

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA

2 Zoning Commission

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Public Hearing

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Case No. 15-24/15-24A [Gallaudet University and the

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JBG Companies - Review and Approval of a First-Stage

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PUD and Related Map Amendment at Square 3591, Lot 4,

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Parcels 127/70, 129/103/, 129/106, 129/112,

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(property).]

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6:35 p.m. to 8:54 p.m.

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Thursday, June 23, 2016

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Jerrily R. Kress Memorial Hearing Room

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441 4th Street, N.W., Suite 220 South

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Washington, D.C. 20001

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## 1 Board Members:

2 ANTHONY HOOD, Chairman

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 BRANDICE ELLIOTT

14

## 15 DDOT:

16 JONATHAN ROGERS

17 JAMIE HENSON

18

## 19 Other:

20 CHRISTINE RODDY

21 ROBERTA CORDANO

22 BRYAN MOLL

23 MORRIS ADJMI

24 IAN MILLS

25 HANSEL BAUMAN

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1 APPEARANCES CONT'D

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3 Others:

4 ERWIN ANDRES

5 HEATHER HOWARD

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P R O C E E D I N G S

CHAIRPERSON HOOD: Good evening, ladies and gentlemen. This is the public hearing for the Zoning Commission for the District of Columbia. Today's date is June the 23rd, 2016. We're located in the Jerrily R. Kress Memorial Hearing room.

My name is Anthony Hood. Joining me are Vice Chair Cohen, Commissioner Miller, Commissioner May, and Commissioner Turnbull. We're also joined by the Office of Zoning staff Ms. Sharon Schellin, as well as the Office of Planning staff, Ms. Steingasser and Ms. Elliott, as well as the District Department of Transportation Mr. Rogers.

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

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

The hearing will be conducted in accordance with provisions of 11-DCMR-3022 as follows. Preliminary matters, applicant's case, report of the Office of Planning, report of other government

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

4           The following time constraints will be  
5 maintained in this meeting. The applicant has up to  
6 60 minutes but I think we can do this in 20. This is  
7 first stage. Our organizations five minutes,  
8 individuals three minutes.

9           The Commissioner intends to adhere to the  
10 time limits as strictly as possible in order to hear  
11 the case in a reasonable period of time. The  
12 Commission reserves the right to change the time  
13 limits for presentation if necessary, and notes that  
14 at no time shall be exceeded.

15           All persons wishing to testify before the  
16 Commission in this evening's hearing are asked to  
17 register at the witness kiosk to my left, and fill  
18 out two witness cards. These cards are located to my  
19 left on the table near the door. Upon coming forward  
20 to speak to the Commission please give both cards to  
21 the reporter sitting to my right before taking a seat  
22 at the table.

23           When presenting information to the Commission  
24 please turn on and speak into the microphone, first  
25 stating your name and home address. When you are

1 finished speaking, please turn your microphone off so  
2 that your microphone is no longer picking up sound or  
3 background noise.

4 The staff will be available throughout the  
5 hearing to discuss procedural questions. Please turn  
6 off all electronic devices at this time so not to  
7 disrupt these proceedings. Would all individuals  
8 wishing to testify please rise to take the oath? Ms.  
9 Schellin, would you please administer the oath?

10 MS. SCHELLIN: Yes. Please raise your right  
11 hand.

12 [Oath administered to the participants.]

13 MS. SCHELLIN: Thank you.

14 CHAIRPERSON HEATH: Okay. Ms. Schellin do we  
15 have any preliminary matters?

16 MS. SCHELLIN: Yes, the first preliminary  
17 matter is at Exhibit 27 through 27A, B, and C, I  
18 believe it is. We have a request for party status in  
19 opposition from the Union Market neighbors. We'd ask  
20 the Commission to consider that. At Exhibit 32 and  
21 32A we have letters in opposition from the  
22 application opposing the party status request.

23 CHAIRPERSON HOOD: Okay. Commissioners. Any  
24 comments on the party status request?

25 First of all, let me just start off, the

1 party is not here. Oh, is the party here? And  
2 typically party status is granted for several  
3 reasons, so you can cross-examination, can ask  
4 questions so you can present your case in opposition.  
5 So I don't think we -- either one, I know there was  
6 some questions submitted in the record, I believe for  
7 us to ask. Typically, I'm not going to be on the  
8 witness stand and I don't think it's proper for a  
9 commissioner to -- there may be some questions we  
10 might have asked that they have given us that we may  
11 ask on our own. But the problem is, we will not be  
12 able to be cross-examined, and I think we cannot  
13 carry that water at that point.

14           And even more than that, I don't think that  
15 this, again, was presented, at least the way I view  
16 it, is not -- it doesn't meet our criteria for being  
17 uniquely affective in party status. That's the  
18 bigger piece of it, but not to mention what I've  
19 mentioned earlier.

20           So I will open it up for any other comments  
21 and any suggestions. Vice Chair Cohen.

22           MS. COHEN: Thank you, Mr. Chairman. I  
23 concur with your analysis that the party that wants  
24 to be considered party in opposition has not met the  
25 requirements of how they are uniquely affected. I

1 believe there are only a couple of people, two people  
2 maybe, who are within 200 feet of the proposed  
3 project, and they just don't meet the standard so I  
4 would concur with your remarks that they should not  
5 be given party status. Thank you.

6 CHAIRPERSON HOOD: Okay. Any other comments?

7 MR. MILLER: I would concur, Mr. Chairman,  
8 with both of your comments and the Vice Chair's  
9 comments.

10 CHAIRPERSON HOOD: Okay. Anything else? I  
11 would move that we deny -- I just want to make sure I  
12 get the correct name again. Give me a second. It's  
13 coming up.

14 MS. COHEN: Union Market.

15 CHAIRPERSON HOOD: Okay. Union Market for  
16 Better Planning, well, Better Standings. What is it?  
17 Union -- okay. Union Market Neighbors for Better  
18 Planning denied a party status request on the  
19 conversation previously held on this subject, and ask  
20 for a second.

21 MS. COHEN: Second.

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

24 [Vote taken.]

25 CHAIRPERSON HOOD: So ordered. Ms. Schellin,

1 would you record the vote?

2 MS. SCHELLIN: Yes, sir. Staff records the  
3 vote five to zero to zero to deny party status in  
4 opposition to Union Market Neighbors for Better  
5 Planning, Commissioner Hood moving, Commissioner  
6 Cohen seconding, Commissioners May, Miller, and  
7 Turnbull in support of denial.

8 CHAIRPERSON HOOD: Okay. Ms. Schellin, do we  
9 have anything else?

10 MS. SCHELLIN: Yes, sir. The applicant has  
11 proffered some expert witnesses that have not  
12 previously been accepted. Some of them have. But  
13 the ones that have not we have at Exhibit 26C, the  
14 architect, Mr. Adjani (sic), Adjmi. I'm sure --

15 CHAIRPERSON HOOD: Adjmi.

16 MS. SCHELLIN: -- I'm messing that one up.  
17 And then also Mr. Steirs (phonetic). My  
18 understanding is he's not going to be part of the  
19 presentation but he's going to be available for  
20 questions.

21 CHAIRPERSON HOOD: But you still want to  
22 proffer him as an expert, right?

23 MS. RODDY: In the event there are questions  
24 we could proffer him at that point if it's necessary.

25 CHAIRPERSON HOOD: So we'll wait and do that.

1 So we only have one person then, we need to deal  
2 with.

3 MS. RODDY: We would actually like to offer  
4 Ian Mills as well, as an expert in architecture, and  
5 his resume was also submitted as part of the  
6 supplemental package.

7 MR. MAY: So his resume is a bit thin  
8 compared to what we would normally see. And I don't  
9 see -- I mean, is Mr. Mills -- is registered. Where  
10 are you registered?

11 MR. MILLS: New York State.

12 MR. MAY: New York State. Okay. And how  
13 many years have you been in practice?

14 MR. MILLS: Seven years.

15 MR. MAY: Seven years as a registered  
16 architect, or seven years out of --

17 MR. MILLS: No. No.

18 MR. MAY: -- out of professional education?

19 MR. MILLS: No, as a registered architect, a  
20 year and a half.

21 MR. MAY: Okay. So in circumstances like  
22 this it's good to have a more thorough resume  
23 presented, than what we see here. I don't know, Mr.  
24 Turnbull, do you have feelings on this? I mean,  
25 seven years with three projects listed.

1 MR. TURNBULL: Yeah. My feeling is with only  
2 a year and half experience as a registered licensed  
3 architect, and with the projects that you've listed  
4 here, this is rather a meager resume to ask for the  
5 kind of status that you want.

6 I would say, are you willing to testify, and  
7 we'll listen to those comments but I would feel that  
8 at this point we should not give him expert status.

9 MS. RODDY: We're happy to proceed with  
10 testimony. We would ask that Mr. Adjmi be accepted  
11 as an expert. As his resume notes, he is a fellow to  
12 the AIA.

13 MR. MAY: Yeah, I think we give him some  
14 credit for that.

15 MR. TURNBULL: Yeah, I give -- yeah.

16 MR. MAY: But his resume is also a little  
17 thinner than we normally see. I mean, you know what  
18 we normally see, the long list of the relevant  
19 projects, but you know, I'm familiar with the firm  
20 and of course being a fellow counts for something.  
21 So.

22 CHAIRPERSON HOOD: Okay. So we will do Mr.  
23 Adjmi. Is that how he's pronouncing -- because we  
24 butchered your name.

25 MR. ADJMI: Adjmi, but that's close enough.

1 CHAIRPERSON HOOD: No, there's a little  
2 difference. Adjmi.

3 MR. ADJMI: Thank you.

4 CHAIRPERSON HOOD: Mr. Adjmi. Thank you for  
5 the correction. So we will give MR. Adjmi, I  
6 believe, I think we have a concurrence on Mr. Adjmi.  
7 Okay. All right. So we will proceed in that  
8 fashion.

9 Ms. Schellin, do we have anything else?

10 MS. SCHELLIN: No, sir.

11 CHAIRPERSON HOOD: Okay. Before we get  
12 started I wanted to apologize. I really appreciate  
13 the Gallaudet University inviting me to the  
14 graduation. I RSVP'd to come and attend. I really  
15 appreciated the invitation. I don't take that  
16 lightly because we don't get invited many places.  
17 But I will tell you that I just totally forgot. So  
18 I'm going to be honest. But please don't forgive me  
19 in the future. I would like to come and attend one  
20 of the graduations. I really appreciate it. I know  
21 all the work that I -- I say this every time that I'm  
22 here, all the work that Mr. George Boyd did with  
23 Gallaudet when he was living. I remember that. I  
24 was there through all those times. But please  
25 forgive me for -- maybe I need to start setting my

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1 phone and putting it on my calendar and use Google or  
2 something. But I totally forgot and I remembered it  
3 actually a week later. And I said, I was supposed to  
4 do something last Friday and I couldn't figure out  
5 what it -- I think it was Friday the 13th, if I  
6 remember the date. Was I right? Okay.

7 So you know I had it mind, but I just missed  
8 it. So forgive me for that but I do appreciate the  
9 invitation. That's my preliminary -- anything else?

10 MS. SCHELLIN: No, sir.

11 CHAIRPERSON HOOD: Okay. Ms. Roddy, we can  
12 get started.

13 MS. RODDY: Thank you. Christine Roddy with  
14 Goulston and Storrs, and I am joined this evening  
15 with Gallaudet University, as well as the JBG  
16 companies.

17 And as you know, we're here tonight seeking a  
18 review and approval of a First Stage PUD for four  
19 parcels in the Union Market area. And I will keep  
20 this brief. So I really just want to jump to the OP  
21 and DDOT reports and make a few comments.

22 We are here with the support of OP, DDOT, and  
23 the ANC. I wanted to note that OP mentioned in their  
24 report that they had concerns with our request for  
25 relief from the Inclusionary Zoning requirements for

1 this project. As you are aware, we are proffering  
2 that eight percent of the residential gross floor  
3 area for this project be reserved for households with  
4 an income no greater than 60 percent AMI. And there  
5 was a concern that these would not be within the  
6 purview of DHCD, and I just wanted to provide some  
7 clarity that the affordability units are still within  
8 the purview of DHCD, and they are still reviewed by  
9 DHCD. There is an affordable housing covenant put on  
10 these properties that DHCD reviews. And part of that  
11 covenant requires things like DHCD would review, the  
12 mix of units, the finishes within the units. They  
13 require certain certification requirements as well as  
14 they review and approve the marketing plan.

15 So, there is some -- there are protections  
16 put in place on those units, and there would be a  
17 covenant, just like the IZ covenant that would be  
18 recorded against the property for the life of the  
19 project.

20 And I just wanted to say that we see this as  
21 a very significant benefit because it's an  
22 opportunity for the District to gain additional  
23 affordable units at a lower AMI level than is  
24 required. And it was something that was negotiated  
25 specifically with the community who wanted to see

1 lower AMI levels for the affordable units. So we  
2 were happy to provide that eight percent at a 60  
3 percent AMI level.

4 I will jump into the DDOT report and just  
5 make two quick notes that we have made modifications  
6 to the plans that you've seen in two regards. One is  
7 with respect to Parcel 4, which we'll show you as we  
8 go through the plans. We have modified the site  
9 plan, the footprint of the building, so that in  
10 response to DDOT comments asking the JBG to  
11 coordinate with the property owner to the south, and  
12 the opportunity to provide a shared access, alley  
13 access, to the properties.

14 And so the footprint of the building has been  
15 modified that in the event an agreement is reached to  
16 provide that shared access it can be accommodated on  
17 Parcel 4, partially accommodated on Parcel 4.

18 And then finally the other modification is  
19 with parking access to Parcels 1 and 2, and we'll  
20 show you that as well.

21 So with that I will introduce the witnesses  
22 that we have with us this evening. We have President  
23 Roberta Cordano. She is the 11th and the first deaf  
24 woman president of Gallaudet University. The world's  
25 only liberal arts university designed for deaf and

1 hard of hearing students. She has experience and  
2 skills built in both traditional and nontraditional  
3 settings, including healthcare, higher education,  
4 government, and nonprofit organizations.

5 We also have Brian Moll who will be here.  
6 He's here on behalf of JBG and is available for  
7 questions on the project. Morris Adjmi, as you know,  
8 who is the project architect, as well as Ian Mills,  
9 Hansel Bauman, the Gallaudet University architect and  
10 executive director of campus design and construction,  
11 Erwin Andres, who is an expert in transportation  
12 engineering, and Heather Howard who will testify with  
13 respect to the benefits and amenities of the project  
14 as well as the community outreach efforts.

15 And so with that I will turn to President  
16 Cordano.

17 MS. CORDANO: Thank you very much. So,  
18 Chairman Hood and members of the Zoning Commission,  
19 thank you very much. I'm here to testify in front of  
20 all of you about this project. It's an honor to be  
21 here to represent Gallaudet University. And Chairman  
22 Hood, I would like to say that I've heard great  
23 things about George Boyd as well and the  
24 contributions that he's done working with us and the  
25 community, and I can assure you that his legacy is

1 very much alive at Gallaudet University because I've  
2 heard about it, the importance of it, and the  
3 engagement with the community and having them work  
4 with us. We've tried to be very faithful to that  
5 spirit through this entire project. And I want to  
6 ensure you that with my leadership we intend to  
7 continue that legacy of that type of involvement,  
8 listening and being very positive partners with those  
9 in our community.

10 And I want to invite you again to try to come  
11 to our next commencement. So, thank you.

12 MS. COHEN: Oh, what about the rest of us?

13 MS. CORDANO: Well, I'm happy to invite all  
14 of you next year. All right. We will make notes.  
15 Duly noted. Duly noted.

16 So this is my first opportunity to present to  
17 all of you as president, specifically with is  
18 project. And I am very impressed with the history of  
19 actually what we've been doing to date on this, with  
20 our work from 6th Street. Our vision here is to make  
21 sure that we reshape the campus for our today  
22 students, faculty, and staff, with our focus being on  
23 living and learning vibrancy and sustainability.

24 So being aware of our time today there's been  
25 a lot of progress that Gallaudet has done over the

1 last several years. We've been very meticulous in  
2 involving the community and identifying criteria for  
3 picking a partner to develop our property.

4 So our mission at Gallaudet University is to  
5 educate, and we seek to be the best that we can be in  
6 terms of education. We decided we needed to find the  
7 best partner to really understand how to develop this  
8 land and be faithful to the spirit and the values  
9 within our community, and all of Gallaudet  
10 University.

11 So there were three criteria that were very  
12 important that I want to emphasize in terms of what  
13 we were looking for. Expertise in developing place  
14 making. Secondly, the commitment to understand and  
15 support Gallaudet legacy, Gallaudet mission and  
16 culture. And so for an example, we've been here for  
17 152 years. We are the only university in the entire  
18 world that teaches through a visual language. And  
19 that is American Sign Language.

20 And so using and having that visual language,  
21 what comes with that is a culture. And we are now  
22 leading in terms of research and discovery of  
23 actually how the brain learns languages. And it has  
24 implications for learning all languages and for all  
25 children, whether it's through spoken or through sign

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1 languages. Our university is doing research. Our  
2 teaching missions, it's going to have an impact not  
3 only on the community but worldwide.

4           Also, as you know, and probably love as much  
5 as I do, the iconic building, which is the tower  
6 clock, which is on our campus. We celebrate how this  
7 project is honoring that icon there, which makes the  
8 Gallaudet presence part of this community. The third  
9 part of this project, which is very important for us  
10 at Gallaudet, is to understand the impact and  
11 possibility that a revenue generation to support the  
12 mission of the university.

13           So balancing that against the community and  
14 our mission.

15           So to sum that up, when we search for a  
16 partner, through a very extensive process, JB showed  
17 up very strong as a very strong partner to work with  
18 us. And we've been very pleased. We have already  
19 been working with them, and my time has only been six  
20 months on campus. But I've been very impressed with  
21 the dialog, the conversations that we've been having  
22 at this point with our partner in my new role here at  
23 Gallaudet.

24           So with all of that, I'm going to pass it on  
25 and thank you very much.

1           MR. ADJMI: Thank you. I'm Morris Adjmi. I  
2 appreciate the opportunity to speak to you. I worked  
3 with an Italian architect, Aldo Rossi for 10 years,  
4 and worked on projects in Europe, Japan, and in the  
5 United States. I've had my office in New York for 25  
6 years, and I'm showing some of the projects that we  
7 worked on here, very briefly. And work that we're  
8 doing also in D.C. with JBG, which we think are  
9 creating places that are meaningful and vibrant in  
10 the city.

11           In terms of this project, and I'm going to go  
12 quickly, and if you have any questions just let me  
13 know and I can slow down. We feel that this project  
14 has the opportunity to link the neighborhood with the  
15 industrial neighborhood, as well as the campus, and  
16 stitch these together as bringing the 19th Century  
17 buildings and the 30's market buildings together.

18           6th Street will function as an artery, which  
19 you can see as the blue dashed line, and most of the  
20 pedestrian bikers and drivers will have access  
21 through there with pedestrian roots into the campus.

22           Here we can see the use of the existing  
23 massing to create opportunities for corridors,  
24 passageways, and form pockets for assembly.

25           The two areas that Christine mentioned

1 earlier are the 15-foot -- oh, sorry. Fifteen-foot  
2 setback here, and I think you can -- yeah, sorry.  
3 There's a 15-foot setback which Heather is indicating  
4 now on the monitor, as well as the public access for  
5 the parking, which we've relocated to this point from  
6 there.

7           We have two schemes that we're showing. One  
8 that is retail at the ground floor with residential  
9 above. There's some office for the university and  
10 Scheme B, which shows more office space. This is the  
11 first scheme, which you see the retail in red and the  
12 university office space in blue. The next image  
13 shows above the ground floor, the residential, and  
14 Scheme B shows the option to -- for additional office  
15 space on Parcel 3 as well as Parcel 4.

16           This is the axonometric showing -- obviously  
17 it's not designed yet, but showing that we want to  
18 provide some relief and break up the massing along  
19 6th. And you can see that here and here. And then  
20 this is the Option B, which shows the additional  
21 office space shown in purple.

22           These are just some quick views that we have  
23 which show the massing, but not as yet to be  
24 designed. Now, I can take you through those. And  
25 this is the -- this is Union Market, looking east

1 showing the area between our project and Union  
2 Market. And then 5th Street facing south.

3 And then we're just going to go very quickly  
4 through these. These sections, which you can see at  
5 the top, are cut. The center section, I guess, best  
6 illustrates the combination of the relationship to  
7 the university scale with the more industrially  
8 inspired section along 6th Street.

9 And then, Ian, you going to take over from  
10 here?

11 MR. MILLS: Hi. Ian Mills. I'll just be  
12 continuing on for Morris here.

13 So I'm just going to run through the  
14 different parcels and the sort of identity that we  
15 envisioned for them. So, the first slide you see  
16 here is Parcels 1 and 2. And with these parcels that  
17 are low, lower height and they want -- they sort of  
18 mediate between the larger buildings on the other  
19 side of 6th and the University buildings, both in  
20 height, and also in articulation of the facades.

21 These are Parcels 3 and 4, and these are the  
22 larger buildings that will relate more to the  
23 industrial character of the Florida Avenue Market to  
24 the west.

25 And this is 6th Street, retail corridor.

1 This is sort of the heart of the project and we are  
2 modifying the streetscape in conjunction with the  
3 other partners in the area, and we're proposing a  
4 series of traffic calming and street activating  
5 strategies along 6th.

6 Here you see a section of that, of what we're  
7 proposing. Obviously this is not final but we've  
8 widened the sidewalks, narrowed the street, and added  
9 bike lanes. And these are some just precedents from  
10 around the country and the world that we thought were  
11 successful in doing those things.

12 This is a section to the west on 5th. You  
13 can see our proposed changes there on the right side  
14 of that drawing.

15 This is a section through Parcel 3 alley.  
16 That cuts through Parcel 3. It's 47 feet wide and  
17 that will be pedestrian and vehicular shared surface.  
18 And then that's a plan of that alley cutting through  
19 there.

20 And this is -- these are precedents of that  
21 shared space as well.

22 This is a section through the green fingers,  
23 which are -- this is a section through only one of  
24 them, but these are sort of passageways that are  
25 fairly intimate in scale and they'll provide access

1 from 6th Street to the campus. That's all.

2 MR. BAUMAN: Good evening. My name is Hansel  
3 Bauman. I'm the campus architect for Gallaudet  
4 University.

5 I'll speak very briefly, kind of toss aside  
6 the speech I had -- when we had more time. But I'd  
7 like just to share with you a little bit about the  
8 International Design Competition that Gallaudet and  
9 JBG Companies have undertaken as a method for  
10 designing the public real for primarily focused on  
11 Parcels 1 and 2 and the new entryway into our campus.

12 The purpose of the International Design  
13 Competition is really a way to -- as an exemplar kind  
14 of project that will show how serious Gallaudet  
15 University takes its role as the only institution for  
16 deaf and hard of hearing. And as a neighbor. The  
17 point of the competition is to really ask some of the  
18 best talent out there to partner with us in looking  
19 at how can we design public space that provides  
20 access to people of all sorts of abilities, be they  
21 deaf, deaf/blind, or people with perceptual or  
22 cognitive disabilities.

23 So we're looking at this urban project as an  
24 opportunity to advance those concerns into urban  
25 design. And Position Gallaudet really is a leader in

1 that kind of thinking for urban design.

2 We had 51 submissions from 11 different  
3 countries interested in the project. As of now,  
4 we're now in our final phase of the competition.  
5 We've narrowed it down to four teams; four excellent  
6 teams. Three of which are led by deaf architects,  
7 and they will be competing in a final stage that  
8 looks to create a prototype or exemplar building on  
9 the corner, the plaza area, as a model for I think  
10 not only for the rest of our project to look at, but  
11 for the discourse of architects to really think about  
12 this new kind of work.

13 The outcomes of that competition will provide  
14 design guidance for what you will see in more detail  
15 with a PUD stage-two application.

16 And then just finally I want to recognize  
17 that that competition also focuses on the best way to  
18 integrate this new development or campus edge with  
19 that of our historic district because we are  
20 constructing right next door to what is on the  
21 National Historic Register as a historic district  
22 planned by Frederick Law Olmsted in 1866. Thank you.

23 MR. ANDRES: Good evening, Chairman Hood and  
24 Members of the Commission, Irwin Andres with Gorove  
25 Slade Associates. I'm going to go quickly through

1 the transportation elements of the plan as many of  
2 you are familiar with the location of the site. I'm  
3 going to skip through the benefits of it. As you  
4 well know, the site is very near Metro facilities  
5 which include Metro rail as well as Metro bus. There  
6 are extensive alternative means in the neighborhood  
7 that include Capital BikeShare and car sharing  
8 services. We are committed to providing  
9 transportation demand management measures and  
10 providing adequate on-site parking and loading  
11 provisions. We've identified the need for  
12 flexibility for loading in that there are some  
13 buildings that have a requirement of the 55-foot  
14 loading dock that we're not providing, and also a  
15 requirement for a 30-foot loading dock that we're not  
16 providing. But we vetted this with DDOT and they  
17 agreed with our assessment.

18           With respect to the site plan itself, the  
19 site plan was meant to minimize the number of curb  
20 cuts throughout the neighborhood. As part of our  
21 plan, we're actually eliminating many of the existing  
22 curb cuts along 6th Street. And in doing so I'll  
23 quickly go through the site to identify where the  
24 access for loading and parking is, starting with  
25 Parcel 1, the parking access is through the alley,

1 with loading also off of that alley. There's also  
2 loading off of the private roadway right behind  
3 Parcel 2.

4 With respect to Parcel 3, there is a curb cut  
5 proposed off of 6th Street that will provide access  
6 for both parking and loading. With respect to the --  
7 also, within Parcel 3 we are creating a new private  
8 roadway that connects 5th Street with 6th Street that  
9 will allow for circulation around the block.

10 In addition to that we are locating parking  
11 access off of 5th Street for this development in this  
12 location.

13 With respect to Parcel 4, as Ms. Roddy had  
14 identified, we've modified the plan to provide a  
15 driveway along 5th Street that will provide us the  
16 opportunity for loading and unloading for that  
17 parcel.

18 The TDM elements that have been identified  
19 are relatively consistent with many of the other TDM  
20 elements that range from bicycle and transit  
21 incentives, all the way to transit screen and Capitol  
22 BikeShare.

23 With respect to the intersection mitigation,  
24 we've identified new signals that are proposed to be  
25 implemented, modification of some of the

1 intersections with striping. And the last point that  
2 I'd like to make is, we've coordinated with DDOT on  
3 the access and on the conditions related to the  
4 project. We agree with all of DDOT's conditions.  
5 There are some exceptions that we are coordinating  
6 with DDOT. The first is, DDOT is requiring that a  
7 new traffic signal be installed at 4th and Penn  
8 Street. We have discussed with DDOT, the opportunity  
9 to -- as part of the Stage 2 PUD processing for  
10 Parcel 4, if it's warranted that a signal be  
11 constructed then we will fund the installation of a  
12 new signal.

13           With respect to some of the right of way  
14 improvements on 6th Street, we've identified that we  
15 would install some of the streetscape -- excuse me,  
16 the hardscape sidewalk on 6th Street that's not in  
17 front of our property, as a community benefit.

18           And with respect to the installation of  
19 traffic cameras, we are installing three of the five  
20 traffic cameras that DDOT has identified. The other  
21 two we are not installing and DDOT is in agreement  
22 with those changes. So I'm available for questions.  
23 Thank you.

24           MS. RODDY: And if we could just have a  
25 minute or two more? Thank you.

1           CHAIRPERSON HOOD: Take as much time as you  
2 need.

3           MS. HOWARD: Good evening, Heather Howard  
4 with the JBG companies. I will just briefly  
5 highlight our work in the Union Market area.

6           As you know, there's significant development  
7 in the market area and we've worked with other  
8 ownership to establish a stakeholder coalition which  
9 is focused on working on the infrastructure needs,  
10 including utility improvements, the timing, and the  
11 cost, and the phasing of these, safety concerns in  
12 the immediate and in the future, as well as the  
13 establishment of a bid. We've formed an exploratory  
14 committee to see if it's appropriate here, and they  
15 will deal with wayfinding, safety, clean and safe  
16 measures, as well as other elements such as event  
17 coordination.

18           We are also working on adjacent parcel  
19 coordination with our Parcel 3, which was with Alcore  
20 and Edens (phonetic), as well as Parcel 4 with Edens.  
21 You've seen this, I believe, in an earlier case.  
22 This is the example of the Parcel 3 concept, which we  
23 would establish and go further with the stage 2 PUD  
24 application for Parcel 3.

25           And the Parcel 4 is, it's still in the early

1 stages of collaboration, but the intent is the same  
2 in working with the adjacent owner, Edens.

3           We have done significant community outreach  
4 and support, including the Gallaudet constituency,  
5 ANC 5D, the ANC 5D-01 SMD, Trinidad Neighborhood  
6 Association, ANC 6C, including their Parks and Events  
7 Committee, and the SMD Commissioner and the NoMa Bid  
8 to present the project and obtain feedback.

9           And as a result of our work in the community  
10 we've developed a community benefits and amenities  
11 package that I won't go through in its entirety since  
12 you do have a copy of it. But as we mentioned it  
13 does include a affordability measure where there is  
14 currently no affordable housing at 8 percent of the  
15 residential gross floor area at 60 percent AMI which  
16 is a strong concern from the community for the  
17 existing residents to live in this development as we  
18 improve or develop the Union Market area.

19           We will also be providing employment benefits  
20 and a public open space of over one acre that will be  
21 open to public use, and right of way improvements on  
22 our site as well as offsite so that the rest of the  
23 market is developed in conjunction with this  
24 development. And also working to establish an  
25 interim use for the HR 57 Foundation, which has been

1 a D.C. establishment, and they will be on Parcel 4.  
2 And that's free of rent. And we will also be  
3 providing a contribution for their events for the  
4 community as well. And I can also go further if you  
5 have any questions.

6 So, that completes our abbreviated  
7 presentation. We believe that the record is replete  
8 with the information of this project, but we're happy  
9 to answer any questions that you have.

10 CHAIRPERSON HOOD: Thank you very much. We  
11 appreciate you all's presentation to us. Let's see  
12 who have any questions or comments. Somebody on this  
13 side. Commissioner Turnbull.

14 MR. TURNBULL: Well, thank you, Mr. Chair. I  
15 want to thank you for your presentation tonight. It  
16 was very thorough. That being said, I do have some  
17 questions. Mr. Andres, although there's a lot of  
18 elements in the DDOT report, and I'm looking at page  
19 5 and 15, and 21, where they talk about issue that, I  
20 mean, in particular page 21. And it says, "The  
21 applicant has proposed changes which should either  
22 not be implemented or should be implemented with  
23 changes."

24 And I know you talked -- I guess what's  
25 always troubling with this, when I see a report, and

1 I'll go through DDOT's report, and I'll look at this,  
2 it's almost that I want to hear, what aren't you  
3 going to do or what work with DDOT do you still have  
4 to do? I mean, it looks like by this that there's  
5 still quite a bit of work.

6 MR. ANDRES: Well, with respect to these  
7 continued coordination items, typically they're -- a  
8 lot of them are actually hashed out through the  
9 public space permitting process. So as the  
10 individual projects that go through stage two and go  
11 through the necessary entitlements when they're  
12 actually designed, a lot of these changes -- or,  
13 excuse me, a lot of these elements that DDOT had  
14 identified is where we --

15 MR. TURNBULL: Like the turn lanes, you're  
16 talking about?

17 MR. ANDRES: Yes, is where we go into deeper  
18 design with respect to --

19 MR. TURNBULL: Okay. What about where --  
20 looking on page 15, the applicant is seeking  
21 flexibility to construct the project in phases.  
22 However, the transportation analysis only studied the  
23 development as a whole and does not. Again, are you  
24 saying that this is going to come back --

25 MR. ANDRES: Yes. And so typically what

1 we've done for stage projects, where in stage one we  
2 identify the overall impacts of a project, and then  
3 when we go through stage two processing of the  
4 individual projects and the individual parcels, is  
5 where we go into more nuanced analysis that  
6 identifies the actual impact of that particular  
7 project, because as the -- as you may know, the  
8 phasing for projects as big as this, you know, can  
9 span upwards of, you know, five to 10 years.

10           So this is -- the improvements of the area,  
11 the rate of absorption of residential units in the  
12 area, all of those are in flux until those  
13 individuals parcels and projects are entitled and  
14 constructed. So, we want to be able to, from a  
15 holistic standpoint, identify what the overall  
16 magnitude of impacts are, but the individual stage  
17 two analysis will dive into the specifics of where  
18 the garage entrances are and what the design impacts  
19 are.

20           MR. TURNBULL: Yeah, because one of the  
21 difficult things at this point, looking at a stage  
22 one, especially when you've got an option, when  
23 you've got a residential option, which can change the  
24 impact that we're going to be looking at, which is  
25 tough for us to look at with this, trying to balance

1 if it's going to be residential, office, or whatever,  
2 it could be a significant impact.

3 MR. ANDRES: Well, you know, knowing what we  
4 know, you know, obviously, you know, per square foot,  
5 retail generates the most traffic. You know, the  
6 residential and office almost balance out to each  
7 other. The only difference is that, you know,  
8 instead of the church going out, they're going in.

9 And so, in terms of the magnitude of the  
10 impacts of the trips, they're relatively within the  
11 same range of the impacts.

12 MR. TURNBULL: Okay. Thank you. I just had  
13 -- I guess getting back to -- and I think we asked  
14 this at setdown. We've got some university use on  
15 the ground floor. I believe, and it was never  
16 addressed, but there is no student housing going to  
17 be in this project at all.

18 MR. MOLL: No, there's no student housing.

19 MR. TURNBULL: Okay.

20 CHAIRPERSON HOOD: Let me just ask, will that  
21 ever change?

22 MR. MOLL: It's not planned to be student  
23 housing. Some students may, you know, elect to live  
24 in the housing units themselves, but it's not student  
25 housing by zoning definition if that makes sense.

1 CHAIRPERSON HOOD: All right. Excuse me.

2 MR. TURNBULL: Yeah, and I guess that gets  
3 back to the -- I mean, we've often had a question  
4 where student housing going into the neighborhood  
5 sometimes causes an issue with neighbors. We have  
6 seen that at other universities. So I think the  
7 question comes up, will this become an impact on the  
8 community if student housing is allowed to go into  
9 those units.

10 And again, we're just putting it on the table  
11 because it's been an issue at other universities  
12 where we've had students going into the neighborhood  
13 and living, and it hasn't always worked out well.

14 MR. MOLL: We've had experiences with  
15 projects near universities and we just built Atlantic  
16 Plumbing, which is next to Howard University, and  
17 we've built a couple of projects next to George  
18 Washington University before, and so -- and we've had  
19 students live in those buildings and we've managed  
20 those buildings and have, you know, have made sure  
21 that they are respectable members of the community  
22 and of the neighborhood.

23 MR. TURNBULL: We'll have to get back to the  
24 West End Civic Association then and make -- see what  
25 they have to say about it, but okay. Thank you.

1           I just had a -- I guess, you know, in the  
2 PowerPoint presentation which, you know,  
3 unfortunately we get these and we get the new  
4 drawings with the PowerPoint presentation, and they  
5 don't resemble some of the drawings that we already  
6 looked at. So we struggle with trying to look at  
7 some of the things that we see. And so that there's  
8 always this dichotomy of what we looked at and what  
9 we are now getting. So I have some questions as we  
10 go along.

11           But part of -- in looking -- and I think you  
12 have some grand -- I mean, the concept for this whole  
13 development has some very rich ideas. And I think  
14 it's very good. We talk about world class  
15 architecture, a unique place. A momentous occasion  
16 for Gallaudet to open the doors to the campus. And  
17 let me -- there were so many I couldn't -- I can't --  
18 I didn't write them all down.

19           But we talk about a transition zone between  
20 the bucolic Historic Olmsted Green, the new buildings  
21 as one of the -- we talk about you acknowledging  
22 scale, proportions, material character, establish a  
23 connection between the back phase, Parcels 1 and 2,  
24 historic faculty row houses. And we call -- then I  
25 see straightforward massing.

1           We talk about careful expression, autonomous  
2 and integrated design. And I look at a lot of these  
3 comments and there's -- you talk the talk of a very  
4 exciting place where you have a very diverse  
5 architecture and it's going to be exciting, and it's  
6 going to be something that's blending in with not  
7 only the campus, balancing the campus, but also Union  
8 Market and the area around it.

9           But and, again, I know this is a stage-one  
10 design. But when I look at the renderings of down  
11 the street on 6th Street and some of those other  
12 areas, it's really banal looking. I mean, it's very  
13 blocky, it's -- I can remember in my foundation  
14 course in architecture, we played with sugar cubes to  
15 understand massing. And I look at this and this is -  
16 - it's just so blocky and banal right now. There's  
17 no -- it's humdrum right now. It looks like K  
18 Street. It looks like K Street and I'm worried that  
19 there's not the excitement that is generated in the  
20 language that you've developed, which is very  
21 exciting and it wants to be this really opening area  
22 with the University. And somehow it just seems to  
23 fall short.

24           And again, I know it's stage-one, but there  
25 ought to be more undulations in this façade. There

1 ought to be more ins and outs in play. And we ought  
2 to be seeing something that gives us an idea that  
3 this is really going to be a show stopper for us.  
4 And I think this can be. I think when I look at the  
5 site plan, the streetscape, and what you're trying to  
6 do, I'm excited by what's happening on the  
7 streetscape.

8 But the façade, the very blockiness of the  
9 buildings right now don't strike me as matching the  
10 language that you've written.

11 MR. ADJMI: Thank you for the question. And  
12 I think it's a very good question. And we're anxious  
13 to actually start making the architecture sing. And,  
14 you know, the ideas that we expressed are the ideas  
15 that we will take forward into the design. We want  
16 to move forward with Parcel 3 into stage 2. But our  
17 goal and I think that we've proven a lot of -- and  
18 most of our work is that we do pay a tremendous  
19 amount of attention to detail, and we've already  
20 started to articulate the streetscape and break it  
21 down, but we would be breaking that down further.  
22 And we've created pockets and zones for a lot of  
23 exciting activities to occur, and for opportunities  
24 for special little kiosks, and things at the ground  
25 plane which will make a difference to the overall

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1 avenue.

2 MR. TURNBULL: But how do you see the actual,  
3 the material, the skin of the buildings, the shape?  
4 I mean, we're not going to see just a blank wall  
5 going down the street, I hope.

6 MR. ADJMI: Absolutely not. So --

7 MR. TURNBULL: Unfortunately, as I said, I  
8 referenced a certain street in the city which I am  
9 given undue trouble to, which is K Street. But I  
10 mean, there's a certain character that has developed  
11 and it's just, it's this street wall and I'm like, I  
12 hope we don't get that here. We just can't. This  
13 has got to be an exciting place for students and the  
14 public to be able to walk through and this is all --

15 MR. ADJMI: This is a tremendous opportunity  
16 and that's our intention.

17 MR. TURNBULL: All right. I just, as I say,  
18 it just had me -- I'm just a little bit worried at  
19 this point.

20 MR. ADJMI: Those are just meant to be volume  
21 studies for the areas, not to be design.

22 MR. TURNBULL: Well, and when I looked at  
23 this with the penthouses that were showing on these  
24 original drawings, they sort of look like little  
25 temples up there, originally. And they looked rather

1 strange. And I said, don't you know how high a  
2 penthouse can be or what you have to do to make it  
3 work?

4 MR. ADJMI: And we do, and we know there's  
5 going to be a lot of stuff up there, and so we're  
6 just indicating that there is something there and not  
7 pretending that those are just going to be flat  
8 roofs, so.

9 MR. TURNBULL: Because the gentleman at the  
10 end of the dais will really get into penthouses and -  
11 - when it comes to that.

12 MR. ADJMI: I heard about that.

13 MR. TURNBULL: Yeah. He's -- I'm just  
14 forewarning you that that's coming.

15 The other thing is, which I think would be  
16 good to have on the record for us to be in the  
17 record, is to deaf space design guidelines 2010. I  
18 think that would be good to have in the record for us  
19 to have. And it's referenced in the book and I think  
20 that might be -- it sounds like it's a key element in  
21 the whole design and I don't think we have that but  
22 it would be great if we could have that in the  
23 record.

24 MR. BAUMAN: I don't see any reason why we  
25 can't enter it into the record. It's a complete

1 document that is a basis for our agreement with JBG,  
2 actually, so --

3 MR. TURNBULL: Okay.

4 MR. BAUMAN: -- we definitely can add that.

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

7 CHAIRPERSON HOOD: All right. Thank you very  
8 much, Commissioner Miller.

9 MR. MILLER: Thank you, Mr. Chairman, and  
10 thank you all for your presentation.

11 This is yet another big and potentially very  
12 transformational -- well, not potentially. It will  
13 be a transformational project for this neighborhood,  
14 which has a lot of exciting elements in it. The  
15 almost 1,200 to -- 1,200 to nearly 1,900 residential  
16 units depending upon which scheme you go with where  
17 no residential is permitted under existing zoning.

18 And the range in the 130,000 square feet of  
19 retail under either scheme, and then the range  
20 between 60,000 and 400 and some thousand of the  
21 office and the university support use, of course.

22 I tend to agree with you, Ms. Roddy, about  
23 the affordable housing proffer that doing all of the  
24 minimum set-aside that's required by Inclusionary  
25 Zoning at 60 percent AMI is a -- is much better than

1 the 80 percent AMI that would have been required  
2 under Inclusionary Zoning.

3 I think that some of the commitments that you  
4 made tonight in your opening statement about -- and  
5 that will be in the affordable housing covenant,  
6 which you said, I think if you can reduce those to  
7 writing as part of a post hearing submission, you  
8 know, there will be for the life of the project what  
9 the -- you know, all of the things that we would see  
10 if this were an Inclusionary Zoning project, how many  
11 of the Inclusionary Zoning components you will be  
12 needing. You know, the finishes that you mentioned,  
13 the disbursal through the site that they won't be  
14 concentrated in any one area, and I think what we  
15 also need is part of that submission, which we  
16 usually get is, you know, the actual number and mix  
17 of units in terms of size and how that relates, if  
18 you have that, if you know the sizes of the units.  
19 But then ta commitment they will be proportional to  
20 what the market rate units would be.

21 MS. RODDY: We can actually submit the  
22 template covenant that DHCD uses that sets forth all  
23 of those requirements and we can submit that into the  
24 record.

25 MR. MILLER: That would be good. And since

1 we do have those comments from OP, if you can just  
2 speak, when you submit that, speak to the  
3 enforceability and how those affordable, other types  
4 of affordable units have been managed if you have any  
5 experience in terms of how successfully they have  
6 been enforced in the past under the covenants that  
7 run with other either PUDs with the Zoning Commission  
8 or with land dispositions with the city. That would  
9 be helpful.

10           On the -- the Vice Chair will, I'm sure, get  
11 into this, but what is the proffer -- not proffer.  
12 What is -- what are you offering in terms of -- I got  
13 confused in terms of sustainability. I saw the  
14 original application talked about LEED Silver. OP  
15 talked about -- encouraged you, as I think some of us  
16 did at setdown, to go to LEED Gold. And then the OP  
17 report indicates that there's -- at this point,  
18 there's no commitment at all in terms of LEED that  
19 you'll have to wait to see to the later stage, and  
20 can you just speak to the LEED commitment and  
21 hopefully it will be, you're going for the Gold.

22           MR. MOLL: So right now the commitment is to  
23 go LEED Gold, although we're -- or LEED Silver. But  
24 we're looking at ways to go higher to Gold. Right  
25 now we're with Gallaudet studying ways to potentially

1 share energy between the buildings, and so looking at  
2 a number of things that might get us there. But  
3 given that this is a stage-one PUD at this time,  
4 that's all that we can commit to doing.  
5 Sustainability is, you know, a most priority of  
6 Gallaudet. President mentioned it this evening as  
7 one of their top, you know, three things that they're  
8 looking for in this development. And so it's  
9 important to us, and so we are striving for Gold.  
10 And, you know, we look forward to being able to  
11 commit to that as part of the stage two if we're able  
12 to, you know, able to get there.

13 MR. MILLER: And you've already had meetings  
14 with the Department of Energy and the Environment  
15 yet?

16 MR. MOLL: Yeah.

17 MR. MILLER: Okay. Well, I'm sure the Vice  
18 Chair will get into more of a dialog with you about  
19 it, but I think it would benefit the project, the  
20 highest commitment that you can make and it will be  
21 good as part of the post-hearing submission to  
22 clarify that you are -- whatever that commitment is,  
23 because there's just some confusing information in  
24 the record right now.

25 On the proffer to hire -- to have two job

1 fairs and to hire Gallaudet students as interns and  
2 employees, I think we just need maybe a little bit  
3 more specificity about numbers and the kinds of jobs.  
4 Are you talking about both the construction and  
5 permanent jobs, I assume? And so if you can get --  
6 if you're able to provide any kind of minimum  
7 numbers, that would be helpful.

8           And the Office of Planning noted that you  
9 were not making a commitment to the first source  
10 employment agreement. Can you speak to as to why  
11 you're not, and if you're not, can your post-hearing  
12 submission as Office of Planning asked, show whatever  
13 employment proffer you're offering is equal to or  
14 better than, than if you had just signed it for a  
15 first source agreement? Can you -- you don't have to  
16 -- well, some of it, if you can speak to any of it  
17 right now that would be --

18           MS. HOWARD: Yes, we can. One thing that did  
19 make it into the presentation today was a commitment  
20 towards workforce development. From what we heard in  
21 the community there's a strong need for job training  
22 and job readiness, when they come to the job fairs  
23 where they don't have a lot of the, I guess,  
24 constituents that are ready to actually get the jobs.  
25 So we plan on engaging with a D.C. corporation or

1 organization on workforce development and  
2 supplementing some programs that they have in place  
3 for job training and placement, in addition to the  
4 job fairs that we intend to have a minimum of two for  
5 employment opportunities during the construction  
6 phase and permanent opportunities after the  
7 construction phase.

8 MR. MOLL: And we'll detail some more  
9 information --

10 MS. HOWARD: Yes.

11 MR. MOLL: -- in the post-hearing submission  
12 for all of that.

13 MR. MILLER: Okay. That would be great. And  
14 just a couple of other comments, Mr. Chairman. So I  
15 would agree with -- I would echo Commissioner  
16 Turnbull's comments about the -- just, I realize  
17 we're at a very conceptual stage, but about the 6th  
18 Street canyon affect, is what I wrote down, which is  
19 kind of in the line with what you were talking about.  
20 And I realize you do have the indentations there.  
21 So, to the extent that when you get to second stage  
22 you can have a lot more articulation and  
23 indentations. And maybe some setbacks.

24 And the height, let me ask you, the height of  
25 those Parcel 3 and 4 buildings, it's 120 feet? Is

1 the building, the Union Market building in between,  
2 also at that height?

3 MR. ADJMI: I believe so, yes.

4 MR. MILLER: Okay. Well, I would -- yeah, I  
5 would just echo that the -- as much façade  
6 articulation that you obviously are going to do, it  
7 would be appreciated.

8 MR. ADJMI: I would acknowledge that that  
9 would be our intention as well as to create some  
10 façade depth so it didn't read as a flat plane, with  
11 the additional comment that we plan to do the same  
12 thing at the ground floor, so that that wasn't just a  
13 wall of retail storefront, that there would be some  
14 articulation and different types of openings as well.

15 MR. MILLER: Okay. Great. I'm not going to  
16 go into the transportation and let others do that  
17 because as, somewhat confused by the -- I'm still  
18 somewhat confused as to what you are and what you  
19 aren't complying with in terms of the DDOT  
20 conditions, and so I'm going to wait to hear DDOT's  
21 report and maybe come back to you on that. But you  
22 did say that you -- do you have any other comment you  
23 want to make on that?

24 MR. ANDRES: Yes. Essentially it's three  
25 conditions that we've modified as part of our

1 coordination with DDOT. The simple one is DDOT had  
2 identified five traffic cameras to put in. We're  
3 installing three of those five because we believe the  
4 other two are approximate to other PUDs and  
5 developments coming in. And we spoke to DDOT and  
6 DDOT concurs with that.

7 Another condition that they identified is to  
8 install right of way improvements on 6th Street. And  
9 to do it consistent with all of the other nearby  
10 properties. Well, we've identified that there's a  
11 section on the east side of 6th Street, a sidewalk  
12 that essentially goes from Neal Place to Penn,  
13 adjacent to the baseball field that we will be  
14 upgrading the sidewalk, and that was a specific  
15 improvement that we're making in addition to all the  
16 other improvements that we're making in front of  
17 Gallaudet's property. That property is not  
18 Gallaudet's property, but we're agreeing to include  
19 that.

20 And then the last item, which is an item that  
21 we believe that we still need to do a little bit more  
22 coordination with DDOT, is that they've required the  
23 installation of a new traffic signal at the  
24 intersection of 4th Street and Penn Street.

25 So at the intersection of 4th and Penn what

1 we're saying is that the parcel development that  
2 would contribute to the need for that new traffic  
3 signals are Parcel 4. Our Parcel 4 is potentially  
4 scheduled to be one of the later parcels to be  
5 redeveloped. So we are recommending to DDOT that  
6 when Parcel 4 goes through Stage 2, that we would do  
7 a traffic study to see if it was warranted. And if  
8 it is warranted the applicant will fund for its  
9 construction. So that is the change associated with  
10 those three conditions.

11 MR. MILLER: And what about the -- you had  
12 proposed changes. You had proposed the 6th Street  
13 and Tapscott Drive signal installation which DDOT  
14 commented that shouldn't be implemented unless  
15 alignment changes are made to two streets.

16 MR. ANDRES: So for that condition the  
17 alignment change, there is several things that need  
18 to take place in order for that alignment change to  
19 take place, because of the fact that it's my  
20 understanding that there are some historic issues  
21 that we're going to have to deal with related to  
22 Tapscott. So in the event that roadway does get  
23 realigned, we will look at potentially either putting  
24 a signal there or what's commonly known as a Hawk  
25 Signal, which is a pedestrian signal. So that's --

1 our intent for that signal is actually to provide  
2 better access across 6th Street at that location.

3 MR. MILLER: Okay. Thank you. Thank you  
4 very much for your presentation. That's all, Mr.  
5 Chairman.

6 CHAIRPERSON HOOD: Okay. Mr. Moll, can I get  
7 you to identify yourself for the record? Moll is  
8 your -- right?

9 MR. MOLL: Sorry. Yeah. Bryan Moll, I'm a  
10 principal with the JBG Companies.

11 CHAIRPERSON HOOD: Okay. Thank you. I just  
12 wanted to ask our interpreters if they needed to take  
13 a break, if they can just let us know? Okay. If  
14 they let us know it will be great. Okay. Okay,  
15 great.

16 Okay. Commissioner May.

17 MR. MAY: Okay. I don't have a whole lot to  
18 add. I think much of what I would be concerned about  
19 has been covered already. I did have a question.  
20 The presentation had the itemized list of benefits  
21 and amenities and it wasn't in the presentation that  
22 I received here on paper, and it's different from  
23 what was in the post-hearing submission, or the --  
24 sorry, the supplemental prehearing submission, that.

25 So, I mean, does that exist somewhere else in

1 a different submission?

2 MS. RODDY: I'm sorry. It should have been  
3 in the PowerPoint handout that I sent, so --

4 MR. MAY: Yes.

5 MS. RODDY: -- perhaps that was a mistake and  
6 I can get you a different copy.

7 MR. MAY: Did anybody get it on -- I didn't  
8 get it. Maybe it's just my copy. All right. So  
9 I'll just get a copy up here.

10 MS. COHEN: It was deliberate.

11 CHAIRPERSON HOOD: That was no problem when  
12 you left it out of his copy.

13 MR. MAY: Okay. I'll just demand more. How  
14 about that?

15 So yeah, just to emphasize, I agree on the  
16 design. I mean, it's -- I appreciate your trouble of  
17 doing the perspective views, but the way the  
18 buildings were represented they like actually did you  
19 harm. So, you know, we can see through that. We  
20 look forward to something better. You know, it was  
21 good to see the precedent images or other -- I mean,  
22 those all, the early ones in the slide presentation,  
23 were those all your projects?

24 MR. ADJMI: Yes, those were.

25 MR. MAY: Yeah, so I mean it's -- I can sort

1 of put two and two together and, you know, imagine  
2 that it's going to be something very interesting and  
3 exciting, but it was kind of scary when I first saw  
4 those particular renderings. So.

5 MR. ADJMI: Thank you. We wanted to do more  
6 but we --

7 MR. MAY: Yeah, I understand. I understand.

8 MR. ADJMI: Thank you.

9 MR. MAY: I understand the complication of  
10 it.

11 I agree on pushing for LEED Gold, I guess. I  
12 mean, you know, we do want to try to get the benefits  
13 and amenities nailed down in stage one. And so we're  
14 kind of banking on this happening in stage two. And  
15 I mean, the thing about it now a days is that you  
16 know, almost everything can be done at LEED Silver  
17 without much trouble. And LEED Gold really is just  
18 sort of a minimum commitment. Not a minimum  
19 commitment but it's an extra step that is beneficial  
20 to the city, to the project, and ultimately to the  
21 owner. And so we're really hoping, you know, that  
22 does get resolved. It would be a greater comfort if  
23 it were resolved now, but I'll stop on that topic.

24 Let's see. On the Inclusionary Zoning units,  
25 so, the original submission as I understand it was,

1 some portion of the eight percent would have been at  
2 50 percent AMI and then you've changed it so that now  
3 all eight percent are at 60 percent of AMI, or MFI,  
4 whatever we call it now. Did you consider -- I think  
5 the Office of Planning made the suggestion that doing  
6 a mix of 50 percent and 80 percent keeps it within  
7 the bounds of what DHCD can administer. Did you look  
8 at that and look at the possibility of simply  
9 changing the calculation because you know, 20 percent  
10 of the eight percent at 50 percent, if you can follow  
11 me -- I know everybody here gets that completely,  
12 right? Everybody who is streaming this is confused,  
13 right?

14 But that calculation was meager in terms of a  
15 proffered benefit. So increasing that was definitely  
16 an important thing to do, but why not just increase  
17 the percentage that we're 50 percent?

18 MS. HOWARD: We did look at that with the  
19 calculations and discussed it in depth with the  
20 community. The idea was to have a larger amount of  
21 units at a lower affordability. And the 80 percent  
22 AMI level just wasn't meeting the needs to the  
23 community. So since we weren't able to do complete  
24 100 percent at 50 percent, we brought it down to 60  
25 percent so that a larger portion or the full amount

1 is available at a lower AMI.

2 MR. MAY: So, but did you look at, I mean, an  
3 equivalent? I mean, there must be some way to do the  
4 math. What is eight percent at 60 percent translate  
5 into, you know, if you tried to split it between 80  
6 percent and 50 percent? Anybody do that math?

7 MR. MOLL: Yeah, I mean it's roughly 50/50.  
8 I think the issue is that -- I mean, it's roughly  
9 that. It's not, you know, exactly. But I think the  
10 issue is that we talked to a lot of the ANC  
11 commissioners about that and we brought it up in  
12 their meeting. And the feedback was that the number  
13 of units that that would translate to, the 50 percent  
14 of AMI was a lot less than if we did all eight  
15 percent at the 60 percent of AMI.

16 MR. MAY: Okay.

17 MR. MOLL: And that was -- their concern was  
18 that the 80 percent level wasn't really targeting the  
19 people that they thought needed it the most.

20 MS. RODDY: And I just want to clarify that  
21 Mayor's Order 2009-112 actually grants DHCD the  
22 authority to oversee affordable units. So they are  
23 very much involved. So they would monitor and  
24 enforce any affordable unit.

25 MR. MAY: You made that point at the

1 beginning of your presentation.

2 MS. RODDY: Okay.

3 MR. MAY: I got that. It's just the question  
4 of the long-term administration.

5 And I mean, honestly, I'm not in a position  
6 to judge whether it's better to be outside the  
7 program in that sense, or inside the program. I  
8 think this came up at another recent case and did  
9 that happen to be your case? That was your case.  
10 You know, two PUDs a week, it gets a little  
11 confusing.

12 And as I recall, the response to that last  
13 case was that you actually are, I don't know, already  
14 very comfortable with the notion of administering  
15 that kind of a program. So --

16 MR. MOLL: Yeah, that's right.

17 MR. MAY: I guess I'm looking for some sort  
18 of an outside expert's opinion on that question of  
19 whether we're better off being inside the program or  
20 out so that we don't face this sort of -- well, I'm  
21 not asking you a question. You can talk about it  
22 when you -- anyway, I think it would be worthwhile  
23 having a -- getting some better sense of whether it's  
24 better to be administered or not be administered by  
25 DHCD, because it just keeps -- I mean, this is twice

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1 within two weeks and it's probably going to keep  
2 happening. And it's certainly part of what we're  
3 coming up against with the revisions to IZ.

4 MR. MILLER: Right. That's one way to take  
5 care of it.

6 MR. MAY: Yeah. I guess. Of course if we  
7 change it, the requirement and allow for 60 percent  
8 in the new IZ then it's going to take DHCD -- or the  
9 regulations will take another three years to --

10 MR. MILLER: Unbelievable.

11 MR. MAY: -- produce, right? All right.

12 I don't think I have any other questions. I  
13 look forward to getting through this and eventually  
14 getting to stage two. Thank you very much.

15 CHAIRPERSON HOOD: Yeah. Vice Chair Cohen.

16 MS. COHEN: Thank you, Mr. Chairman. Ms.  
17 Roddy, I want to compliment you for doing your  
18 homework and checking in with DHCD because I had done  
19 the same thing and found out exactly what you found  
20 out.

21 With regard to their ability to monitor the  
22 program, it's six of one, half a dozen of the other  
23 with DHCD. It depends upon their staffing. It  
24 depends upon their leadership. There is a covenant  
25 that will be on the land to assure that there is



1 up front to it your team doesn't have to feel obliged  
2 to look carefully during the architectural review of  
3 this project and make sure that it happens. You have  
4 wiggle room and you're going to use it in your value  
5 engineering to reduce your LEED.

6           So again, if it is a priority for the  
7 university, it should be your priority as well. And  
8 Silver, again, everybody has done Silver. But now  
9 it's up to you to do Gold, especially in this  
10 neighborhood that is so dense and people are going to  
11 need to be part of an environmental movement that  
12 allows them to have choice in this city of healthy  
13 choices. And moving into the healthiest buildings.  
14 If that's what you want it's going to help you in the  
15 long term as an owner. And so those are the two  
16 issues that I would suggest you go back and carefully  
17 look at.

18           That's why I did not want to go first because  
19 I'm pretty angry every time I talk about these two  
20 issues and get no response from the development  
21 community that helps the city in meeting its needs.  
22 You are a corporate citizen, and I think the city has  
23 done quite well by you. You have done well by the  
24 city, but it's a mutual partnership.

25           I was disappointed also that you are not

1 going for the jobs requirement. I mean, First Source  
2 agreement. One of my concerns, again, is there are  
3 certain neighborhoods that aren't doing as well as  
4 other neighbors. And I think again, that's a  
5 commitment that is needed by every developer to go  
6 First Source.

7 In addition, I think that construction in the  
8 neighborhood as one project gets finished, you have a  
9 workforce that needs to be reemployed on other deals  
10 within the same neighborhood, as opposed to having  
11 them go sit on a bench and wait. It's not the way to  
12 go about it. You keep the same people employed.  
13 They have construction skills on other deals, and  
14 it's a revolving opportunity for people who have  
15 probably not been employed and have gone through  
16 training. Whatever.

17 But again, you have a group of developers  
18 that you meet with and I'm sure they're more than  
19 willing to exchange, and it's probably going to save  
20 -- it may save you some money for the workforce.  
21 Again, if you train someone they deserve to have  
22 repetitive jobs, not just a one-off.

23 There are a couple of things I wanted to say  
24 about the benefits. On the bid, \$75,000 to set up a  
25 committee to see if there's a bid. There's so many

1 bids in our city I think that, you know, we have so  
2 much experience that we don't have to study it  
3 anymore. And basically there are some needs that are  
4 unique to your neighborhood. But again, you're  
5 meeting with developers. You can at least pool your  
6 resources because we have others, I think, providing  
7 money to study the bid. I don't know. I mean, I  
8 think it's just probably throwing some money away.  
9 You could probably be more efficient on that. I  
10 don't think you need \$100,000. Your 75 and somebody  
11 is 25 or 50. Again, there are bids that we have been  
12 working with and I haven't gone back to look at who  
13 is giving what to the prospect of having a bid.

14 MR. MAY: Can I --

15 MS. COHEN: Sure. Absolutely.

16 MR. MAY: May I ask a follow-up question?  
17 One of the things that sort of puzzled me, I mean,  
18 you consulted with the NoMa Bid, but why aren't you  
19 just considering being incorporated into the NoMa  
20 Bid? I mean, that's the most -- that's the closest  
21 bid nearby, right?

22 MR. MOLL: We love the NoMa Bid. We're part  
23 of the NoMa Bid with other -- JBG is part of the NoMa  
24 Bid with other projects. We think that this is a  
25 very distinct area that has different needs than, you

1 know, than areas that might be closer to Union  
2 Station.

3           Generally, you know, they're very similar  
4 needs. But, you know, the owners of this area  
5 believe that having a focused bid that you know, that  
6 sort of looks at the marketing needs of the market  
7 area, including the small businesses that are located  
8 in the spine, the historic spine if you will, that  
9 having a more consolidated smaller bid that focused  
10 on those types of issues would be more, we think,  
11 more efficient than a larger bid that had a lot of,  
12 you know, a lot of different neighborhoods within it.

13           MR. MAY: Wouldn't this be a very, very,  
14 small bid?

15           MR. MOLL: By size it would be about average  
16 in terms of --

17           MR. MAY: About average?

18           MR. MOLL: Yeah. About in the middle. Where  
19 JBG is actively working on establishing another bid  
20 in the Mid-City area and we proffered some dollars to  
21 help get that started. And, you know, I consider --  
22 Commissioner Cohen asked the question about the cost  
23 of starting a bid. And it's actually fairly time  
24 intensive and can be expensive. Generally, you need  
25 some legal help to help out, and we ended up needing

1 to hire a couple of people in the Mid-City bid to,  
2 you know, to help distribute information and ask  
3 questions, or answer questions that small businesses  
4 have. So the resources that it takes for that to  
5 happen, you know, are fairly significant.

6 I mean, that said, we do have a -- we  
7 proffered as part of the 13th and U project, we  
8 proffered \$150,000 on that one and, you know, we're  
9 about halfway there, I think, to being able to  
10 establish that, and we're about halfway through that  
11 150 -- the Exploratory Committee is about halfway  
12 through that. So I think that number was appropriate  
13 for that neighborhood.

14 This number is a little bit smaller. Again,  
15 the developers in this neighborhood have more  
16 experience establishing the bids. We, you know,  
17 we're able to use more of our resources to make it  
18 happen, so the number is smaller because we think we  
19 can utilize our own resources.

20 MR. MAY: May I go?

21 MS. COHEN: Yeah, go up.

22 MR. MAY: So, I mean, there are really only a  
23 handful of property owners in this developing area.  
24 Is everybody on the same page in terms of making  
25 progress for the bid?

1           MR. MOLL: Yeah, all of the land owners in  
2 the market area have expressed interest in being part  
3 of the exploratory committee.

4           MR. MAY: Okay. So when we see the next PUD  
5 come in from another developer who is sitting in the  
6 back of the room, they're going to talk about this  
7 too.

8           MR. MOLL: That's correct. I don't -- let me  
9 see who it is.

10          MR. MAY: Yeah. Yeah. No, self-identified.  
11 Anyway, all right. Thank you.

12          CHAIRPERSON HOOD: Also, this is a cutback,  
13 Vice Chair, on my chair about the bid. And I'm sure  
14 that community also probably wanted their own bid.  
15 They didn't want to be connected. I'm sure you heard  
16 that from the residents too, right? Okay.

17          MR. MOLL: That's correct.

18          CHAIRPERSON HOOD: Thank you.

19          MS. COHEN: I mean, I have a recommendation.  
20 Use the legal documents from one bid to the next.  
21 Save some money there.

22          MR. MOLL: We are, actually, we're using the  
23 same law firm as well. Thank you.

24          MS. COHEN: And make sure they document their  
25 hours doing that.

1           You know, I am very pleased that, you know,  
2 you're going into workforce development. Do your due  
3 diligence. There is a lot of money out there and we  
4 just need to continue to see results. There have  
5 been some results in Ward 7 and 8 but not enough.

6           I guess the HR-57 Foundation, is that jazz  
7 foundation which I used to --

8           MS. HOWARD: Yes.

9           MS. COHEN: -- frequent?

10          MS. HOWARD: Yes, it is.

11          MS. COHEN: Okay. Great. I guess I want to  
12 end on a more upbeat. And I just want to say that I  
13 think it's an exciting effort that was undertaken by  
14 Gallaudet in reaching out and having, you know, the  
15 landscape architect competition. It's exciting. I  
16 hope, you know, just to see what people's ideas are  
17 because you probably have one of the most beautiful  
18 campuses in the entire country. And I just love  
19 going there because it's very peaceful and green.  
20 And so I look forward to seeing the results of the  
21 competition. Thank you.

22          CHAIRPERSON HOOD: Okay. I just have one or  
23 two questions. First, let me just state, it's always  
24 good when we deal with universities and having  
25 projects where they're joint projects or whatever the

1 case is when we have presidents to come down and  
2 testify in front of us. And I want you to know, that  
3 does not fall on us lightly and we take that under  
4 very consideration. We appreciate you taking the  
5 time out of your busy schedule to come down to  
6 present to us.

7 Got a question, Mr. Andres. The curb cut, I  
8 notice here on page 37 of the PowerPoint that we had  
9 tonight, you're getting rid of two curb cuts, or  
10 proposes to remove two curb cuts, and you're adding  
11 one on Morse Street, I believe it is. Is that  
12 correct? Or you're proposing to add one. Or is that  
13 one already there?

14 MR. ANDRES: It's, we're removing it but then  
15 we're proposing to have it such that it's on 6th  
16 Street, but it aligns with Morse.

17 CHAIRPERSON HOOD: Oh, okay. And it looks  
18 like you're moving what, about five of them? Well,  
19 total on 6th Street, five?

20 MR. ANDRES: On 6th Street, yes, we are  
21 removing five of them.

22 CHAIRPERSON HOOD: Okay. Let me ask this,  
23 the baseball field, one of your residential  
24 buildings, the baseball field, I'm just trying to --  
25 if somebody is playing a baseball game, do they play

1 hardball baseball? They play hardball on that field,  
2 right? How close is that building? They probably  
3 don't hit like I used to when I was playing.

4 MR. MOLL: I think someone would have to hit  
5 about a 500-foot homer to hit our buildings there.

6 CHAIRPERSON HOOD: Okay. All right. So --

7 MR. MOLL: Maybe a high 400s.

8 CHAIRPERSON HOOD: So we factored all that  
9 in. We don't think that can happen now a days,  
10 right? Okay.

11 MR. MOLL: If there's the next Washington  
12 Nationals ballplayer playing on there potentially.

13 CHAIRPERSON HOOD: All right, I just wanted  
14 to know the proximity there.

15 The other thing is the private road, tell me  
16 a little bit more about the private road. Let me ask  
17 this first, before you get into it. The private  
18 road, are we going to eventually convert it to being  
19 public?

20 MR. MOLL: It's meant to be. It's meant to  
21 be a private street.

22 CHAIRPERSON HOOD: Okay. Well let me put  
23 this plug in. There's a gentleman again that I  
24 mentioned earlier, and I always mention this, you  
25 know, I'm just throwing this out here. You don't

1 have to. I don't know what name you're going to name  
2 it, but you know, there are things like George Boyd  
3 Way. You know, you may want to look at something  
4 like that and honor his legacy. Okay. That's --

5 MR. MOLL: Thank you.

6 CHAIRPERSON HOOD: If I get that, I won't ask  
7 any other questions. Okay. All right. Any other  
8 questions up here? Commissioner Turnbull.

9 MR. TURNBULL: Yeah, thank you, Mr. Chair.  
10 Getting back to the bid issue, I take it then that  
11 the bid is this new bid, is between -- it starts on  
12 Parcel 1 and 2, it goes all the way up to the  
13 intersection of New York and Florida?

14 MR. MOLL: Yeah, it's the Exploratory  
15 Committee still hasn't established the boundaries but  
16 it would -- we'll pull a map up so we can all talk  
17 from the same thing.

18 So it would go roughly from --

19 MR. TURNBULL: So it's this area?

20 MR. MOLL: That's right. It would not  
21 include the -- it would not go past the train tracks.

22 MR. TURNBULL: Would not go -- okay.

23 MR. MOLL: Right. And then it would  
24 potentially all the way up to capture the -- at least  
25 until -- yeah, at least until Penn, potentially a

1 little further to capture the two new hotels that  
2 were constructed on New York Avenue. And then down,  
3 and as the mouse is following there, down 6th Street  
4 and it would capture Parcels 1 and 2.

5 MR. TURNBULL: Okay. Thank you. My other  
6 question is, you're asking for some interim use  
7 approval.

8 MR. MOLL: Yes.

9 MR. TURNBULL: On Parcels 3 and 4, pop-up  
10 uses. How long would they be temporary uses? I  
11 mean, I guess this gets back to the whole phasing  
12 issue and when you see those being developed.

13 MS. HOWARD: Correct. Parcel 3 is currently  
14 under use. It's a parking lot that serves Union  
15 Market. There is a lease in place which we would  
16 extend until we need to go under construction with  
17 Parcel 3, and Parcel 4 is the HR-57 use on the  
18 Gallaudet Pavilion. Parcel 4 is the longest -- the  
19 furthest out for development, so they would  
20 potentially have the longest interim use and look for  
21 some place to go into the final project.

22 MR. TURNBULL: Okay. I'm just trying to  
23 think how we capture that in the order, about an  
24 interim use for a certain time period on those  
25 parcels. I'm assuming there's got to be something in

1 there that would identify the use for those.

2 MS. HOWARD: Right. I think we would put  
3 some language in the order that would coordinate the  
4 interim use with the development of Parcel 4, and  
5 right now we are requesting that last parcel to move  
6 forward with their second stage application within  
7 eight years.

8 MR. TURNBULL: Okay.

9 MS. COHEN: And, excuse me. I wouldn't use  
10 the term pop-up. It's very loaded in this city. So  
11 I'd say interim use.

12 MR. TURNBULL: Okay. All right. Thank you.

13 CHAIRPERSON HOOD: Okay. Any other questions  
14 up here? Do we have anyone representing ANC 5-D?

15 Okay. Not seeing anyone, let's go to the  
16 Office of Planning and the District Department of  
17 Transportation. Ms. Elliott, and then we've also  
18 been joined by Mr. Henson from District Department of  
19 Transportation.

20 MS. ELLIOTT: Thank you, Mr. Chairman. Good  
21 evening, everyone. It's a little unusual for OP to  
22 have a page of comments at this stage. But there are  
23 some important issues that we want to be able to  
24 address. And so we'll be taking a little bit longer  
25 tonight and playing a little bit of good cop/bad cop.

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1 But with the good first.

2 OP acknowledges and appreciates the work that  
3 the applicant has done to improve the site plan.  
4 Especially in response to the concerns that we noted  
5 in our setdown report. Foremost, OP did not think  
6 that the roadway in the Neal Place easement was  
7 consistent with the intent of the Small Area Plan or  
8 the approved PUD to the north for Union Market.

9 And so after setdown we continued to discuss  
10 the issue, we had meetings, and we're very happy that  
11 the roadway has been removed. We think that the  
12 resulting site plan is better. It provides two-way  
13 porosity to the site, and it preserves pedestrian  
14 space that was intended by the Small Area Plan.

15 The new alleyway also presents exciting  
16 opportunities for community events, which OP  
17 supports.

18 We're also pleased with the revised massing  
19 of the structures on Parcels 1 and 2 in response to  
20 comments from Historic Preservation. These changes  
21 result in preservation of historic site lines to  
22 Gallaudet University. So overall the resulting plans  
23 are a significant improvement over what was  
24 originally submitted and we appreciate the work the  
25 applicant went to address these issues.

1           OP's report recommends approval of the PUD  
2 with conditions intended to address some of the  
3 concerns that we have related to benefits and  
4 amenities. Our analysis suggests that the benefits  
5 have actually reduced since setdown, although the  
6 floor area has slightly increased. I believe  
7 initially we had cited in our report that it was an  
8 increase of 88 percent over matter of right and now  
9 we're at 90 percent.

10           The Zoning Regulations state that the  
11 Commission shall judge, balance, and reconcile the  
12 relative value of the project amenities and public  
13 benefits offered, the degree of development  
14 incentives requested, and any potential adverse  
15 effects according to the specific circumstances of  
16 the case. I'm sure you're all very familiar with  
17 Chapter 24.

18           So for the following reasons OP does not  
19 conclude that the benefits and amenities presented  
20 live up to this requirement and are inadequate for  
21 the amount of development that has been requested.

22           As noted by Commissioner Cohen, the applicant  
23 stands to gain up to 743,773 square feet of floor  
24 area with this application. And this is over 90 --  
25 this is over 90 percent more than what is permitted,

1 matter of right. This is also more than twice as  
2 much floor area than has been gained through any  
3 other PUD in the Florida Avenue Market. So even if  
4 the applicant is using the benefits and amenities of  
5 other approved PUDs as a baseline for what their  
6 package should consist of, the impact of their  
7 project is wholly underestimated.

8 Just for the sake of comparison, the second  
9 largest PUD gained 336,000 square feet of floor area,  
10 which is 45 percent less than what has been proposed  
11 with this project.

12 As noted in OP's report, the applicant has  
13 partnered with adjacent developers to apply for tax  
14 increment financing that would pay for the  
15 installation of infrastructure and streetscape. If  
16 it's approved the District would not realize the full  
17 tax benefit that it was anticipating through several  
18 projects that have already been approved through the  
19 PUD process, as well as this project.

20 This also reduces the benefit of any proffer  
21 regarding streetscape improvements.

22 OP is concerned about the enforceability of  
23 benefits and amenities that are on the table, so  
24 rather than work with the District to use programs  
25 that have already been established for affordable

1 housing and employment, the applicant proposes  
2 creating separate programs that will be managed by  
3 either themselves or a different entity.

4           This creates concerns about the long-term  
5 enforcement of the proffers. So up to this point we  
6 haven't received any information concerning the  
7 employment program, and so we're not able to assess  
8 whether it's similar to better than existing District  
9 programs. But we have been involved with discussions  
10 with DMPED and DHCD over the past week regarding the  
11 affordable housing proffer. And at this time they  
12 have not decided whether the current proffer of  
13 affordable housing is agreeable due to these  
14 enforcement considerations.

15           We also had a discussion with OAG, and they  
16 have expressed concerns about the long-term  
17 enforcement of these proffers as well. So I would  
18 like to make it clear that it's not that the District  
19 is opposed to providing affordable housing. That's  
20 not the issue. The issue here is the long-term  
21 enforcement of the program that's being proposed.  
22 And at this point we have no buy-off from DHCD  
23 regarding whether it's something that they can sign  
24 on to long-term.

25           In a project of this size in an industrial

1 area, we would expect that benefits and amenities  
2 would include more sustainable features, and a LEED  
3 Gold certification. LEED Silver is the equivalent of  
4 the District's Green Building Code, so the project  
5 will have to be built to this standard regardless.

6 We understand that LEED is off of the table  
7 for benefits and amenities at the moment. However,  
8 given the lightness of the resulting package we  
9 continue to strongly encourage the applicant to  
10 consider a commitment to the LEED Gold certification.  
11 And furthermore, again to Commissioner Cohen's  
12 comments, given that this is an industrial area, it  
13 is more than appropriate to include additional  
14 sustainable features that are going to increase the  
15 livability of this area for future residents, and for  
16 neighbors to enjoy.

17 And finally, the site is located in an  
18 industrial zone, which is specifically addressed in  
19 the industrial land transformation study. And  
20 although the study recommends some preservation of  
21 industrial land through the provision of space for  
22 maker uses and artists, because this land tends to be  
23 more affordable for those users, we continue to  
24 struggle to achieve this through PUDs.

25 Industrial land is important to the

1 District's economy, because it allows start-ups the  
2 ability to afford a space for their business, and it  
3 creates lower barrier to entry jobs, which means that  
4 you don't have to have a college degree in order to  
5 have a decent wage.

6           So while the applicant has not proffered the  
7 provision of makerspace at below market rates, we  
8 again strongly encourage them to reconsider,  
9 particularly given that the package that's before is  
10 tonight.

11           So just to wrap things up, as the Commission  
12 is well aware, the market area is experiencing a  
13 tremendous amount of growth. And it's all very  
14 recent, all within the past couple of years. And  
15 we're not done. There is more to come, as you've  
16 seen. There's plenty in the pipeline.

17           OP's director, Director Shaw, who has also  
18 been involved in our discussions, has made the  
19 statement that when we're building new neighbors, we  
20 need to hold firm to all of our policies. In this  
21 case, simply too many policies have been ignored. So  
22 we hope that we can continue to work with the  
23 applicant to address these concerns, and of course  
24 any concerns that the Zoning Commission may have.  
25 Thank you. I'll be happy to answer any questions.

1           CHAIRPERSON HOOD: Okay. Thank you. Let's  
2 go to Mr. Rogers, DDOT.

3           MR. ROGERS: Good evening, Mr. Chair, Members  
4 of the Commission. I too have somewhat lengthier  
5 comments than typical. This is a large project with  
6 lots of complications and there have been some  
7 changes since the issuance of the DDOT report and  
8 some issues that remain outstanding, so I'd like to  
9 highlight those now.

10           In our report we identified three site design  
11 improvements related to site access that would  
12 improve circulation and mitigate against the site  
13 impacts. The application has begun to address these  
14 requested changes, and I'm going to go through each  
15 one in turn.

16           For Parcels 1 and 2, DDOT's recommendation  
17 was that relocating the parking garage access to the  
18 private facilities -- excuse me, to the private  
19 street aligned with Morse Street, in combination with  
20 the DDOT requested signal at 6th Street and Morse  
21 Street intersection. JBG, the applicant, did in deed  
22 make that requested change and to DDOT's satisfaction  
23 I think that issue has been addressed.

24           Related to Parcel 3, DDOT recommended that  
25 consolidated site access should be developed via

1 private alley system, with other properties in that  
2 square. And DDOT -- excuse me. The applicant  
3 included two options for Parcel 3 site access. One  
4 of which creates the private alley system as proposed  
5 by Zoning Commission Case 16-05 with a notation that  
6 the applicant will match the design if 16-05 is  
7 approved by the Zoning Commission.

8           If approved by the Zoning Commission, DDOT  
9 believes that the applicant should indeed pursue the  
10 combined site access, reviewing 16-05's record, the  
11 site access proposed for that development is  
12 generally consistent with DDOT's approach to site  
13 design, and refinements may be needed going forward,  
14 but that the overall combination of site access for  
15 that square will lead to a better site design --  
16 excuse me, better site access for the entire square,  
17 reducing impacts, potential impacts between -- and  
18 conflicts between vehicles and other users.

19           Related to Parcel 4, DDOT's statement was  
20 that consolidated site access should be developed via  
21 a private alley system connecting between 5th Street  
22 and 6th Street, in coordination with the adjacent  
23 property, which was approved by the Zoning Commission  
24 under Zoning Commission Case 14-12. Of note, the  
25 northern site for that PUD was approved with just

1 Stage 1, and Stage 2 is pending.

2 DDOT feels the combined site access scheme is  
3 important because it improves circulation and  
4 connectivity, reduces impacts, vehicular impacts to  
5 5th Street, and allows 5th Street to generally  
6 achieve the more traffic combination that was  
7 envisioned in the Small Area Plan.

8 The applicant has revised their site plan to  
9 pull back their Parcel 4 building from the property  
10 line, such that a private alley network is not  
11 precluded. Additional coordination is needed with  
12 the applicant for 14-12, as well as the subject  
13 applicant on a combined site access scheme. DDOT  
14 will require, during Stage 2 PUDs for both  
15 properties, that combined site access be fully  
16 studied.

17 The proposed layout of the private east/west  
18 street through Parcel 3, would create intersections  
19 with inadequate spacing, which is inconsistent with  
20 DDOT's approach to intersection layout. In  
21 particular, the proposed design would be very  
22 difficult to signalize effectively, given the number  
23 of vehicular signal phases that are needed, not to  
24 mention the pedestrian phases that would also be  
25 needed to accommodate expected pedestrian volumes

1 between the market and the university.

2 DDOT suggested two possible solutions for  
3 normalizing the intersection layout, one being  
4 realigning the east/west vehicular connection such  
5 that it aligns better with the existing Tapscott  
6 drive. DDOT understands that this option could  
7 negatively impact the open space proposed to the  
8 north of Parcel 3, so a second suggestion was the  
9 realignment of Tapscott Drive, and the campus such  
10 that it meets that the proposed east/west street  
11 alignment. DDOT understands that this option may  
12 trigger campus plan and historic preservation issues,  
13 but ultimately a redesign of that intersection is  
14 needed if signalization is to be possible without  
15 major compromises.

16 This issue remains open, and pending physical  
17 changes to the layout DDOT will need to consider  
18 appropriate operational limitations to the east/west  
19 street during subsequent Stage 2 PUDs and the public  
20 space permitting process. Strategies to mitigate the  
21 impacts of the poor intersection layout, such as  
22 limiting directionality or other operational  
23 restrictions would serve to limit the street's  
24 ability and value as a east/west connection, which is  
25 an important need for the market.

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1           The subject action represents a significant  
2 amount of density. The development is expected to  
3 create significant travel demand for all modes, and  
4 DDOT finds though, that with the right combination of  
5 site access changes and mitigations, the action can  
6 be accommodated within the transportation network.

7           DDOT appreciates the commitment to install  
8 the signal at 6th and Morse, and off-site public  
9 realm improvements on 6th Street North at Parcel 1.  
10 And generally speaking there has been much progress  
11 since the submission of the DDOT report. However,  
12 there are still a few outstanding issues.

13           To give a little bit of context about the  
14 size of the project and mitigations, several other  
15 large projects that were approved by this body  
16 include McMillan, which was about 2 million square  
17 feet of development, that included three new signals  
18 and potentially a fourth, as well as a potential  
19 rebuilding of several other signals. The Wharf,  
20 which is about 3.1 million square feet, is providing  
21 three to four new signals, as well as reconstruction  
22 of several additional signals.

23           So with that in mind, the applicant has not  
24 agreed to install a signal at the 4th/Penn  
25 intersection, which is needed due to the added

1 volumes from the project and the proximity of that  
2 intersection to New York Avenue.

3 DDOT is open to potential pooled options with  
4 other developments or other funding sources in the  
5 area. But absent this pooled approach the applicant  
6 should commit to the installation of a signal at this  
7 time.

8 In addition, DDOT had in our report,  
9 suggested timing -- specific times for the  
10 implementation of the requested mitigations, and the  
11 applicant has not yet responded to those suggestions.

12 Given the complexity of the project there are  
13 a number of items that require continued coordination  
14 through Stage 2 reviews and public space permitting,  
15 just to highlight a few. All adjacent streets are  
16 expected to be upgraded based on DDOT standards,  
17 streetscape guidelines, and the Florida Avenue multi-  
18 modal safety study. The excessive use of bulbouts  
19 (phonetic) and the elimination of a cycle track on  
20 6th Street shown in the plans, are not consistent  
21 with DDOT identified needs for this street.

22 Also in the presentation that we've seen  
23 today there are a few pages that indicate streetscape  
24 guidelines. I should note that there are streetscape  
25 guidelines that are under development as part of a

1 condition of approval for another development in the  
2 market, and DDOT and the Office of Planning are  
3 partnering in that effort. The guidelines shown in  
4 the presentation tonight are not those same  
5 guidelines and in order to create a cohesive  
6 streetscape for the market area it will be important  
7 that the applicant continue to work with DDOT and  
8 other developers in the area on streetscape  
9 guidelines which are under development of which DDOT  
10 is a partner. And so I just wanted to make that  
11 note.

12 In addition, TDM plans for each parcel will  
13 be determined during Stage 2 review, and must support  
14 the mode splits assumed in the analysis. The  
15 appropriate TDM is really contingent upon the final  
16 building design, the final parking supply, and at  
17 this stage it's not possible to create the detail,  
18 level of detail with the TDM plan that's necessary.

19 And with that I will answer any questions you  
20 may have. Thank you.

21 CHAIRPERSON HOOD: Okay. It sounds to me  
22 like there's a lot of work that needs to be done.  
23 And I read that, Office of Planning and DDOT. But  
24 anyway, let's open it up. Vice Chair Cohen.

25 MS. COHEN: Thank you, Mr. Chairman. My

1 first question is for OP, and that has to do with the  
2 potential TIF that was noted. And maybe I jumped to  
3 conclusions and thought that the TIF would be the  
4 vehicle for the water and sewer lines that will be  
5 needed. Is that correct assumption, or am I jumping  
6 to my own, you know, conclusions?

7 MS. ELLIOTT: No, mind you I haven't gone  
8 through the entire document to see what's requested,  
9 but we have met with the agency reviewing that  
10 document, that request, and we are aware that at this  
11 point correct infrastructure that you've mentioned,  
12 utilities, water, but also streetscape have been  
13 included in that request so far.

14 MS. COHEN: So what's been proffered by the  
15 developer? You're questioning is it really going to  
16 be their responsibility or the TIF's. Is that  
17 correct?

18 MS. ELLIOTT: Correct. That's the question.

19 MS. COHEN: Thank you. My next questions are  
20 for DDOT. Your report was awfully thorough, and I  
21 loved it so much I read it twice. However, it really  
22 gave me great concerns with regard to this  
23 neighborhood and the impact of this project as well  
24 as the, I think it's eight other PUDs. So, my  
25 question is, are you actively pursuing with every

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1 developer, the best mitigations for the entire  
2 neighborhood because I can't recall what we approved  
3 or what is pending unless it's right in front of me.  
4 I just don't have that ability to visualize what  
5 needs to be done. But it was really scary to see  
6 that this project feels like it's terribly uncooked.

7 And I am concerned about approving a stage  
8 one where I have no clue of the entire impact on a  
9 holistic basis. Can you comment?

10 MR. ROGERS: I can. And I'm sorry if I scare  
11 you.

12 MS. COHEN: You did.

13 MR. ROGERS: With where we are with this  
14 project, which is a Stage 1 PUD, it's setting the  
15 site design and the building massing. One of -- I  
16 think arguably one of the most important mitigations  
17 that you can have for a building is to ensure that it  
18 is designed properly; that its access points are  
19 appropriate, that it is -- any sort of new streets or  
20 pedestrian facilities or other transportation  
21 facilities are in the right place. Probably not  
22 appropriate to design them fully at this point, but  
23 are the bones there? Is everything looking okay?

24 And so that's why our communications with the  
25 applicant and our report did focus so much on site

1 design and moving beyond, you know, what really is  
2 meeting our standards, you know, what's the letter --  
3 are they meeting the letter of the law, or the letter  
4 of our standards and really trying to move beyond  
5 that and say, what are the big picture needs for the  
6 market?

7           One of the things that -- and one of the  
8 things that we identified are combining site access  
9 points. There's not a lot of alleys in this area,  
10 and so coming up with site designs that either create  
11 or don't preclude combined site access in the future.  
12 So our comments related to Parcel 3 and Parcel 4, for  
13 the combined site access, that's sort of the  
14 motivation that's driving, driving those comments.

15           I think there's real potential there to come  
16 up with really great combined access points. It's a  
17 little bit challenging because of -- it does involve  
18 coordination with other land owners and those are in  
19 various stages of approval and various parts of the  
20 pipeline. But I am confident that there is the  
21 potential there and DDOT will certainly, through  
22 Stage 2 PUDs, and through interaction with other  
23 applicants, will work towards you know, making those  
24 combined site access points a reality.

25           And the other site design piece that we spent

1 a lot of time on is that east/west street through  
2 Parcel 3. Generally, connectivity, east/west is a  
3 need in the market. And certainly having a vehicular  
4 connection that maybe may not be a real high volume  
5 carrier, but it's a, you know, think of thought of  
6 more as a release valve, that is an important thing  
7 to have. What it does is it takes pressure off of  
8 the adjacent intersections where, and -- particularly  
9 on 5th Street which is really envisioned as a market  
10 street. To take the volumes off of that it does help  
11 to have that east/west connectivity.

12 And so we like the concept of what the --  
13 that street that they've proposed. It's the specific  
14 layouts that are problematic. It's too close to the  
15 intersection of Tapscott. And to have all those  
16 intersections in such close proximity does lead to  
17 some real operational problems, especially if you're  
18 thinking about signaling that intersection of 6th  
19 and Tapscott. And so that's why we've spent a lot of  
20 time trying to figure out, well how can the geometry,  
21 the layout of that intersection be improved?

22 And so we came up with those two suggestions,  
23 understanding that there was challenges to both of  
24 them. But it's also a situation where we have  
25 identified an issue, and given that this is a, you

1 know, somewhat of a clean slate, we want to get it  
2 right from a layout perspective. And so we're  
3 committed to continue to work with the application on  
4 that east/west street through Parcel 3 to come up  
5 with a layout that we think has the potential  
6 function and contribute to the network.

7 MS. COHEN: Thank you. We've had Gorove  
8 Slade as the major consultant, if not the only  
9 consultant on many of these projects. Does that help  
10 or do you need a third party independent analysis of  
11 what's happening in this neighborhood? I think you  
12 have probably one of the best of course, but --

13 MR. HENSON: Maybe I can respond to that.  
14 Jamie Henson with DDOT. So I would actually argue  
15 there is probably third and fourth party reviews  
16 going on here. First of all, there's two different  
17 groups within Gorove Slade working on these projects.  
18 So they're checking each other. There's also DDOT.  
19 We go through a very rigorous review process. We  
20 have our own traffic engineers who are looking at  
21 this. We have our own planners looking at this.  
22 We're spending a lot of time thinking through it with  
23 multiple parts of the agency.

24 So even internal to the agency, you know,  
25 there's probably three or four different sets and

1 types of reviews going on. Then, what we've also  
2 done is we've got our Florida Avenue process going  
3 on, which is yet another check on this process, who  
4 is thinking about the same types of things and going  
5 through it. So at this point I'd dare say, this is  
6 one of the most studied parts of the city. So, in  
7 that respect I think we have exactly what you're  
8 talking about. And we've been able to really think  
9 through and compare some of these results and get  
10 some of the best thinking from each of those groups  
11 and sets of folks working on it.

12 MS. COHEN: The number of parking spaces on  
13 a, you know, an analysis is on the high side,  
14 obviously in Stage 2 you'll be looking more closely  
15 at that. Is that correct?

16 MR. HENSON: That is correct. I'd say just  
17 generally looking at the numbers, the parking is  
18 relatively appropriate. I think what gets lost a  
19 little bit when you're just looking at the numbers is  
20 how parking can be used for more than one use. And I  
21 think with the office optionality, the peaks for  
22 office and retail are not overlapping, and so often  
23 there's the potential to use that parking for office  
24 during the day, and retail in the evenings and  
25 weekends. And so that is something that we'll keep

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1 an eye on. I think if the program goes more  
2 residential that probably is going to lead to fewer  
3 vehicle trips, and we can reevaluate if that's the  
4 way that things go during Stage 2.

5 MS. COHEN: Again, if you widen roads more  
6 cars come on. If you give them parking, more cars  
7 will park. So, that's --

8 MR. HENSON: Maybe I can add on that just a  
9 bit if you don't mind. One of the things that we've  
10 seen and when we have the PUDs come in and  
11 particularly on Stage 1 and Stage 2, invariably  
12 applicants come back and almost always ask for less  
13 parking. It's happened in the market on the other  
14 side of 4th Street where we were quite scared  
15 actually on some of the parking.

16 When you come to build it the market is much  
17 better tested by the applicant. These guys know what  
18 they're doing, they know how much parking they need.  
19 They're experts at that. And when it gets closer to  
20 time they're much less likely to overprescribe  
21 parking. So our experience is that on these large  
22 projects they invariably come back and have less and  
23 less parking.

24 MS. COHEN: Thank you for your confidence in  
25 the development community. I wish there were an

1 expert in affordable housing and a need for it.

2 But I'll be able to sleep better tonight  
3 knowing that you're both more confident of what's  
4 being proposed and what can be mitigated. Thank you.

5 CHAIRPERSON HOOD: Okay. Any other  
6 questions? Mr. Turnbull?

7 MR. TURNBULL: Oh, thank you, Mr. Chair.

8 Ms. Elliott, good cop/bad cop, Ms. Elliot.  
9 Different kind of report tonight than what we usually  
10 get. Although you're quote, giving approval, it's  
11 very conditional and it sounds like at this point you  
12 still need a lot more information before you can  
13 really go forward with this to give your full  
14 approval on it.

15 MS. ELLIOTT: That's correct. I mean,  
16 overall we believe that the plan that's been  
17 presented is a good one. It's consistent. It's not  
18 inconsistent with the Comprehensive Plan and the  
19 Small Area Plan. The applicant has been very  
20 responsive to concerns that we've had regarding the  
21 site plan.

22 So that's correct. Our concerns are  
23 primarily related to benefits and amenities right now  
24 and we just wanted to make sure that the Commission  
25 was aware of the changes that had occurred for your

1 own evaluation.

2 MR. TURNBULL: Okay. One issue, which I  
3 don't want to dwell on it too long, but the Comp Plan  
4 Generalized Policy Map and the Future Land Use Map  
5 shows Parcels 1 and 2 as institutional use. And  
6 we're developing it now as commercial residential,  
7 sort of noninstitutional campus use. and you didn't  
8 have a problem with that. I wonder if you could  
9 explain that.

10 MS. ELLIOTT: So the applicant is proposing  
11 other uses. It is a mixed use project so on Parcels  
12 1 and 2 there are actually uses associated with the  
13 university. And we didn't get a whole lot of details  
14 but my understanding is there is actually -- it's a  
15 creative center --

16 MR. TURNBULL: Uh-huh.

17 MS. ELLIOTT: -- that's associated with the  
18 campus. And because of this connection we believe  
19 it's still -- it is not, thank you, still is not  
20 inconsistent with the Comprehensive Plan. But it,  
21 yeah.

22 MR. TURNBULL: So you really have no issues  
23 with the fact -- I mean, with any issues of it being  
24 part of the campus or not part of the campus?

25 MS. ELLIOTT: No, I don't think so. Because

1 Gallaudet is actually opening their campus we think  
2 it's nice to have a, you know, a gateway. And I  
3 think Parcels 1 and 2 sort offer that opportunity.

4 MR. TURNBULL: Okay. All right. Thank you.

5 MS. STEINGASSER: I'd also like to add,  
6 Commissioner Turnbull, that when the Comprehensive  
7 Plan does address in text how to evaluate a change in  
8 land use when it goes from institutional into another  
9 use that's not identified through striping or some  
10 kind of mapping, and it talks about looking to the  
11 surrounding neighborhood and the adjacent uses as a  
12 way to find compatibility in terms of density use and  
13 the such, and so that this use is both compatible in  
14 terms of its general scale with the university as  
15 well as transitioning to the market.

16 MR. TURNBULL: So, but it does get taken off  
17 the campus plan map.

18 MS. STEINGASSER: Yes. I don't believe it's  
19 in the campus plan now.

20 MR. TURNBULL: Okay.

21 MS. STEINGASSER: Because it's in --

22 MR. TURNBULL: It's separate.

23 MS. STEINGASSER: It's institutional, it's  
24 zoned industrial, and campuses, university is a  
25 matter of right use in industrial zones.

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1 MR. TURNBULL: Right. Okay. Thank you. Mr.  
2 Rogers, I guess you know as I was talking to Mr.  
3 Andres earlier, what was again as you said, it's a  
4 complicated project and going through your report,  
5 which was very thorough, I mean, I cited at least  
6 four pages of comments, you know, five, 15, 21, 23.  
7 And in fact throughout the whole thing there's a lot  
8 of things, well, we agree with them on this, we don't  
9 on this, they ought to do this, they ought to do  
10 that.

11 I mean, it's really troubling in a way to get  
12 to that point and to like, go forward. I mean, and  
13 although some of it, we said, well, that will be  
14 taken care of in the public permit, public space, you  
15 know, later on, I mean, I would like to see the  
16 applicant actually come back with an annotated list  
17 of all of these comments and address them, whether it  
18 says public space, Stage 2, or they're not going to  
19 do it. They do agree with you. I mean, to me this  
20 is -- there was a lot of excellent comments in here  
21 by you going back and saying, this is why we think  
22 you need to do this and this is why you shouldn't do  
23 this. So I really think we need the applicant to  
24 come back and address all of this in a very annotated  
25 format because right now, I mean, I don't know how I

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1 could go forward and approve with some of the  
2 outstanding issues.

3 I mean, I don't know how you feel. I mean,  
4 it sounds like you're still in support, but there's a  
5 lot of items out there that are still not defined at  
6 this point, even for a Stage 1.

7 MR. ROGERS: Yeah. Thank you for that. I  
8 agree, because there's so much out there, so much  
9 that was proposed and so much that you know, in  
10 addition that we had suggested and some things that  
11 we would not want to see move forward, I think it  
12 would be helpful to have that list. And I think you  
13 did point to page 21 that does have a note about a  
14 few elements that we do not want to see included.

15 MR. TURNBULL: Right.

16 MR. ROGERS: At least at this stage and so I  
17 think for purposes of getting everyone on the same  
18 page --

19 MR. TURNBULL: Yeah.

20 MR. ROGERS: -- it would be helpful to have  
21 that.

22 MR. TURNBULL: Okay. Thank you.

23 CHAIRPERSON HOOD: Okay. Any other questions  
24 or comments to either DDOT or Office of Planning?  
25 Commissioner Miller.

1           MR. MILLER: Thank you, Mr. Chairman. I  
2 wanted to thank both the Office of Planning and DDOT  
3 for the comprehensiveness of your reports, and the  
4 applicant for responding to many of the previous  
5 suggestions that you all had made.

6           I do have some concern about the Office of  
7 Planning's -- I do have some concern about the Office  
8 of Planning's comments on the applicant's 60 percent  
9 AMI proffer. I mean, we used to get OP appreciation  
10 for deeper affordability levels, and although I agree  
11 with the Vice Chair that the amount of the set-aside  
12 could be increased given the amount of density  
13 involved here.

14           But I think we need some -- I think the  
15 applicant is going to provide some information about  
16 the enforceability of affordable housing, non IZ  
17 affordable housing programs that are administered by  
18 DHCD. But I think we need more evidence from you,  
19 based on your statement, that the IZ program is more  
20 enforceable in terms of producing the affordable  
21 housing that's being committed to, than other  
22 affordable housing programs that are administered by  
23 DHCD. So --

24           MS. STEINGASSER: I don't think your -- well,  
25 I'm not sure how to address this but the Inclusionary

1 Zoning program was adopted to incorporate these kind  
2 of things. The 60 percent --

3 MR. MILLER: It's just one affordable housing  
4 program.

5 MS. STEINGASSER: It is just one affordable  
6 housing program, but if the effort is to try to  
7 bolster that program and support that program, and  
8 make it as efficient as it can possibly be, then  
9 that's what we want to do. To constantly be creating  
10 these one-offs is administratively, you know,  
11 incredibly burdensome for DHCD to try to do that.  
12 And it's not that there isn't a covenant. There is a  
13 covenant. And the 60 --

14 MR. MILLER: There's a covenant in both  
15 cases, right.

16 MS. STEINGASSER: There is a covenant in both  
17 cases. It's the long-term enforcement that has  
18 everybody concerned, both OAG as well as DHCD.

19 MR. MILLER: Well, they've been doing a long-  
20 term -- they've been doing administration of other  
21 affordable housing that is non IZ for a longer time  
22 than they've been doing IZ.

23 MS. STEINGASSER: Exactly. And that's what  
24 that 60 percent that's referenced in the mayor's  
25 order is meant to capture because there was no

1 enforceability. And so those were coming forward  
2 that had been approved prior to IZ, there was no  
3 covenant requirement and the Zoning Administrator had  
4 no way to guarantee that. So the mayor's order  
5 created that to capture, in essence, a kind of  
6 cleanup of all the previous approved projects, not to  
7 create a valve for yet another one-off project. It  
8 is very burdensome and, you know, we look heavily to  
9 the Department of Housing and community development  
10 to tell us where is the need.

11           And it's not that we don't want 60 percent,  
12 but if the neighborhood is clamoring for deeper  
13 affordability, there is deeper affordability that can  
14 be administered, and that's 50 percent. And  
15 considering the shallowness of the overall benefits  
16 and amenities package, we encourage the applicant to  
17 go to 50 percent and commit all eight percent to that  
18 through the IZ program. Then it requires that it be  
19 within the city's lottery. There's city  
20 administration all the way through the life of the  
21 program, including the sell and resale of these  
22 projects.

23           MR. MILLER: Well, then I would encourage OP  
24 to go back to its original July 2015 position to make  
25 all rental Inclusionary Zoning units at the 60

1 percent AMI level, which is what the overwhelming  
2 testimony we had from the petitioner in that case and  
3 the ANC, and it was your own setdown report  
4 alternative, and we said it, you know, during those  
5 hearings, that individual developers had come in on  
6 individual one-off cases and have proposed deeper  
7 affordability levels, often at the 60 percent AMI  
8 level.

9           Then you all worked with DCBIA and abandoned  
10 your deeper affordability level, and I'm troubled by  
11 that.

12           MS. STEINGASSER: I believe that's another  
13 case. We're focused really on evaluating this  
14 particular case and proposal in consultation with the  
15 deputy mayor, with the Department of -- and with the  
16 Office of Attorney General, so we're happy to provide  
17 additional information.

18           MR. MILLER: Okay. Well, thank you.

19           CHAIRPERSON HOOD: Okay. Any other questions  
20 before I go to any follow ups? Vice Chair Cohen.

21           MS. COHEN: Thank you. My response to the  
22 long-term affordability again is, it exists, it's a  
23 matter of bureaucratic behavior, and I don't think  
24 that we should attempt to not hold employees of the  
25 District of Columbia, hold their feet to the fire to

1 implement a need that is at 60 percent. There's a  
2 huge band of households that meet that.

3 Now, I know that it's hard for you to speak  
4 on behalf of DHCD, so I'm just doing this to relieve  
5 may angst. But they should be able to do it, they  
6 have done it, they have the capacity to do it. If  
7 they don't want to do it then I think the mayor has a  
8 major issue.

9 MR. MAY: Madam Vice Chair did you hear Ms.  
10 Steingasser recommend that all eight percent be done  
11 at 50 percent which would solve the issue here? I  
12 mean, because I thought that was the major crux of  
13 the message, not how do we fix the --

14 MS. COHEN: But also we need 60 percent of  
15 median income as well.

16 MR. MAY: Right. Right.

17 MS. COHEN: If we've seen the need list, you  
18 have a need for both. And I'm just saying there  
19 needs to be a commitment on behalf of the housing  
20 experts in the city to do both. And yes, I like 50  
21 percent of median income, if that was your question  
22 to me.

23 MR. MAY: Yeah. I'm just trying to keep us  
24 focused on this case. That's all.

25 MS. COHEN: Getting back to this case I think

1 -- I've been listening and I think there are a lot of  
2 -- it's a lot of gap, a lot of unanswered questions,  
3 even though I know this is first stage. What I'm  
4 going to ask is that, if my colleagues agree, I'm  
5 going to ask that the applicant continue to work,  
6 which I know you're going to do anyway, with DDOT and  
7 with Office of Planning. And let's fine tune some of  
8 these outstanding issues which we particularly don't  
9 see a lot of in a PUD or a case that we don't see a  
10 lot of gap between. And I'll tell you, I'm glad this  
11 wasn't last Thursday because this is going a little  
12 long, and I notice today that the Office of Planning  
13 and DDOT really, really expounded on some where we  
14 vary from. And I would ask that we put it in a  
15 format because this is a lot and we do have a lot of  
16 cases; that we would put it in a format of where we  
17 made some headway. So this is going to be a  
18 collaboration between all three organizations, the  
19 applicant as well DDOT and Office of Planning, so it  
20 will be easier for us to read.

21           We're down here, I think one of my colleagues  
22 said, we're here twice a week and we have a lot stuff  
23 going on, and sometimes things run together. You may  
24 hear is mention something and it was a case from last  
25 week or something that's coming up.

1           So to help us out with all these outstanding  
2 issues, if we can kind of put that in a format so  
3 when we get ready to do our research and study and  
4 get prepared, depends on where we go with this, it  
5 will be easy on us. So I would like for you all to  
6 continue to work and to close the gap. I think that  
7 it can be done between the agencies, DDOT, Office of  
8 Planning, as well as the applicant and the community  
9 or whoever else is involved, because one thing about  
10 this commission, we don't mind making the decision.  
11 We will make it. But we would like for you all to  
12 try to continue to collaborate and work together, and  
13 close some of those outstanding issues that our  
14 subject matter experts, Office of Planning, and DDOT  
15 has. Let's close some of those. Let's close the  
16 gap. Okay?

17           All right. Any other questions up here?  
18 Let's go to the applicant. You have any cross?  
19 Okay.

20           ANC, I didn't see anyone again from ANC 5D  
21 here tonight so let's go to -- oh, let me go over  
22 their report. Soon as it comes up. I know it was  
23 five, zero, to one. On April 12th, 2016 at the  
24 regularly scheduled and properly advertised monthly  
25 meeting, Advisory Neighborhood Commission 5D voted in

1 support of Case No. 15-24 and 15-24A, which are  
2 applications for a first-stage PUD for four parcels  
3 of property adjacent to Gallaudet University's  
4 campus. The vote was five, zero, to one, and a  
5 quorum was present with four commissioners required.

6 And it goes on to talk -- thank you for  
7 giving ANC 5D great weight in your deliberations on  
8 this case. And this is Chairperson Adam Roberts, who  
9 is the chairperson of ANC 5D.

10 Okay. And they support this five, zero, to  
11 one.

12 Let's go to -- any comments on that? Okay.  
13 Let's go to -- are we ready for the kiosk?

14 MS. SCHELLIN: No witnesses have registered.

15 CHAIRPERSON HOOD: I wish somebody would have  
16 signed in so we can practice. The last person broke  
17 it. Okay. Hopefully they don't watch this hearing  
18 so they see that I said that.

19 Okay. So we have no witnesses. Let me call  
20 for it, the organizations or persons in support.  
21 Organizations and persons in opposition. Okay. Ms.  
22 Roddy, I don't know how much rebuttal you have. I  
23 know we have some work to do but we'll take any  
24 rebuttal, any closing.

25 MS. RODDY: No, I appreciate that and we

1 understand the comments that we heard this evening  
2 and we understand that there is some work that we  
3 need to do. I did want to have Mr. Moll just close  
4 the proceeding and give a little bit more detail to  
5 some of the issues that were raised by OP and DDOT.

6 MR. MOLL: Thank you, Commissioners, and  
7 thank you to the Office of Planning and the  
8 Department of Transportation. And we have done a lot  
9 of work with everybody sitting to my left, and there  
10 has been a lot of work and we understand there's  
11 still some work to be done, and we look forward to  
12 working with them over the next few weeks to wrap  
13 everything up.

14 There were a couple of things I did want to  
15 mention that we weren't able to cover during our  
16 presentation that were brought up in a couple of the  
17 -- in the reports that were given. There was a  
18 question about the tax increment finance application  
19 that was put forward. I do want to note that the  
20 streetscape component. It is mostly about the  
21 infrastructure and making sure that it can all be  
22 done at once so that we're not constantly tearing up  
23 the streets and putting, you know, businesses out of  
24 business because they're not able to have people come  
25 visit them. So the effort would be to do all of the

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1 infrastructure at one time.

2           To make a comment about the streetscape, the  
3 tax increment financing application only includes  
4 streetscape that is not included in PUDs. So the  
5 PUDs that the PUDs that have been submitted are  
6 still, you know, proffering as a benefit to do there,  
7 their streetscape. So that the TIF does not include  
8 the streetscape. They're part of the PUDs. So that  
9 would be the historic spine, for instance. That  
10 would be, you know, as opposed to having the burden  
11 of those streetscape improvements borne by those  
12 small businesses and condo owners, the TIF is  
13 included streetscape improvements for their side of  
14 the street.

15           I did want to mention that we have been doing  
16 -- and it's been brought up a few times, but the  
17 collaboration that we have been doing with other  
18 owners to create these alleyways, and coordinated  
19 development plans is you know, I think -- you know,  
20 not to pat ourselves on the back but is commendable  
21 that we're working together to basically, you know,  
22 to create these, you know, private alleyway systems  
23 to make sure that we can reduce the amount of curb  
24 cuts that impact the streetscape.

25           And, you know, we've worked with the

1 Department of Transportation and the Office of  
2 Planning to make sure all coordinated on that effort.  
3 But you know, that's in our experience all these, you  
4 know, these developers coming together at one time to  
5 come up with a coordinated system of these  
6 infrastructure -- you know, alleyways and such, I  
7 don't want to say unprecedented because it, I'm sure,  
8 has happened at some point. But it's certain a very  
9 great thing that is happening in the market.

10           And then finally I do want to note that we've  
11 been working probably most extensively on one item  
12 with the Office of Planning and Department of  
13 Transportation that is on the treatment of Neal Place  
14 and then the private alley. And, you know,  
15 unfortunately there seems to be, you know, there  
16 seems to be a conflict that exists between where  
17 traffic wants to go, whether it be where we've placed  
18 it currently in the application, or on Neal Place.  
19 And we've pulled it off of Neal Place given the  
20 concerns the Office of Planning has. Unfortunately,  
21 that creates transportation issues that the  
22 Department of Transportation has mentioned. So we  
23 will continue to work with them and hopefully we'll  
24 be able to find a satisfactory resolution to that by  
25 the time that we come back to you, in front of you at

1 the next meeting. Thank you.

2 CHAIRPERSON HOOD: Okay. I was hoping you  
3 didn't ask for a bench decision. Okay. Any other  
4 questions or comments on what Mr. Moll just commented  
5 on? Okay.

6 Ms. Roddy, you have any closing, or is that  
7 it?

8 MS. RODDY: That was it. We appreciate your  
9 time this evening and we will work with DDOT and the  
10 Office of Planning in the coming weeks.

11 CHAIRPERSON HOOD: Okay. Ms. Schellin, do we  
12 need any dates, or do we need to leave it open-ended?

13 MS. SCHELLIN: I think we need to do dates.  
14 How much time do you guys need?

15 MS. RODDY: Two weeks.

16 MR. MAY: Really?

17 CHAIRPERSON HOOD: Two weeks?

18 MR. MAY: Really? I mean, that's pretty  
19 optimistic. I mean, it would take me two weeks just  
20 to get a meeting with OP.

21 MS. RODDY: Well, some of these items have  
22 been coordinated so I think it's just a matter of  
23 having that clarifying conversation with DDOT and the  
24 Office of Planning.

25 With respect to Tapscott, as we said, that's

1 something that's not going to be determined in the  
2 near future because it is with -- it concerns the  
3 campus plan and it concerns the historic property.

4 So with respect to the other items I do think  
5 that we could have those conversations.

6 MR. MAY: I'm highly skeptical. I think, I  
7 mean -- I don't know. We don't normally get such  
8 lengthy reports, verbal reports from OP and DDOT.  
9 The fact that we got as much as we got tonight, and  
10 that their written reports were as long as they were,  
11 I mean, there were a lot of issues here and I just, I  
12 mean, if we're just talking about fixing a few things  
13 based on comments we made, I could see that you could  
14 do it in two weeks. But I can't see you doing this  
15 in two weeks.

16 And if you do I think it's not going to be  
17 worth doing. So, I don't know, it's just my two  
18 cents.

19 CHAIRPERSON HOOD: Well, I think if they can  
20 do it in two weeks I can tell you, we're going to be  
21 a very disappointed commission if we have to come  
22 back and we already have let you know up front that  
23 you needed to take more time, and you come back in  
24 two weeks and we're still kind of still in the same  
25 place that we are, I really want you all to rethink

1 that.

2 MR. MAY: Is there an urgency to this? I  
3 mean --

4 CHAIRPERSON HOOD: Hold on, let me finish.

5 MR. MAY: Oh.

6 CHAIRPERSON HOOD: I mean, and rethink that  
7 now. You know, really.

8 MS. RODDY: We understand. We would like to  
9 take the time, so let me retract that and if we could  
10 have three weeks to look at this.

11 CHAIRPERSON HOOD: So if we keep talking a  
12 little more maybe we can get where we probably need  
13 to be. Is that --

14 MR. MAY: Yeah, I mean, what's the urgency?  
15 I mean, are you trying to close some financing? Or,  
16 I mean, this is all -- you're still just stage one.

17 MR. MOLL: Yeah. There's not necessarily an  
18 urgency. I think that we -- a lot of the comments  
19 that have been discussed, we've coordinated between  
20 the agencies and we think we can come to resolution  
21 fairly quickly on those items. I really don't see  
22 this taking longer than three weeks to come to  
23 resolution.

24 CHAIRPERSON HOOD: Okay. Let me just ask  
25 this, which meeting would this put us in if we do

1 three weeks?

2 MS. SCHELLIN: The last one in July.

3 CHAIRPERSON HOOD: Okay. We're actually  
4 going to have to do this our first meeting in  
5 September because nothing is really going to happen  
6 in August. I can tell you, we're going to -- because  
7 we're going to be -- some of us are going to be out  
8 and we really need to have a full commission. Well,  
9 I guess that won't work either. But we need to  
10 probably give you until September; our first meeting  
11 in September. Nothing goes on down here in August.  
12 We're not even here, so.

13 You all look like the sky is falling in.

14 MR. MOLL: If that's the Commission -- yeah,  
15 I mean, does the -- if I can ask does the Office of  
16 Planning or the Department of Transportation, do you  
17 think there's anything that will take longer than  
18 three weeks to resolve?

19 MS. STEINGASSER: Well, I can only speak for  
20 the Office of Planning. Our concern is that we've  
21 asked for this information months ago and we didn't  
22 get it. We got some slides tonight that we haven't  
23 even had the opportunity to evaluate. We also put in  
24 that 4th of July week which a lot of people are going  
25 to be on vacation. It does begin to really pinch.

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1 And then that, on top of the fact that the new regs  
2 become -- new zoning regs become effective in  
3 September, we've had a disproportionate amount of  
4 cases filed that we have to process. So it's going  
5 to be very difficult unless you're going to agree to  
6 all our conditions, in which case you're welcome to  
7 fax that over first thing in the morning and we'll  
8 sign off on that.

9 MR. HENSON: I'll hold Ms. Steingasser's  
10 position on that.

11 MR. MOLL: We're okay pushing it until the  
12 first hearing in September.

13 CHAIRPERSON HOOD: All right. September may  
14 work out.

15 MS. SCHELLIN: Okay.

16 CHAIRPERSON HOOD: First meeting in  
17 September.

18 MS. SCHELLIN: That would be --

19 CHAIRPERSON HOOD: I was going to try to do a  
20 special public meeting, but I think September is  
21 going to be it.

22 MS. SCHELLIN: Yeah. So that would be  
23 September 12th. So working backwards from that to  
24 give them as much time as possible, if they could  
25 provide their information and meet with the necessary

1 agencies, the entities that they need to meet with,  
2 if they would provide their information by August  
3 22nd, 3:00 p.m., and then I know that the ANCs do not  
4 meet in August, so we'll allow the ANC to provide  
5 their response by 3:00 p.m. on September 7th. And if  
6 OP -- it sounds like OP and DDOT both are going to  
7 need to provide a supplemental response.

8 MS. STEINGASSER: We will, and we'll also  
9 need to coordinate from the OP standpoint with DHCD  
10 and OAG.

11 MS. SCHELLIN: Right. And so if we could  
12 have OP and DDOT's response by 3:00 p.m. on September  
13 7th also? And then if we could have draft findings  
14 of facts, conclusions of law by the -- I'm sorry, the  
15 August 22nd date, that would be great. And then  
16 we'll put this on for 9/12 at 6:30 p.m.

17 CHAIRPERSON HOOD: Okay. Are we all straight  
18 with the dates? And let me to go the president. The  
19 president wanted to say something else. Okay.

20 MS. CORDANO: I'm fine, thank you. Thank  
21 you.

22 CHAIRPERSON HOOD: Okay. All right.  
23 Anything else up here?

24 All right. I want to thank everyone for  
25 their participation tonight. We're looking forward

1 to the great work that everybody is going to be doing  
2 before we deliberate on this case in September. So,  
3 with that, this hearing is adjourned.

4 [Hearing adjourned at 8:54 p.m.]

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