space
25 for a penthouse is going to have to meet -- any

1 occupied use is going to have to meet the setback
2 requirement in my view.

3 MR. GLASGOW: Then wanted to inquire,
4 Commissioner May, with respect to the piece of the
5 core that's there, because we have been in cases
6 where there's been a differentiation between, you
7 know, a core, not meeting the setback requirement and
8 the habitable space.

9 MR. MAY: Well, okay. But for the core, I
10 mean, when relief was granted on the previous
11 projects here, there was not occupiable space up
12 there. And it was -- I understand that was driven --
13 I mean, that was a -- I think it was in a hotel.

14 MR. GLASGOW: Yes.

15 MR. MAY: And it was driven by the location
16 of the elevators. I mean, this is not the elevators.
17 When you're talking about having to move the bathroom
18 and having to put in a transfer stair, right. Shift
19 the stairway over far enough so that it exits to the
20 roof at a higher level. Yeah, you lose some
21 occupiable space below, but look, you've got a lot of
22 occupiable space in here that you didn't have at
23 Stage 1. None of this was imagined at Stage 1
24 because we hadn't passed the penthouse regs.

25 MR. GLASGOW: Uh-huh.

1 MR. MAY: So, you know, everything there is
2 bonus. There's a lot of pink stuff there that can be
3 pushed around in order to make use for your program
4 that has to be there, and there are ways to fix it.

5 MR. GLASGOW: Do you want to -- Mr. Hocking?

6 MR. HOCKING: Yeah. The closest component is
7 the sheer wall for the exit stair I believe. It's
8 not the restrooms. And I mean, that's being
9 constructed now, that stair tower.

10 MR. MAY: Yeah. Maybe you've created a
11 problem for yourself. I'm sorry.

12 MR. HOCKING: I certainly appreciate your
13 opinion. I think one of the ways that we think about
14 this, which is slightly different but I don't think
15 we'll sway you, because I certainly understand where
16 you're coming from, is that we have set the building
17 back significantly from the property line to begin
18 with. And so I can appreciate the sort of light and
19 air and the setbacks that are required in terms of a
20 typical building in the District that would fill the
21 flood plain so to speak, fill the sort of property
22 line. But on that side in particular we've set it
23 back significantly.

24 So if there was another architect that came
25 in and designed a building and such to fill that plan

1 which could have been a choice from ownership, the
2 core would have been fine. But we took a position
3 that we wanted to pull that away to give more to the
4 public amenity down at the Warf side and take that
5 sort of chance to go back as you go, knowing that the
6 core was fixed at that point.

7 And certainly the chairs and things can move
8 in the core and all that stuff. But in terms of that
9 there are impositions on the upper levels of the
10 floorplate that are significant. So we thought, and
11 I guess in terms of your opinion, maybe naively, that
12 that greater relief that we have on the Warf side was
13 compensation for the flexibility that we're asking
14 for on the setback.

15 MR. MAY: Right. Yeah, I heard that argument
16 being made and I am not persuaded by that. I never
17 have been. It's all about the perceived additional
18 height.

19 MR. HOCKING: Uh-huh.

20 MR. MAY: And so you know, I just -- if
21 you're going to have occupied space you're going to
22 have to meet the setbacks.

23 MR. GLASGOW: Then what we would be thinking
24 about then is a post-hearing submission on that, and
25 also with respect to that we may want to have a

1 flexibility with respect to multiple heights.

2 MR. MAY: And I'm much more willing to
3 consider flexibility with regard to multiple heights.
4 Already, you know, we introduced multiple heights in
5 the penthouse regs, and so there's already more
6 flexibility. If there's more that's needed, you
7 know, I mean, I certainly am not trying to push the
8 height of everything, you know, further up. It's
9 really just a matter of meeting that setback
10 requirement.

11 I mean, I'm really hoping that this is not
12 going to be a huge structural problem. I understand
13 if it's a sheer wall maybe that sheer wall isn't
14 needed all the way up to the penthouse level. I
15 don't know what the deal is. But you know, hopefully
16 you'll be able to figure it out. That's where I am.

17 I don't think I have any other issues. I
18 mean, the rest of the building seems to be very
19 finely designed and you know, makes the right moves
20 towards the shed and I think the shed looks fine. I
21 mean, it's kind of unusual as a shape for a shed, but
22 that's okay. This is a pretty modern looking
23 development overall, so I think it's fine.

24 CHAIRPERSON HOOD: Okay. Vice Chair Cohen,
25 you like to go next?

1 MS. COHEN: Thank you, Mr. Chairman.
2 Commissioner May finds the fish market a little
3 unpleasant. I find it very authentic. Please don't
4 make it into Disneyland.

5 MR. MAY: You need to look at it from the
6 top.

7 MS. COHEN: From the top?

8 MR. MAY: From the top.

9 MS. COHEN: All right. Well, I just don't
10 like Disneyland looking things, so.

11 [Someone speaking off mic.]

12 MS. COHEN: I don't know. I'm not that
13 concerned.

14 I'm going to go back to some of the issues I
15 raised during set down because I'm sure this was just
16 unintended that you didn't address the majority of my
17 issues. So again, I suffered some disappointment
18 when we didn't go for the clock tower, when my
19 colleagues put that down. So I really thought that
20 the cogeneration plant was an important part of this
21 project, and yet it no longer exists on this parcel
22 and no one mentioned why, other than cost.

23 But that doesn't mean anything to me if it's
24 not explained. So I would like somebody to pay
25 attention to that issue so that future generations

1 will know that it just didn't disappear. I would
2 like it actually addressed. You don't have to do it
3 at this moment, but it's important, as I said,
4 because other than Commissioner Hood, most of us
5 won't be here in 20 years.

6 CHAIRPERSON HOOD: I'm in my 20s.

7 MR. SEAMAN: I'm happy to answer, or if --

8 MS. COHEN: That's fine. Yeah. For the
9 record.

10 MR. SEAMAN: Was the first question about the
11 clock tower or --

12 MS. COHEN: No, no, no.

13 MR. SEAMAN: Okay. All right.

14 MS. COHEN: That was just --

15 MR. SEAMAN: I know better than to put a
16 clock tower on a building after what we went through.

17 MS. COHEN: No, but I actually liked it and
18 it was Commissioner Turnbull that hated it. So I was
19 just poking him.

20 MR. SEAMAN: As far as the cogen goes, the
21 cogeneration plant was located in Parcel 2. It was
22 actually in the 60-foot section of Parcel 2 in
23 between the two apartment towers and it was sort of
24 adjacent to the Wharf Hall, the theater. We tried
25 for about 18 months with Washington Gas Energy

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1 Services to come up with a cogeneration plan that
2 would distribute power throughout the entire Wharf
3 project, and what we found out at the end of that, it
4 was a frustrating time because we had spent a lot of
5 time and energy and resources to pursue it, is that
6 it would be difficult to, in effect, act as a utility
7 and sell power and the heat by-product to adjacent
8 parcel owners that were not in fact our own.

9 Because there's no streets that we were
10 crossing, you know, we thought that there would be no
11 tariff issues with PEPCO and all of the utilities
12 that had tariffs in D.C. The problem really was
13 trying to find an equitable way to charge for
14 electricity and the heat byproduct to other
15 developers who at the time were -- Carr Hospitality
16 is still a developer on the property site at 3B and
17 then the JBG companies on Parcel 5.

18 What we ended up with was power that was
19 going to cost more than PEPCO and trying to get
20 people to take power at a higher cost was something
21 that would not be commercially viable. I mean, it
22 would be more expensive for us to produce the
23 electricity. It doesn't make sense, but that was the
24 outcome that we came out with and the redundancy that
25 was necessary for the turbines that were in the cogen

1 would require a huge capital outlay that you'd be
2 paying off for the life of the project. I think the
3 cogen is more well suited for a campus ownership
4 situation, where you have dormitories or classrooms.
5 I think it's definitely a viable technology there.

6 What we ended up doing, because we didn't
7 want to lose the whole concept of the cogen, is we
8 put a smaller cogeneration plant on the roof of
9 Parcel 2. It's still a good story. It's not as good
10 as the entire project, but the cogeneration plant
11 powers all of the lights and electricity in the
12 parking garage. And the heat byproduct, I believe,
13 is going to -- is it hot water for -- yeah, it's the
14 residential domestic hot water.

15 So we have a smaller cogen that is -- I think
16 the good story there is the electricity for the
17 public parking garage, and the private parking garage
18 is all out of the cogeneration plan that's fueled by
19 natural gas. So it does have an impact on fossil
20 fuels and actually using electricity off the grid for
21 that component of the project.

22 MS. COHEN: Thank you for that explanation.

23 MR. SEAMAN: Sure.

24 MS. COHEN: I really appreciate it. Okay.
25 One of the things, and it may be in the package on --

1 and noise attenuation, which is of concern to the ANC
2 as well, and lighting on that height and on the
3 rooftop, so I'm sure you are -- can you elaborate on
4 that?

5 MR. SEAMAN: Sure. If we went with a
6 restaurant or bar use I think, because it's common
7 ownership with the closest building, which is just
8 across the alley, the residential, there's you know,
9 several dozen units that face out towards that roof.
10 So I think we would definitely try to focus the --
11 any sort of noise created away from the residential.
12 I think we would look at operations. We would also
13 be leasing the retail space to a restaurant tour. So
14 we would regulate that by operating hours and, you
15 know, and we can put things in their lease to try to
16 mitigate the noise and we're doing that elsewhere in
17 the project, even on some of our ground floor retail
18 just to try to avoid noise mitigation up from ground
19 floor retailer into residential.

20 So we're very sensitive to that issue. We
21 would make every effort to make sure that it was not
22 impactful to our residents, let alone further away in
23 the neighborhood.

24 MS. COHEN: And lighting?

25 MR. SEAMAN: Lighting, the project is LEED ND

1 Gold. I mean, we're taking every effort not to up
2 light the sky with the project and be sensitive about
3 the lighting that we use on the buildings. I think
4 we're LEED Gold core and shell for the office
5 building. So there's certain parameters in LEED, but
6 just as a general principle we're trying to be
7 sensitive to the lighting. We used sort of a low
8 general lighting over the Wharf project, you might
9 remember from the Stage 1 and trying to keep it
10 subdued, not Disneyesque.

11 MS. COHEN: Thank you. One of the areas that
12 you did not elaborate on the status is the live-ons,
13 live-ins, the boat. The boating people. How is that
14 going?

15 MR. SEAMAN: That's going well as well.
16 Because the recreation pier, which you'll see on
17 Monday, is actually built where two of the existing
18 gangplank docks are currently, we've started in
19 earnest, conversations with the gangplank slip
20 holders, which is the tenant association for the
21 live-aboards and the marina owners. We've had
22 probably a half dozen meetings at this point with
23 their general leadership, and then also a general
24 meeting that we had on Tuesday of this week.

25 So we've started the conversation with them,

1 we've started showing them what the future marina
2 will look like and to engage in the conversation so
3 that when we get to the PUD and the public hearing
4 we, we're hoping that we have their full support.

5 MS. COHEN: You elaborated on the successes
6 you've had in hiring, and your CBE issues. So could
7 you tell me those since you're putting a lot of money
8 into like, workforce intermediaries, where do you
9 foresee the outcome being? Will these be
10 professional jobs? Are you hoping just for
11 construction jobs, management jobs? What do you
12 expect to realize from this major investment?

13 MR. SEAMAN: Right now the effort is
14 certainly on the construction side. The cohort that
15 I had referred to the public housing project, that's
16 to place workers in construction jobs. We had
17 contributed the million dollars to the workforce
18 intermediary program. It's \$650,000 of that went to
19 the workforce intermediary counsel. I believe that's
20 where it ultimately ended up. They have programs for
21 both construction and also hospitality. So our hope
22 is that since we have a large hotel component here
23 that there may actually be a hospitality component to
24 that beyond just the construction jobs.

25 And then the other 350 we have a program that

1 we've outlined. The money is in escrow right now but
2 we're hoping to release that soon so that we can use
3 the money to start a program with the Cardoza
4 Construction Trades Academy, and it would be an
5 ongoing training program for additional construction
6 jobs.

7 We, for the Hoffman Madison and the project
8 management, development management, we post all of
9 our job openings, whether they're construction
10 related or administrative, or development related, on
11 the CBE website and interview -- I'm sorry. The
12 DSLBD website, and you know, we interview folks that
13 are brought forward or other District residents that
14 express interest in the jobs.

15 So we've been trying to hit across all
16 sectors but it's generally focused on construction at
17 this point because that's where the majority of the
18 jobs are.

19 MS. COHEN: Are you getting reports from the
20 intermediary as to how they're progressing, because
21 if you don't start now to train people for jobs in
22 three, five years, you know, for readiness, then they
23 really may have to be intensive education and --

24 MR. SEAMAN: Yeah, absolutely. Elinor Bacon,
25 who is our partner that's in charge of jobs,

1 workforce training, and CBE participation has
2 quarterly updates with all of the agencies, including
3 the WIC, and is engaged in that process. So we're
4 active participants in that on an ongoing basis.

5 MS. COHEN: All right. I just wanted to
6 share my reaction with regard to this setback. I
7 have tremendous, tremendous respect for my colleague,
8 Peter May. But I read your submission with regard to
9 why you are finding it difficult to modify. Of
10 course I think that he is very -- he influences me a
11 great deal because he is so educated in this area.

12 But I do have some concerns that this is a
13 beautiful building, I would like to see it built, and
14 therefore I don't think I'm as hardfast as he is. I
15 just think that that's my own opinion.

16 CHAIRPERSON HOOD: Okay. Who would like to
17 go next? Mr. Turnbull, our regular order I guess.

18 MR. TURNBULL: Thank you, Mr. Chair. Thank
19 you for your presentation tonight. It fills out one
20 of the last pieces that we've been wanting to look at
21 so, thank you very much.

22 I don't have a lot of comments. I guess one
23 of the things -- regarding the pier, and how much
24 gets built out, how much gets changed, how much you
25 own, what -- how does that interface with the rest of

1 the work that's going on, where what you're doing in
2 this phase?

3 MR. SEAMAN: Which pier are you referring to?

4 MR. TURNBULL: Well, I mean, you have the
5 waterfront right in front of the waterfront, the
6 landscaping that goes out to the water. That's
7 clearly indicated on your drawings as part of your
8 construction in the red.

9 MR. SEAMAN: Okay.

10 MR. TURNBULL: But then from that, then
11 there's the one pier going out, which is not yours.
12 But is anything -- how is that being coordinated?

13 MR. SEAMAN: I understand now. That pier,
14 Market Pier, is actually constructed.

15 MR. TURNBULL: It is?

16 MR. SEAMAN: It's out there today. That was
17 part of the overall elements.

18 MR. TURNBULL: Is the signage up there
19 already too?

20 MR. SEAMAN: The signage has not been
21 constructed.

22 MR. TURNBULL: That's what I thought. Okay.

23 MR. SEAMAN: The concrete pier. The signage
24 is approved though --

25 MR. TURNBULL: Right.

1 MR. SEAMAN: -- as part of a previous PUD and
2 so it is what you saw in the images.

3 MR. TURNBULL: That's what I thought.

4 MR. SEAMAN: Yeah.

5 MR. TURNBULL: But I just wanted to be clear
6 on that.

7 MR. SEAMAN: Yeah. The pier was really
8 conceived of as a third pier at the fish market, and
9 our hope is that there would be additional barges
10 there that would ring the outside. And then that's
11 also, you'll see the floating docks just beyond the
12 market pier. That's the entrance to the day docks.
13 The day docks are about 45 slips that are there for
14 transient vessels. For folks to come to the fish
15 market or go out to dinner and just park a boat by
16 the hour. It's sort of the first opportunity at the
17 waterfront to park a transient boat for a short
18 period of time.

19 MR. TURNBULL: Okay. I just wanted to
20 clarify that.

21 The alleyway, the little roadway between this
22 building and Parcel 2, which is a sort of a loading
23 area, a delivery area for both buildings, now most of
24 that was built, or is going to be part of Parcel 2.

25 MR. SEAMAN: Yes.

1 MR. TURNBULL: And that has the granite
2 pavers on it, I believe.

3 MR. SEAMAN: The granite pavers, there's a
4 triangular portion there that has a fountain in the
5 middle. The granite pavers extend to the end of the
6 triangle and then it's actually asphalt down the
7 alley just because of the --

8 MR. TURNBULL: Okay.

9 MR. SEAMAN: -- intensity of use.

10 MR. TURNBULL: Okay. And the two spaces in
11 Parcel 2, at either end, are they retail? I couldn't
12 remember.

13 MR. SEAMAN: At the two corners.

14 MR. TURNBULL: Yeah.

15 MR. SEAMAN: They're both retail, yeah.

16 MR. TURNBULL: They're both retail.

17 MR. SEAMAN: Restaurants.

18 MR. TURNBULL: At Main and again by the
19 waterway. Okay.

20 MR. SEAMAN: I'm sorry. The two water facing
21 are restaurants. The out on Main Avenue it may be a
22 soft goods retailer.

23 MR. TURNBULL: Okay. But it is retail?

24 MR. SEAMAN: Oh, yeah. It's all retail.

25 MR. TURNBULL: Okay. Okay. Well, as much as

1 I like to agree with the Vice Chair most of the time
2 I think I would agree with Commissioner May on the
3 setbacks. I think he makes a -- he makes a good
4 point, so I think there is some room for improvement
5 up there. And I think you can make some -- after
6 looking at the plans I think there is some
7 flexibility that can be attained on there. So I
8 would go along with having you look at some ideas on
9 how to make a change up there.

10 The other part that I'm looking at is, I
11 think you asked for flexibility for materiality. You
12 were talking about terracotta and the option of going
13 to a metal panel system. Do we have any -- you were
14 going to provide samples of the metal panel.

15 MR. HOCKING: Yes, it's actually there is --
16 depending on your knowledge of the materials used,
17 it's actually an extruded aluminum. Metal panel is a
18 different system.

19 MR. TURNBULL: Okay. Well, whatever.

20 MR. HOCKING: So it's an extruded aluminum
21 and we have actually have been fortunate today to
22 have meetings with curtain mall vendors, two of them.
23 And as we work through the process I think we're
24 finding relative to the very challenging market that
25 we exist in in terms of commodities, which one we

1 actually end up with. They're both very elegant.
2 The idea was that the extruded aluminum, the texture,
3 and the sort of character of it will match what the
4 terracotta has. So in the end --

5 MR. TURNBULL: But the color would be the
6 same?

7 MR. HOCKING: I think the color would start
8 off being the same. The metals act differently. The
9 terracotta that you can see between those two
10 samples, one is glazed white, and one is natural. I
11 think we might sort of want to look at further
12 develop the colors for the extruded aluminum version
13 but knowing that the depth, which is the foundation
14 of the wall, is really important. We will strive to
15 keep.

16 MR. TURNBULL: Now you're talking that the
17 profiles would be the same?

18 MR. HOCKING: We're trying to get the
19 profiles to be the same.

20 MR. TURNBULL: Now, the terracotta is a
21 striated terracotta, though?

22 MR. HOCKING: It's striped, yes. And we're
23 planning that the aluminum, once it's extruded, you
24 can put those striations in it because of the
25 extrusion.

1 MR. TURNBULL: So you have the same thing.
2 Had to be kind of a dull -- now this -- you're
3 looking at a matter finish, then, on most of these,
4 or --

5 MR. HOCKING: I think we have to pick the
6 color for the aluminum to match the material. It's
7 going to be almost -- it's challenging to match
8 exactly what the terracotta is in the aluminum.

9 MR. TURNBULL: Okay.

10 MR. HOCKING: But the notion of the two-
11 tones, the notion of the white being on the tip, will
12 hold fast. It's heavy.

13 MR. TURNBULL: Excuse me while I pass this.

14 MR. HOCKING: Yeah. And actually, I wouldn't
15 trust the tray too much.

16 MR. TURNBULL: The Vice --

17 MR. HOCKING: Just be careful.

18 MR. TURNBULL: The Vice Chair has assured me
19 she's strong.

20 Getting back to the rooftop and the use, you
21 talk that you're not really encouraging a night club.
22 That's kind of something that you can --

23 MR. GLASGOW: There will not be a night club.

24 MR. TURNBULL: Not be a night club. So we
25 can rest that, put that to bed?

1 MR. GLASGOW: That's correct.

2 MR. TURNBULL: So I was looking for a
3 restaurant. I was looking at the rendering you have
4 in our -- in the pack you presented, page 26, the
5 rendering of the roof. It's a very Messiaen looking
6 penthouse, the black and glass, which is fine.

7 The furniture, the staging up there looks
8 like it's a little staged and it looks like you
9 really don't know what you want to do up there and
10 it's just like, well, we're going to put some
11 furniture, we're going to put some plants.

12 I guess what I'm trying to get a feel for is
13 this wavering look that something might be up there
14 that is not -- that is fixed that you're not showing
15 could be fixed, like a trellis, lighting, stanchions
16 up there. That is not showing on this. This looks
17 like it's a very movable type thing that goes out and
18 it's just there.

19 We talked about the low lighting, I think.
20 We talked about -- Shawn mentioned that there are
21 very little -- the lighting would be low lighting.
22 I'd like to get some kind of indication of a plan,
23 something that would show that de minimis type of a
24 lighting that is not up lighting. You mentioned
25 going for LEED and that you're not going to be doing

1 that, but I think if we could be reassured on a plan
2 of something that would be good.

3 And the only other thing is, I guess, by this
4 I'm looking at what this furniture has shown me, that
5 it's a very movable furniture. There's nothing
6 really fixed. There's going to be no fireplace,
7 which often shows up. I mean, we get these things
8 that show up. So right now it's like it's a very
9 minimal use up there that's going to be -- comes in,
10 comes out, and I just -- is that your plan? Or you
11 don't know yet?

12 MR. GLASGOW: We don't know yet, but at this
13 point I think if it was ancillary space for the
14 office user it would be tables and chairs and outdoor
15 gathering space. We're not planning, at this point,
16 on a large fixed trellis or --

17 MR. TURNBULL: Okay.

18 MR. GLASGOW: -- you know, large, you know,
19 fixtures. There might be -- I mean, there might be a
20 fire pit of some sort, but you know, I don't think
21 it's a huge fire place with a chimney and a --

22 MR. TURNBULL: Well, there could be a
23 modification then, coming forward, then some kind of
24 a change on the roof to do --

25 MR. GLASGOW: Right. We may need to,

1 depending on how intense the use is. But I think
2 right now we're thinking movable furniture and --

3 MR. TURNBULL: Okay.

4 MR. GLASGOW: Hopefully better looking than
5 what's shown. But in a more organized fashion.

6 MR. TURNBULL: Okay. All right, then. Mr.
7 Chair, those are my questions.

8 CHAIRPERSON HOOD: Okay. Thank you.
9 Commissioner Miller.

10 MR. MILLER: Thank you, Mr. Chairman. This
11 continues to be an amazing project. That is -- that
12 will revitalize the entire Southwest Waterfront and
13 the city, make use of the waterfront in a way that we
14 haven't as a city, done, which is great.

15 And I appreciate a lot of the aspects of the
16 overall development and of this development in
17 particular. I appreciate the information you've
18 given on the CB and the local hiring, I think, that
19 you're to be commended on that. And the design and
20 the materials for this particular -- for the office
21 building, office and retail building, and then for
22 the market shed is very attractive and distinct and
23 unique.

24 I also am not as concerned about the -- I
25 mean, I appreciate Commissioner May's comments about

1 that mechanical comes first and then what's ever left
2 over you can use for the habitable. That's his
3 principle and that's a principle position to take.

4 But here I think the responses that you've
5 given, including that I think Parcel 2, next door,
6 doesn't have a setback facing on the same height as
7 this building, doesn't have a setback facing Parcel
8 1. At least I saw that, I thought, in one of your
9 submissions. Is that correct?

10 MR. STEENHOEK: There was setback relief
11 granted for Parcel 2 along that adjacent façade.

12 MR. MILLER: So it's not set -- so it's --

13 MR. STEENHOEK: It's at the elevator core.

14 MR. MILLER: It's not setback there. And
15 then it's a different -- facing the Wharf. I mean,
16 I'm looking at it now. I mean, it's a different
17 material, or a different design than the rest of the
18 building, so it's not like the concern that
19 Commissioner May often does express when there is a
20 setback. It looks like just a continuation of a
21 building, and to get additional height.

22 Here, I mean, it's clearly a different
23 rhythm, it's a different color, it's a different
24 glazing. It looks at least from the rendering that
25 I'm looking at, that it's facing the Wharf. So I

1 don't have as much of a concern, but you know, if you
2 come up with an alternative that -- where you can get
3 unanimous approval I'm sure you would rather have
4 that than a divided vote.

5 So I would encourage you to try to meet Mr.
6 May's concern. But I personally don't have as much
7 concern in this particular case. Just because of the
8 way the building is designed and because of the
9 precedent right next door.

10 So on the -- I guess I would echo
11 Commissioner Turnbull's request for maybe some
12 additional language or plan, showing of a plan that
13 shows the lighting on the occupiable space on the
14 rooftop, whether it's the lighting or maybe some text
15 on the noise that you may have -- or an example of
16 what you did do and that other example where you had
17 noise attenuation on the ground. As Commissioner May
18 said, it's not as big a problem up on the roof.

19 And it does appear that that programmatic use
20 of -- if it's a restaurant, for example, it appears
21 to be away from the residential building next door.
22 It's toward the fish -- toward the Market Shed and
23 the Fish Market, really.

24 MR. STEENHOEK: That's correct.

25 MR. MILLER: So they're going to hear the

1 mechanical. They're going to hear the HVAC way
2 before they hear the -- which they probably might
3 prefer to hear the music coming from a restaurant.
4 But do you plan to have any outdoor seating for the
5 restaurant, or do you know at this point? I would
6 think that would be a very attractive place to be --

7 MR. STEENHOEK: Yeah, I think --

8 MR. MILLER: -- dining.

9 MR. STEENHOEK: -- if it was a restaurant.

10 MR. MILLER: Dining with the Washington
11 Monument in the background.

12 MR. SEAMAN: Sure. I think if it was a
13 restaurant we'd probably want outdoor dining.

14 MR. MILLER: So I think it might be important
15 just to show what the -- an example, at least, if not
16 a condition of what the amplified music would be in
17 the hours or something like that. Of course there
18 will be another entity that is well equipped to
19 regulate all of that. And I of course did not
20 support the special exception process for this type
21 of use because I thought any type of use that was
22 permitted in the zone should just be permitted
23 because there is another entity and this was
24 duplicative. But and over an abundance of caution
25 our Commission acted otherwise.

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1 So it might be good to see some of those
2 standards for the noise and lighting just to provide
3 some assurance to those who are -- including the ANC,
4 that are concerned about that issue.

5 The only other comment I have is, we've
6 talked about this before and it's part of -- it was
7 already part of the first stage approvals, but the
8 multimodal thing, the modal stuff that's going on
9 like around this Market Shed, the cars and the people
10 and the strollers and the -- I'm interested to see
11 how this is all going to work out because it just --
12 I realize they're not going to be able to go very
13 fast. It looks like they're already cuing up going
14 around the -- looks like some could end up in the
15 water, or in the glass market shed. It just, seeing
16 those cars right there, I don't know if you can say
17 anything that would -- I guess I need to visit San
18 Francisco or somewhere else where you're modeling
19 this on because --

20 MS. COHEN: Paris, Amsterdam.

21 MR. MILLER: Where?

22 MS. COHEN: Paris and Amsterdam.

23 MR. MILLER: Yeah, I need to get out of the
24 city more.

25 MR. SEAMAN: Yeah, there's certainly good

1 European examples. I think one of the ones we've
2 cited frequently in the first stage was the Pike
3 Place, the area around the market stalls in Pike
4 Place. I think if you've been to the fish market
5 recently on the weekend, it's generally complete
6 gridlock so nobody is going anywhere very fast. I
7 think one of the challenges for us will be traffic
8 control and trying to encourage people to use the
9 underground parking spaces that we have in the
10 project. So --

11 MR. MILLER: You're going to have a new --
12 there's a whole new signal that's already been built
13 at --

14 MR. SEAMAN: Yeah. Half of the intersection
15 is built now. But it will allow for the first time,
16 left turns into the fish market. And we'll try to
17 sign it so that people know where to go, so there's a
18 little bit less confusion and mayhem. But I think
19 that the gridlock actually helps the -- from a
20 pedestrian standpoint, you're not going through there
21 as the fast way anywhere. That's definitely if
22 you're trying to go in and utilize the fish market.
23 And it would be a very slow speed. And the
24 materiality of the market square, which we didn't get
25 into a lot of the landscape presentation, but it's

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1 purposefully designed to slow traffic and discourage
2 speeding through there.

3 MR. MILLER: Right. So the only other --
4 other than the comment I wanted to make was on this
5 temporary staircase that requires a lot of other
6 regulatory approvals, and I think the Park Service is
7 heavily involved in that and NCPC and --

8 MR. MAY: Yeah, my colleagues are working on
9 it. I'm not really --

10 MR. MILLER: Yeah.

11 MR. MAY: I'm not in the loop there.

12 MR. MILLER: Yeah. So has scoping, or
13 there's a beginning up in the air going on with NCPC,
14 or there's a Section 106, and how soon is all that
15 going to happen?

16 MR. STEENHOEK: Sure. We have been working
17 with Park Service, and NCPC, Office of Planning,
18 DDOT, the whole host of agencies, on the EA and the
19 Section 106. The draft of both the EA and the 106
20 are currently in with the agencies for their review,
21 and we anticipate that that will be posted for the
22 public probably in February. All the public meetings
23 have already happened. They've selected their two
24 preferred alternatives for analysis and it's nearing
25 completion of those two parts of the process.

1 MR. MILLER: And it's a requirement of the
2 first stage approval to pursue that, these approvals,
3 for that temporary staircase, right? But I guess
4 there's no certainty of time because of the
5 uncertainty of these regulatory approvals and you
6 would not want --

7 MR. STEENHOEK: That's correct.

8 MR. MILLER: -- something that tied that to
9 the C of O of this project, I assume. It's not going
10 to happen that quickly or might not happen that
11 quickly.

12 MR. SEAMAN: It may. I think our goal would
13 be to have it completed as part of the first phase at
14 the end of 2017. I think the EA is wrapping up. The
15 NCPC, I mean, they had done a lot of the early
16 planning. So it would be finishing construction
17 documents and actually building it. But I mean,
18 there's a potential it could be done, coterminous
19 with our Phase 1, and we're, I mean, we're excited to
20 see it completed because it's the major connection
21 from L'Enfant Promenade, which there's a lot of time
22 and energy being spent to improve that 10th Street --

23 MR. MILLER: Right.

24 MR. SEAMAN: -- approach. I believe the Spy
25 Museum is going up at L'Enfant, and there's a lot of

1 new development going up there. And I think there's
2 a huge opportunity to attract tourists and folks
3 coming from the National Mall. It's a very short
4 walk and that's the major entrance into our project.

5 MR. MILLER: Right. That's great. Okay.
6 Well, thank you very much for your presentation, for
7 your responses to the questions.

8 CHAIRPERSON HOOD: Okay. I just a few
9 questions. Mr. Seaman, you mentioned the -- early
10 on, and I like the way you memorialized it. I didn't
11 really read it anywhere and I couldn't find it. But
12 it may have been in the first stage. But you mention
13 about how you were working with Ward 8 and could you
14 just briefly -- or maybe, if somebody could tell me
15 where it is in the record, or just briefly tell me --
16 discuss that again so I can hear it again. It's been
17 a while. Heard a lot of questions since then. Just
18 recapture that for me because I did want to ask a few
19 questions.

20 MR. SEAMAN: Sure. It was Tab E of the case
21 exhibits, I believe, has the projects, public
22 benefits. And I had just extrapolated a few. You
23 probably won't find these numbers in there because
24 these are the most current reporting from the fourth
25 quarter of 2015. But we report monthly and actually

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1 I guess we report quarterly on the CBE and the First
2 Source. But we -- this project is a little unique in
3 that we had goals for not only CBE participation and
4 First Source participation for the District, but we
5 also had goals targeting specifically east of the
6 river. And then also Ward 8 for the job creation.
7 So the new jobs, we had 84 District residents in the
8 newly created jobs at the Wharf since project
9 construction started in 2014. Twenty-six of those
10 are from Ward 8.

11 And then we also have an apprenticeship
12 program where 70 percent of the 35 apprentices that
13 we have are from D.C. and a third of those are from
14 east of the river. We had set out targets from the
15 old Anacostia Waterfront Initiative that were part of
16 the land disposition agreement with the District that
17 targeted those areas. So that was the origin of
18 those.

19 CHAIRPERSON HOOD: Okay. When I look at Tab
20 E some other stuff gets on there and maybe that's
21 what averted my attention. But there's quite a bit
22 on that. Who are you working with in Ward 8?

23 MR. SEAMAN: Is Elinor still behind me? Do
24 you want to answer that? Can she come up?

25 CHAIRPERSON HOOD: Sure. She can come up.

1 Elinor Bacon.

2 MR. SEAMAN: She does everything related to
3 CBE and First Source. And she's --

4 MR. GLASGOW: Okay. Can she get sworn in?

5 MS. SCHELLIN: Please raise your right hand.
6 [Oath administered to Ms. Bacon.]

7 MS. BACON: Yes.

8 MS. SCHELLIN: Thank you.

9 MS. BACON: Mr. Chairman, Commissioners,
10 we've been working with various different
11 organizations in Ward 8. There's a Ward 8 Workforce
12 Development Council. We previously worked with the
13 Ward 8 Business Council. We work with the ANC and
14 also obviously with the council person. And we've
15 been very pleased that in fact we have been able to
16 succeed in the way that we have already in terms of
17 hiring and also apprenticeships.

18 CHAIRPERSON HOOD: Can we memorialize that
19 for the record, exactly what she said of who they've
20 been working with? Also, there's a group out there
21 that we just mentioned the other day who is helping
22 to bring Ward 8, and I'm not advocating but I know
23 that they seem to be on target with trying to do --
24 what's the name of it? Anacostia? Anacostia
25 Economic --

1 MS. SCHELLIN: Development Corporation.

2 CHAIRPERSON HOOD: -- Development
3 Corporation. Are you working with them too?

4 MS. BACON: We haven't, actually, no, but I
5 certainly know the organization.

6 CHAIRPERSON HOOD: Okay. Well, if you could
7 they may be able to assist you also because I think
8 it's key. And which ANC? Do we know which ANC? Can
9 we -- I want all that memorialized.

10 MS. BACON: I don't. I don't have the ANC.
11 I mean, we work with the ANC on Ward -- you know, in
12 our area, in Southwest particularly. And in Ward 8
13 it's really the Workforce Development Council that
14 has been the primary connection recently. I mean,
15 I've been involved with this for a long time, since
16 2006, and so, you know, we are much more involved.
17 Perhaps earlier with different organizations.

18 CHAIRPERSON HOOD: Well, one of the things --
19 this is a big project. This is a major mashing of a
20 neighborhood and a community and of a city, this
21 waterfront project. And I just don't want this to be
22 a missed opportunity. I think there's enough to go
23 around for the local ANC and every ANC. I mean, it's
24 just so much to this and Ward 8 and 7, as this
25 administration is already noted, is underserved, and

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1 this would be a good piece of reaching out and it
2 seems like that's already happening. I'd just like
3 to see that memorialized and see what we can do. And
4 I'm sure that this community would not mind because
5 one of the things that we want to make sure on this
6 project is that there's not a missed opportunity with
7 jobs for residents at the city, and I think this
8 administration is going that way. So we want to make
9 sure because this is a big deal. This is a big deal.

10 Let me ask you this, Mr. Seaman, the pool for
11 the construction jobs, and I know those are temporary
12 but you know, a temporary job is better than no job.
13 The pool that we're getting ready for this project, I
14 mean the training, the workforce, are they learning
15 now so when some of the things begin to come
16 available that they would be skilled and have the
17 skillset to go down to be able to perform whatever
18 duties they are, whether it be a laborer or whatever
19 the case is.

20 MS. BACON: Well, we've been working with the
21 organization which is the training organization hired
22 by the WIC, and that is Building Futures. Building
23 Futures is an organization that is affiliated with
24 the unions, and we're very excited about this cohort
25 that's happening, starting February 1st, where we

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1 worked with the D.C. Housing Authority, with the ANC
2 commissioners in Southwest, and many others. This
3 Workforce, we've developed a workforce taskforce
4 essentially that includes Ward 8 representatives as
5 well as Ward 7.

6 And so although there are only going to be
7 five, I believe, candidates, that have been approved
8 to move forward, we're not sure if they're going to
9 be ultimately accepted or not, into the program.
10 This is five public housing residents who are going
11 to be trained and the Building Futures training I
12 don't know how frequently they graduate classes, but
13 they have 20 in each cohort. And we work with them
14 so that the people who are trained are then hopefully
15 brought into the Wharf.

16 CHAIRPERSON HOOD: I'd like to get all that
17 memorialized. And it doesn't have to be but a one
18 pager.

19 MS. BACON: Sure.

20 CHAIRPERSON HOOD: If you can get on it. My
21 boss, every time I do something, she likes one
22 pagers. She even got me talking about one pagers.

23 MS. BACON: Be happy to do so.

24 CHAIRPERSON HOOD: Hopefully she's not
25 watching. She might ask for two now. But a one

1 pager will be fine for me, and memorialize that.
2 Especially if you're working with the Union, AFLCI,
3 or whoever you're working with.

4 MS. BACON: Yes.

5 CHAIRPERSON HOOD: Will be great for this
6 record. So when the question comes up, did the
7 Commission look at this, we can report back and say,
8 well, this is in the record.

9 MS. BACON: Great. We would be happy to do
10 that, and also would be happy to be working more with
11 Ward 8, organizations including ANC members, as you
12 would suggest, and others.

13 CHAIRPERSON HOOD: Okay. Sounds great. That
14 way we won't have a missed opportunity. So thank
15 you --

16 MS. BACON: Thank you.

17 CHAIRPERSON HOOD: -- for everything you all
18 are doing.

19 On the second floor of the building there's
20 amenity space and I was just wondering -- I think
21 it's the second floor. There's amenity space. What
22 is that space used for, or going to be used for?

23 MR. SEAMAN: Right now the plan is that would
24 probably be a gym or a fitness facility for the -- if
25 I'm not misspeaking, I might get -- it's fitness.

1 Yeah.

2 CHAIRPERSON HOOD: Okay. Not a ballroom or
3 anything of that -- okay. Okay. All right. I do
4 have a question for DDOT. I want to know how many
5 accidents do they have with people looking at your
6 project who are riding on bicycles when they ride by
7 there. But I'm going to save that question for DDOT.
8 So Mr. Westrom, I want that information because Mr.
9 May kind of made me nervous when he's riding by, him
10 and all his bicycle riders, looking at the project.
11 And I'm thinking, when I'm driving they come right in
12 front of me. So anyway, that's a question for DDOT.

13 MR. MAY: I'm glad you brought that up.
14 There's actually an unsafe condition with the rail at
15 the top there, right where the switchback ramp is.
16 Maybe DDOT needs to look into this before somebody
17 rides off of it. But when bicycles are on a bridge
18 like that you're supposed to have a high rail, like a
19 five-foot rail, something like that. And there's a
20 gap right at the end there before you get on to the
21 switchback where it's only like a 42-inch rail. So
22 if anybody hits in on their bicycle they're going to
23 go fall 30 feet. So thanks for bringing that up.

24 CHAIRPERSON HOOD: Mr. Westrom, what I'm more
25 interested in is how is he looking at the project and

1 watching what's in front of him. That's what I'm
2 more interested in. And maybe you can help,
3 Commissioner May, and I understand how he's doing
4 that because I don't want to ask him because --

5 MR. MAY: Occasionally I actually stop and
6 look, but you don't know.

7 CHAIRPERSON HOOD: Oh, okay. Okay. Well,
8 you've answered my question. Mr. Westrom, I won't
9 ask you.

10 Okay. MPD, they had a series of -- I can't
11 remember it all. I think it was lighting and --

12 MS. COHEN: Lighting.

13 CHAIRPERSON HOOD: -- something else they --
14 do you all accept and going to do anything? And I
15 can tell you, it's not often we get something from
16 the Metropolitan Police Department. And, Mr. Jesick,
17 one thing about -- I don't know what he does, but he
18 has a way of getting anything from any government
19 agency. So MPD has -- and I want to make sure that
20 we're in agreeance with some of the things -- well,
21 everything that they put in their letter.

22 MR. GLASGOW: Well, I think that part of what
23 they had in their letter was they didn't want a night
24 club on the facility, and I think that may go back to
25 -- what was that club that began with a Z that was on

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1 the site previously?

2 Zanzibar, that had all kinds of issues. And
3 so maybe that's why everybody is focusing on no night
4 clubs.

5 CHAIRPERSON HOOD: Well, they didn't have
6 issues when I was in my partying days. I can just
7 tell you that.

8 So anyway, okay. So but for the most part
9 the MPD letter is acceptable.

10 MR. GLASGOW: Yes.

11 CHAIRPERSON HOOD: Okay. Okay. That's
12 really all I have. And as far as the setback and
13 rooftop, I'd be interested to see what you come back
14 with. I'm sure, I've heard that tossed around up
15 here. So and anything you come back with, anything
16 I'll be interested to see. That's all I have.

17 Any other follow up questions? Okay. Again,
18 I believe the ANC is not -- okay. Commissioner May.

19 MR. MAY: Sorry, I did have one. And because
20 I read through that entire ANC letter as I was
21 sitting here listening to my colleagues as well.

22 They raise the issue of signage, and
23 particularly I light of the D.C. Signage regulations
24 and I don't know how many people are really tuned in
25 to that whole process with the proposed regulations

1 that DDOT had and they identified this as a, you
2 know, I don't know, time square style signage zone
3 which had many people concerned.

4 So I think actually it would be helpful to
5 understand what the limits are on the signage that
6 you would be proposing. I mean, I'm not really
7 concerned about the signage that goes over individual
8 retail outlets on the ground floor or things like
9 that. Or the signage for the building. It's the,
10 you know, what could be high up, what could be lit,
11 those sorts of things. And I think we actually want
12 to try to prescribe some limits to that. You're not
13 proposing anything but the fact that it's not
14 proposed doesn't necessarily mean that it's not
15 precluded either.

16 So I think we just would -- it would be
17 helpful to get clarity on that because the ANC raised
18 it and I think it is a legitimate issue in terms of
19 understanding what it's -- I mean, it's going to be
20 an active lively place. I don't think it needs to
21 be, you know, lit up like Christmas every -- you
22 know, except at Christmas.

23 CHAIRPERSON HOOD: Okay. And I will say, I
24 do like the design of this building. It's probably
25 been stated by a number of my colleagues. I think

1 it's going to really help start to make the evolving
2 change in that area really start looking good, where
3 you want to ride by and look at something other than
4 some of the things we've had in the past.

5 So, okay. Again, the ANC has sent a letter.
6 They are not going to be here tonight but they have a
7 special meeting. We do have a letter and we'll do
8 that -- we'll mention that at the appropriate time.
9 Let's go to the Office of Planning and DDOT in that
10 order. Mr. Jesick.

11 MR. JESICK: Thank you, Mr. Chairman and
12 Members of the Commission. The Office of Planning
13 can largely rest on the record this evening. We
14 appreciate the applicant addressing our questions
15 that we had at the time of set down. We appreciate
16 them giving thought to some of our concerns,
17 especially providing something of visual interest on
18 the Main Avenue street scape. While it's not a
19 retail use along that frontage, we feel that the
20 water feature will be an appropriate marker for the
21 façade of this building.

22 And overall the project is not inconsistent
23 with the first stage approval or the Comprehensive
24 Plan, so we can rest on the record in support of the
25 application. Thank you.

1 CHAIRPERSON HOOD: Thank you, Mr. Jesick.
2 Mr. Westrom?

3 MR. WESTROM: Yes. Thank you. Good evening,
4 Commissioners, and thank you for noting that
5 potentially unsafe condition, Mr. May. And we'll
6 have to look into it.

7 DDOT would only note that the applicant has
8 agreed to the one condition that we sought, and that
9 is placing transit information screens in the lobbies
10 of the two buildings, and we're appreciative of that.
11 With that observed, DDOT also would rest on the
12 record and does not object to the approval of this
13 project. Thank you. Happy to answer any questions.

14 CHAIRPERSON HOOD: Okay. I think both
15 reports are very thorough for -- at least for our
16 benefit, I believe. Any questions, follow-up
17 questions from --

18 MR. MAY: No, but I have a little map I'll
19 had down that shows exactly where that low rail is.

20 CHAIRPERSON HOOD: Well, since you're taking
21 care of this, I'm still concerned about those bicycle
22 riders who are looking at the project instead of
23 looking in front of them. So if you can help us with
24 that, I would appreciate it.

25 Okay. Anything else? All right. The ANC.

1 One second. I'll read their letter. And I think we
2 alluded to it, what was that 24? Twenty-five?

3 Twenty-four. Twenty-six? I got it. Twenty-four.

4 I'm just going to read the last part as Mr.
5 Glasgow had mentioned earlier. They actually --

6 MS. STEINGASSER: Cross-examination.

7 CHAIRPERSON HOOD: Oh. Does the applicant
8 have any cross-examination of -- thank you, Ms.

9 Steingasser -- of the Office of Planning or DDOT?

10 MR. GLASGOW: No cross-examination.

11 CHAIRPERSON HOOD: Okay. And just think,
12 football is over for my team so I'm not trying to
13 rush out of here for anything.

14 Okay. Again, thank you, Ms. Steingasser.

15 The letter from the ANC basically talks --
16 and I'll just read. They supported, I think the vote
17 was -- yeah, okay. The vote was seven to zero by a
18 vote of seven to zero, and they took that vote on
19 December the 14th at its regularly scheduled public
20 meeting.

21 And they state, in which a quorum was
22 present, they elaborate on some of the issues that
23 have already been spoken of already, and it is signed
24 by Chairman Andy Litsky. ANC 6D. And they also, in
25 their letter, have mentioned us. They had a special

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1 meeting for tonight dealing with another issue. So,
2 so noted, and this letter is in support.

3 Did we have any other government agencies,
4 other than the Metropolitan Police Department? I
5 didn't see anything other than them.

6 MS. SCHELLIN: No.

7 CHAIRPERSON HOOD: Okay. So we've already
8 talked about that. And do we have any persons or
9 organizations who are here who would like to testify
10 in support?

11 Any organizations or persons who are here and
12 would like to testify in opposition?

13 Okay. Mr. Glasgow, you have any rebuttal? I
14 don't believe you do.

15 MR. GLASGOW: I don't have any rebuttal.

16 CHAIRPERSON HOOD: If not we'll just take
17 some closing.

18 MR. GLASGOW: Yes, sir. What we would like
19 to do is have an opportunity to, you know, have a
20 post-hearing submission. We have a couple of things
21 that we do want to address with the Commission. But
22 what we would also like to do, and if necessary we
23 can get into more detail on it, if it is possible we
24 would like to have a proposed action subject to the
25 materials that we are -- information that we are

1 going to be submitting in. And part of that is
2 because as you know the project is -- the project as
3 a whole is under construction.

4 We have now, because of what's going on in
5 the building industry, we have some very long lead
6 times on certain items, and I want to have the
7 applicant discuss that for a minute. So we would
8 greatly appreciate having a proposed action so that
9 we can move forward on those parts and then the
10 things that I think that we need to submit in post-
11 hearing are things that could be occurred prior to
12 final action.

13 MR. SEAMAN: Yeah, pardon me. We had alluded
14 to trying to complete the Parcel 1 office building in
15 the same time frame as the remainder of the Phase 1
16 that's under construction now, which is possible to
17 actually deliver it for tenant fit out to begin in
18 October of 2017, if we commence in earnest later this
19 year. So obviously we still need to get building
20 permits.

21 But one of the items that Doug had mentioned
22 and we were meeting with curtain wall manufacturers
23 today, we're interviewing four of them, but the lead
24 time that we're seeing for curtain wall shop drawings
25 and actually getting your place in cue for the skin

1 of the building is between 10 and 12 months now,
2 which is a lot longer than is customary. So you
3 actually need to start the process of purchasing the
4 curtain wall from the glass manufacturers this early
5 in the process.

6 So we do have a general contractor on board,
7 Balfour Beatty. And the idea would be to do early
8 release of glass and some of the critical trades for
9 the building. So that's one of the driving factors
10 for sort of trying to advance this as quickly as
11 possible. I mean, there are elements that we
12 discussed tonight that I think can be addressed in
13 the post-hearing submission, such as the penthouse
14 that wouldn't necessarily affect the bulk of the
15 exterior skin. So.

16 MS. COHEN: Where is the glass manufactured?
17 I'm just curious.

18 MR. SEAMAN: Doug, you met with them today.
19 There's four of them.

20 MR. HOCKING: There is the glass that we're
21 showing and that we have a sample of here, it's from
22 Viracon. It's a U.S. company. But relative to
23 discussion that Shawn mentioned and alluded to, the
24 vendors have other options that could come from
25 Europe or they could come from China, or they could

1 be Viracon.

2 So as we go through the pricing exercise,
3 that's part of the process that the architect, the
4 developer, the owner, the contractor would typically
5 go through and make sure that the glass is the best
6 for the project. And that's what we're going through
7 now. So I don't know the answer to the question yet
8 because it is still up in the air.

9 But the sample that we would like and that
10 everyone is matching is a U.S. glass from Viracon.

11 MS. COHEN: Which might help in your LEED
12 numbers --

13 MR. HOCKING: Yes.

14 MS. COHEN: -- if you went with the U.S.
15 company.

16 MR. HOCKING: And speaking off the record
17 it's a great glass company and I'm hoping they get
18 there.

19 CHAIRPERSON HOOD: As far as anything on this
20 is on the record, so. Let me just ask this question,
21 and I meant to ask this when I was doing the
22 questions. And, Ms. Bacon, you may have to come back
23 up. The CBEs, are we using the local businesses?
24 Are we extending to local businesses? And can we put
25 that -- if we are, can we not -- you don't have to

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1 tell me who they are, can we memorialize that in that
2 one page?

3 MR. SEAMAN: Which CBEs that we're utilizing?

4 CHAIRPERSON HOOD: Yeah.

5 MR. SEAMAN: Yeah.

6 CHAIRPERSON HOOD: Well, no. Not, you don't
7 necessarily tell me. I just want to know, are we
8 using local ones; ones that are here in the District
9 of Columbia?

10 MR. SEAMAN: Oh, absolutely.

11 CHAIRPERSON HOOD: Okay.

12 MR. SEAMAN: Are you referring to the glass
13 in particular or other trades?

14 CHAIRPERSON HOOD: Oh, just in general. Just
15 in general.

16 MR. SEAMAN: Yeah. Oh, no.

17 CHAIRPERSON HOOD: No, not generalized.

18 MR. SEAMAN: In general, certainly.

19 CHAIRPERSON HOOD: Yeah. We may not have any
20 glass, but we may or may not. I'm not sure. But
21 just in general and if you can memorialize that.

22 MR. SEAMAN: Sure.

23 CHAIRPERSON HOOD: You know, and like I say,
24 if you want to name some that will be great. But if
25 not --

1 MR. SEAMAN: Yeah.

2 CHAIRPERSON HOOD: -- you don't have to. I
3 understand.

4 MR. SEAMAN: Because Clark names them the
5 report each quarter, as do we. And I had mentioned
6 earlier, we have \$142 million spent with CBEs on the
7 project.

8 CHAIRPERSON HOOD: Okay. If I can just get
9 the -- you don't have to give me anything exhaustive.
10 If I can just get that on that one page, that will be
11 helpful. Okay? So I can have it all in one place.
12 Commissioner May.

13 MR. MAY: So if we were to push forward
14 tonight with a proposed action on the assumption that
15 you come to a suitable fix for the setback issue,
16 what is this going to mean for your Commission of
17 Fine Art's approval? Are you going to have to go
18 back to them? I mean, you know, I know you mentioned
19 something about your approval, where you were in your
20 approvals. But are you -- I mean, how far along is
21 that?

22 MR. SEAMAN: We have concept approval from
23 the CFO.

24 MR. MAY: So you'd have to go back to them
25 for a final anyway.

1 MR. SEAMAN: I'm not sure that we would have
2 to, but we would go through whatever procedure was
3 necessary.

4 MR. MAY: Well, has it been delegated to
5 staff for final?

6 MR. SEAMAN: It has not.

7 MR. MAY: So you'd have to go back for final.
8 Yes. Yes? You have to go back to the CFA for a
9 final at some point anyway.

10 MR. SEAMAN: Yes. If we have to go back to
11 CFA I --

12 MR. MAY: So there are two stages. I'm sorry
13 if --

14 MR. SEAMAN: Sure. Right.

15 MR. MAY: -- I'm confusing things. So you
16 get a concept approval and then final approval from
17 CFA, and you say you have concept.

18 MR. SEAMAN: That's right.

19 MR. MAY: And you don't have final yet?

20 MR. SEAMAN: No.

21 MR. MAY: So after you get your penthouse
22 fixed you'll have to go back to them -- you'll be
23 going back to them for a final anyway. That's part
24 of your schedule.

25 MR. SEAMAN: We may. The district is --

1 their permit in through their process right now,
2 which may or may not include the CFA final approval,
3 is my understanding.

4 MR. MAY: So you're not going to bother
5 getting a CFA final approval?

6 MR. GLASGOW: I think Commissioner May --

7 MR. MAY: I'm confused.

8 MR. GLASGOW: -- is that whatever process the
9 District tells us we have to go through to get our
10 permit, that's what we're going through.

11 MR. MAY: Okay. All right. I mean, I assume
12 that eventually you'll wind up going back to see -- I
13 just didn't -- you know, if we're going to take
14 action today, you know, I'd be concerned about how
15 that fits into the rest of the schedule for getting
16 your required approvals from CFA. Well, it's not a
17 required approval. It's advisory, but it's
18 important.

19 MR. GLASGOW: Right whatever -- like I said,
20 whatever process we have to go through to get that
21 permit from the District is what we're going to do,
22 and you have heard here how we have some -- we have
23 some time constraints.

24 MR. MAY: Right.

25 MR. GLASGOW: And I think we've got a couple

1 of things that we need to submit to the Commission,
2 post-hearing submissions. But it seemed to me in
3 looking at those and having some discussions among
4 the team members, there was nothing here that
5 occurred that we didn't think may occur.

6 MR. MAY: Right. So I guess what it comes
7 down to on the bottom line is that I don't want to
8 wind up in a -- I want you ultimately to have a
9 unanimous approval from this Commission and an
10 approval from the Commission of Fine Arts for, you
11 know, that singular design that you wind up with in
12 the end. And I assume that that's where you're going
13 to be heading and if we take proposed action tonight
14 we're not going to complicate that.

15 MR. GLASGOW: We understand with our process
16 with the District that if we can get the Commission
17 to -- the Zoning Commission proposed action, and we
18 submit what we need to submit because obviously there
19 will be a new -- a couple of new drawings that have
20 to do with the roof. One we've got the lighting and
21 everything, and we've got to supply an option that
22 shows a roof structure setback that is compliant,
23 although I did say that we would -- I think that we
24 may have multiple roof heights. And one of the
25 things that we were looking at was either a trellis

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1 or bringing -- just four. We are so far under FAR --

2 MR. MAY: Yeah, I understand there are
3 multiple ways you could fix it. Yes.

4 MR. GLASGOW: There are multiple ways that we
5 can do it and I didn't want to take the time to go
6 through all of those.

7 MR. MAY: Yes.

8 MR. GLASGOW: But we've got a couple things
9 in mind, as you can tell from the discussion because
10 we --

11 MR. MAY: Right.

12 MR. GLASGOW: -- anticipated that this could
13 come up.

14 MR. MAY: Right.

15 MR. GLASGOW: And so we would be prepared to
16 submit those options, submit the other information,
17 submit the things on the CBEs.

18 MR. MAY: Right.

19 MR. GLASGOW: And then hopefully get proposed
20 action and move forward.

21 MR. MAY: Right.

22 MR. SEAMAN: I don't think we were thinking
23 that the design was that much different than -- I
24 mean, obviously we have to address the comments that
25 were made tonight. But the massing of the building

1 is largely remaining the same. It's the area where
2 the setback is of concern on the water facing side.

3 MR. MAY: Uh-huh. Right. And I'm not so
4 concerned about getting to resolution here as I am
5 just not having that mess up your CFA process. And
6 I'm assuming you're going to go through and get that
7 final CFA approval.

8 MR. GLASGOW: Whatever we're required to do
9 to get the permit is the process we're going to
10 follow.

11 MR. MAY: Because that sounds like you're not
12 going to go back to CFA when you say it that way.

13 MR. GLASGOW: The processes sometimes with
14 the District I think are interesting.

15 MR. MAY: All right. So I'm going to ask the
16 question when we get to final. If we take a vote
17 tonight to approve it I'm going to ask the question
18 at final, where are we on -- where are you on your
19 CFA approval. So, I hope you have a good answer to
20 that because I'm really confused by what you've said
21 so far. Thanks.

22 CHAIRPERSON HOOD: Okay. Mr. Glasgow, did
23 you do your closing?

24 MR. GLASGOW: I wasn't planning on doing a
25 closing.

1 CHAIRPERSON HOOD: Okay.

2 MR. GLASGOW: I have made a request, though,
3 that's on the table.

4 CHAIRPERSON HOOD: Believe me, I heard that.
5 And you're pretty good at making those requests.
6 I've heard that.

7 Okay. So all right, guys, we will close the
8 hearing part of it and let me open it up and you've
9 heard the request from Mr. Glasgow. Commissioner
10 May?

11 MR. MAY: So I do regard the setback issue to
12 be a very substantial issue and but otherwise there
13 isn't a lot that I think is contentious. I think
14 there's some areas where we just need a little bit
15 further information. So although it would not be my
16 preference to take proposed action I can go along
17 with that if that's the sense of the Commission on
18 the assumption that we're going to get some good
19 alternatives that address the setback concern that I
20 have. And hopefully it will be an excellent design
21 because we've got excellent design so far. So
22 hopefully we'll get all the way there.

23 CHAIRPERSON HOOD: Okay. Let's open it.
24 Anybody else like to comment? Is that the consensus
25 of moving forward?

1 Okay. Somebody like to put a motion on the
2 table?

3 MS. COHEN: Mr. Chairman, I move to take
4 proposed action in Zoning Case No. 11-03C, Wharf
5 District Master Developer, LLC., Second Stage PUD at
6 Square 473, pending the submission of new plans that
7 look at other alternatives as well as additional
8 information requested from the dais.

9 MR. MILLER: Second.

10 CHAIRPERSON HOOD: Okay. It's been moved and
11 properly seconded. Any further discussion?

12 [Vote taken.]

13 CHAIRPERSON HOOD: Not hearing any
14 opposition, Ms. Schellin, would you record the vote?

15 MS. SCHELLIN: Yes, sir. Staff records the
16 vote five to zero to zero to approve proposed action
17 in Zoning Commission Case No. 11-03C, Commissioner
18 Cohen moving, Commissioner Miller seconding,
19 Commissioners Hood, May, and Turnbull in support.
20 And we'd ask, the record is closed except for the
21 submissions requested and we'd also ask for those
22 items to be -- how much time do you think you need
23 for that? Two weeks? Okay.

24 So if we could have those submitted by 3:00
25 p.m. on February 4th, then we can, if the ANC chooses

1 to respond then they have until 3:00 p.m. on February
2 11th. And then let's see. Today is the 21st. Then
3 final action should be taken up on the 29th of
4 February.

5 And, Mr. Glasgow, I know that you know about
6 the -- since proposed action was taken about the
7 Sections 2403.15 through 20 process. Thank you.

8 CHAIRPERSON HOOD: Okay. Are we all on the
9 same page? All right, everyone -- sorry.

10 MR. MAY: Did we recap the outstanding stuff?

11 MS. SCHELLIN: I can.

12 CHAIRPERSON HOOD: Do we need to?

13 MR. MAY: Yeah.

14 MS. SCHELLIN: Yeah, because Commissioner May
15 might want to add to it.

16 CHAIRPERSON HOOD: He only has one thing; he
17 can't add anything.

18 MS. SCHELLIN: No, he has a couple.

19 CHAIRPERSON HOOD: Oh, we have another one?

20 MR. GLASGOW: Do you want to go first, Your
21 Honor, or you want us to have our list?

22 MS. SCHELLIN: I can go -- I'm sorry. I can
23 go through it real quick.

24 MR. GLASGOW: Sure.

25 MS. SCHELLIN: The Commissioner May asked

1 about the waterfall feature that they provide
2 precedent images of where it's been done.

3 MR. GLASGOW: Yeah.

4 MS. SCHELLIN: He also -- and also
5 Commissioner Turnbull asked about the penthouse, the
6 need for it to be setback in order -- with regard to
7 the occupied space. Commissioner Cohen wants -- I
8 think that she got her answer regarding the
9 cogeneration plant.

10 MS. COHEN: Yes.

11 MS. SCHELLIN: And the rooftop, Commissioner
12 Turnbull and I believe -- well, actually Commissioner
13 Turnbull asked for a plan showing any permanent items
14 that are not shown on the current roof plan,
15 including lighting. Commissioner Miller asked for
16 some additional language and/or plans showing the
17 lighting. And I guess for the noise there will be
18 language for that.

19 MR. GLASGOW: Uh-huh.

20 MS. SCHELLIN: Commissioner Hood asked that
21 they -- you provide for the record, who in Ward 8 the
22 applicant has been working with and also to address
23 whether local CBEs have been used. And Commissioner
24 May asked that any information on signage that may be
25 high up on the building and/or lit, any information

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1 on that be provided.

2 MR. MAY: Well, and I'm looking for something
3 generally about signage. You know, what's allowed
4 what -- I mean, my particular concern has to do with
5 the things that are high up and lit. But it's really
6 just sort of the whole -- kind of define the whole
7 signage envelope and parameters.

8 MR. GLASGOW: Commissioner May, possibly on
9 some of it, something similar to what we've done on
10 some of the CG overlay cases where we've had areas
11 where we've said we were going to put signage in this
12 area within the building.

13 MR. MAY: Yeah, I think that's okay.

14 MS. SCHELLIN: Okay. And I'd also just like
15 to say that the draft findings facts and conclusions
16 of law are due by 3:00 p.m. on February 11th. And
17 that's it.

18 CHAIRPERSON HOOD: Again, are we all on the
19 same page?

20 Anything else, Ms. Schellin?

21 MS. SCHELLIN: No, sir.

22 CHAIRPERSON HOOD: Okay. So with that I'd
23 like to thank everyone for their participation
24 tonight and this hearing is adjourned.

25 [Hearing adjourned at 8:11 p.m.]