

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA  
2 Zoning Commission  
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9 Rescheduled Public Hearing  
10 Case No 17-05 [2100 2nd Street Southwest, LLC -  
11 Design Review at Square 613.]  
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15 6:35 p.m. to 7:14 p.m.  
16 Thursday, July 13, 2017  
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19

20 Jerrily R. Kress Memorial Hearing Room  
21 441 4th Street, N.W., Suite 220 South  
22 Washington, D.C. 20001  
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3 ROBERT MILLER, Vice Chair

4 PETER MAY, Commissioner

5 MICHAEL TURNBULL, Commissioner

6 PETER SHAPIRO, Commissioner

7

8 Office of Zoning:

9 SHARON SCHELLIN, Secretary

10

11 Office of Planning:

12 JENNIFER STEINGASSER

13 JOEL LAWSON

14

15 Department of Energy and Environment:

16 JAY WILSON

17 PHETMANO PHANNAVONG

18

19

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25

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

2 CHAIRPERSON HOOD: Okay. Good evening,  
3 ladies and gentlemen. This is a public hearing of  
4 the Zoning Commission for the District of Columbia.  
5 Today's date is July the 13th, 2017.

6 My name is Anthony Hood. Joining me are Vice  
7 Chair Miller, Commissioner Shapiro, Commissioner May,  
8 and Commissioner Turnbull. We're also joined by the  
9 Office of Zoning staff, Ms. Sharon Schellin, as well  
10 as the Office of Planning staff, excuse me, Ms.  
11 Steingasser and Mr. Lawson, as well as the Department  
12 of Energy and the Environment, Mr. Wilson. And I'm  
13 going to ask him to introduce a new face that I see.  
14 Or, they can introduce themselves. However you want  
15 to do it.

16 MR. PHANNAVONG: Hello. My name is Phetmano  
17 Phannavong. I am a D.C. Flood Plan Manger with the  
18 Department of Energy and Environment, also  
19 coordinating the National Flood Insurance Program in  
20 the District.

21 CHAIRPERSON HOOD: Okay. Can you pronounce  
22 your last name again for me?

23 MR. PHANNAVONG: Phannavong.

24 CHAIRPERSON HOOD: Phannavong.

25 MR. PHANNAVONG: Right.

1 CHAIRPERSON HOOD: Okay.

2 MR. PHANNAVONG: Thank you.

3 CHAIRPERSON HOOD: All right. Want to  
4 welcome you to the D.C. Zoning Commission, Mr.  
5 Phannavong.

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

11 Notice of today's hearing -- notice of  
12 today's hearing was published in the D.C. Register,  
13 and copies of that announcement are available to my  
14 left on the wall near the door. The hearing will be  
15 conducted in accordance with provisions of 11-DCMR  
16 Chapter 4 as follows; preliminary matters,  
17 applicant's case, report of the Office of Planning,  
18 report of other government agencies, report of the  
19 ANC, organizations and persons in support,  
20 organizations and persons in -- we're probably not  
21 going to do all that. I'm just reading it because  
22 it's in the script. I know that we left off  
23 somewhere.

24 So, anyway, the applicant has up to 10  
25 minutes. We're going to do the applicant. I think

1 he requested a presentation first, and then we will  
2 hear from DOEE. We go in that order, okay? So,  
3 disregard all that other stuff that I read, that I'm  
4 just accustomed to reading all the time.

5           The Commission intends to adhere to the time  
6 limits as strictly as possible. All persons wishing  
7 to testify before the Commission in this evening's  
8 hearing are asked to register at the witness kiosk.  
9 The decision of the Commission in this case must be  
10 based exclusively on the public record. Please turn  
11 off all electronic devices at this time so not to  
12 disrupt these proceedings.

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

16           MS. SCHELLIN: Yes. Please raise your right  
17 hand.

18           [Oath administered to the participants.]

19           CHAIRPERSON HOOD: Okay. Ms. Schellin, could  
20 you let us -- first, do we have any preliminary  
21 matters?

22           MS. SCHELLIN: Yes.

23           CHAIRPERSON HOOD: And if we do, can you let  
24 me know where we need to start off at?

25           MS. SCHELLIN: Yes. So, the preliminary

1 matter that we have is that the applicant has  
2 requested to give a 10-minute presentation prior to  
3 the Commission hearing from DOEE. That is why you  
4 called for this continuation hearing. Everything  
5 else has been done for this case, except to hear from  
6 DOEE.

7           However, they've asked to be able to do about  
8 a 10-minute presentation to present the material  
9 changes to its program in response to agency input  
10 since the last hearing.

11           CHAIRPERSON HOOD: Actually --

12           MS. SCHELLIN: And so, they would ask that  
13 you grant that.

14           CHAIRPERSON HOOD: Okay. I don't have any --  
15 any objections, colleagues?

16           MR. SHAPIRO: No objections.

17           CHAIRPERSON HOOD: Okay, no objections. And  
18 I was trying to figure out why we even were going  
19 this route, but I understand now for refreshing my  
20 memory. I think Commissioner May wanted to come back  
21 and hear from DOEE, I believe it was. I've heard  
22 other stories, but anyway, we'll stick with that one.

23           Okay. Let's go to -- anything else up here?  
24 Okay.

25           MR. MAY: We had a bunch of resumes. Did we

1 qualify new experts?

2 MS. RODDY: Yes. I would like to have Mike  
3 Marsala qualified as an expert in water resources  
4 engineering, and we submitted his resume.

5 CHAIRPERSON HOOD: Do you know what exhibit  
6 it is?

7 MR. MILLER: 30C.

8 CHAIRPERSON HOOD: I'm having --  
9 [Discussion off the record.]

10 CHAIRPERSON HOOD: I seem to always have a --  
11 when I come out here for summary, I don't know  
12 whether it's this seat or what, but I always have a  
13 problem with my computer.

14 MR. MAY: Sorry, can you say again what  
15 specifically you want him an expert in?

16 MS. RODDY: Water resources engineer.

17 MR. MAY: Okay.

18 CHAIRPERSON HOOD: Okay. He's been proffered  
19 as a water resources engineer. Any objections?

20 MR. MAY: No.

21 CHAIRPERSON HOOD: Okay. So, we will add him  
22 as an expert. And any other expert witnesses?

23 MS. RODDY: No, in the event there are storm  
24 water management questions, we would ask to have Mary  
25 Ramsey qualified as an expert, but we don't

1 anticipate -- we don't have a direct presentation  
2 from her prepared at this time.

3 CHAIRPERSON HOOD: Okay, I'm sorry. Someone  
4 else you want us to proffer?

5 MS. RODDY: Not at this time.

6 CHAIRPERSON HOOD: Okay. So, you all may  
7 begin.

8 MS. RODDY: Thank you. Thank you, appreciate  
9 your time and allowing us to come back here. We'll  
10 be brief this evening.

11 We spent the last month since our last  
12 hearing meeting with DOEE, and happy to say that we  
13 have reached a resolution. And so, there have been  
14 some material modifications made to the program that  
15 we'll present tonight. And the most material change  
16 that's been made is with respect to the dry flood  
17 proofing. The team has committed to protect the  
18 building up to the 500-year floodplain in the event  
19 of a flood event, and we'll go through the details of  
20 that program during our presentation.

21 We'll also address some of the other items  
22 that have been raised by the Commission at the last  
23 hearing, as well as the agencies, including the  
24 location of the bike rooms, the location of the  
25 mechanical room, provision of solar panels, and the



1 LEED commitment.

2 I will first turn to Mr. David Orr. He will  
3 testify to some of the dialog that we have had with  
4 DOEE, and then Mike Marsala, our expert in water  
5 resources engineering will discuss the flood plaining  
6 protections.

7 I will say that, although our presentation is  
8 brief, we have our entire team here this evening, so  
9 to the extent there are other questions, we're happy  
10 to answer them.

11 So, with that, I will turn to Mr. Orr.

12 MR. ORR: Thank you, and good evening. So, a  
13 month ago I think I mentioned to you we had built all  
14 over the country and we had not had a better  
15 experience with agencies than we'd had with the  
16 District of Columbia.

17 Well, I'm here to tell you tonight, that it's  
18 even better. So, what happened is Jay Wilson and his  
19 able crew met with us weekly and really bent over  
20 backwards to work with us and convinced us of the  
21 wisdom of floodproofing to 500 years. So, we have  
22 agreed to implement that program into the building.

23 Additionally, we've put 8,000 square feet of  
24 solar panels on the roof of the building. So, we've  
25 really worked very, I think, hand-in-hand. I think

1 we're aligned and of one mind on the need for these  
2 environmental initiatives, and I thank you for your  
3 time tonight and with that I'll turn it over to Mike  
4 Marsala.

5 MS. RODDY: And if I could just interject? I  
6 apologize, we don't have the presentation on the TV  
7 screen, but we did upload it earlier today so it's  
8 available on your tablets, and we also handed out  
9 copies of the PowerPoint.

10 MR. MARSALA: Good evening. I just wanted to  
11 talk initially, about the site's proximity to the  
12 regulatory floodplain that's out here, and why we're  
13 doing what we're doing. And Yulia will talk more  
14 about some of the details with the building itself.  
15 But essentially, the River Point Project is located  
16 at Buzzard Point. Buzzard Point is located at the  
17 confluence of the Anacostia River and the Potomac  
18 River. And the Potomac River flood elevations are  
19 higher than the Anacostia River floodplain  
20 elevations. And so, the Potomac River elevations  
21 dictate the floodplain in this area.

22 The 100-year flood elevation associated with  
23 the Potomac is 10.6. The 500-year is three and a  
24 half feet higher than that at 14.1. And so, the  
25 site, River Point, has an existing building that's

1 located between the shores of the Anacostia and V  
2 Street, and the existing building has multiple floor  
3 levels and the ground floor is located at  
4 approximately elevation 10. I think it's 9.95.  
5 Elevations around the building range from about  
6 elevation 10 along V Street, down to about elevation  
7 6, which just means that the flood elevation is  
8 higher than the existing site and so the site is  
9 located in the regulatory floodplain, which is why  
10 we're dealing with compliance with floodplain  
11 regulations.

12 So, the District of Columbia, the floodplain  
13 regulations are based off of FEMA's National Flood  
14 Insurance Program. The National Flood Insurance  
15 Program sets the minimum standards for floodplain  
16 regulations, and they encourage localities to  
17 participate in the National Flood Insurance Program  
18 to provide more stringent regulations, which the  
19 District has adopted. And so, there is a gray area  
20 with regulations and that. The regulations generally  
21 address residential development in floodplains, and  
22 nonresidential development in floodplains. And they  
23 do not specifically address mixed use development in  
24 floodplains.

25 And so, recognizing that, DOEE and the

1 District has developed a process through the code  
2 modification process to address specific development  
3 for mixed-use development.

4 And so, that process enables DOEE to review  
5 projects to make sure that ultimately the project is  
6 reasonably safe from flooding, which is one of the  
7 ultimate goals of the National Flood Insurance  
8 Program. Every site that comes in for a permit  
9 that's located in the floodplain must be reasonably  
10 safe from flooding. And so, that's the purpose of  
11 this.

12 Again, let me go back to residential  
13 development versus nonresidential development. The  
14 main regulations are that residential development is  
15 supposed to be elevated to be above a suitable flood  
16 elevation. Nonresidential development can be above,  
17 or can be below, as long as it's floodproofed to a  
18 suitable flood elevation.

19 So, in this case through meetings with DOEE,  
20 the suitable flood elevation for this site has been  
21 determined to be the 500-year. So, this mixed-use  
22 development is being protected to the 500-year, and  
23 Yulia will go over specifically how that's happened.  
24 But the code modification process basically allows  
25 DOEE to review this to ensure this reasonably safe

1 from flood designation. And certain things get  
2 reviewed during that process.

3 And one of the main thing is, to what  
4 elevation is the project being protected. And so,  
5 that was the main consideration, and so that's been  
6 set at the 500-year.

7 The second consideration is how are you  
8 protecting the development to that elevation. And  
9 so, in this case, the main protection is being  
10 provided through dry floodproofing. The residential  
11 components of this are all well above the 500-year.  
12 The nonresidential components are being protected,  
13 and the building itself, to the 500-year through dry  
14 floodproofing. And so, Yulia will explain that in a  
15 little more detail with some images.

16 So, those are the two main concerns with  
17 developing in a flood plain. A third concern is  
18 utilities. How are you addressing the location of  
19 utilities? And a fourth concern is safe egress to  
20 the building. And so, you want to make sure you  
21 understand at this early stage, where your entrances  
22 are going to be. That involves flood warning  
23 systems, starting to think about those aspects of the  
24 project. Flood emergency plans; how people are going  
25 to access warning times for flooding, how are you

1 going to notify residents.

2 All of those things have been discussed  
3 through DOEE over the past couple weeks in multiple  
4 meetings, and those are the items that are  
5 specifically being addressed now during this early  
6 stage of the design process. So, that's where we are  
7 with the project, and so Yulia can talk more about  
8 specifics.

9 MS. BELTIKOVA: Good evening. I will give a  
10 brief overview of the revisions and updates that took  
11 place since last time we met, which was June 5th.

12 You have a handout in front of you, and if  
13 you flip to the next page, which is F-8, dated June  
14 28th, you will see a north elevation of V Street, and  
15 then a large portion of the V Street retail façade.

16 We have included previous and current  
17 elevation of that façade as a sample showing how  
18 floodproofing will be achieved.

19 Page F-9, dated May 16th, which was the  
20 submission of the original zoning package, shows  
21 flood protection up to 100- year, plus two feet of  
22 freeboard, which is elevation 12.71.

23 If you flip to the next page, an updated page  
24 F-9, dated June 28th, you can see that the manual  
25 flood planks have been raised to a higher elevation

1 of a 500-year flood protection plain, which is  
2 roughly four feet above the grade.

3 And the way we are achieving that is we are  
4 basically adding an additional three planks there,  
5 six inches each. So, it's an additional 18-inches of  
6 flood protection.

7 Additionally, we have also added another  
8 refuge area per recommendation of DOEE in V Street.  
9 And that happened because V Street is at the highest  
10 elevation out of all three streets. That area is  
11 annotated on next page, F-8 -- F-10, dated June 27th.  
12 There are also dimensions showing that it is 44-feet  
13 wide by roughly eight feet deep, and it will  
14 accommodate roughly 70 occupants, standing space.

15 There were some questions about elevating  
16 utilities and generator room. We have allocated  
17 those spaces as well, and those are annotated on page  
18 A-19, ground floor plan, dated June 23rd. Generator  
19 room and the main electrical room are located at a  
20 raised elevation of a 500-year floodplain.

21 You can see there, right behind the entry  
22 parking ramp, within the residential amenity area  
23 highlighted in blue.

24 We have also provided showers and restaurant  
25 facilities for bikers using retail spaces for public

1 showers and restrooms within P-1 level. So, that's  
2 shown on page A-20, parking level P-1.

3 Since last time we have also provided a plan  
4 showing location of roughly 8,000 square feet of  
5 solar panels. And so, that's shown on page A-26,  
6 dated June 23rd.

7 I also would like to mention that we have  
8 revised our gold score -- our LEED score sheet from  
9 LEED 2009, Silver to LEED Gold. That has been  
10 submitted June 2nd. And the project has been  
11 originally registered about a year ago under LEED  
12 2009 version, when that version was still active. In  
13 fact, it is still active and admitting design and  
14 construction review documents up until 2021.

15 And that concludes our brief overview of  
16 updates. Thank you.

17 CHAIRPERSON HOOD: Thank you all very much.  
18 Colleagues, you want to ask questions first, or do we  
19 want to hear from DOEE first, and then put it all  
20 together? Any preference?

21 MR. TURNBULL: I just had one question on the  
22 flood protection, the raised element. You show --  
23 you call it on F-8, a typical retail base. Are we to  
24 assume then, that the whole perimeter has that  
25 protection that any entrance -- the entrance doors



1 have the higher one and that -- so, the whole  
2 perimeter has that protection system?

3 MS. BELTIKOVA: That's correct. Yes.

4 MR. TURNBULL: Okay. Thank you.

5 CHAIRPERSON HOOD: Okay. It seems like we  
6 want to hear from DOEE first, and then we'll ask our  
7 questions afterwards. So, we'll go to Mr. Wilson or  
8 Mr. Phannavong. Okay.

9 MR. WILSON: Thank you and good evening, Mr.  
10 Chairman and members of the Zoning Commission. As  
11 recommended on the first hearing on June 5th, DOEE  
12 has been working very closely with the applicant over  
13 the last six weeks to address a lot of the concerns  
14 that were outlined in our first report. And as  
15 outlined in our supplemental report submitted on June  
16 30th, and discussed by the applicant, we've made very  
17 significant progress.

18 DOEE supports and recommends approval of the  
19 project through the zoning design review process. We  
20 continue to work with the applicant during the permit  
21 review and regulatory process to refine additional  
22 details, and ultimately approve the project through  
23 the permit process.

24 I wanted to highlight a few items from the  
25 report that may need clarification, and also Mr.

1 Phannavong is going to talk a little bit about the  
2 flood insurance program and some of the  
3 clarifications that might help the process here.

4           So, this is one of the most complicated  
5 development sites in the District, as it sits below  
6 the 100-year flood plain elevation, and at the  
7 confluence of both the Anacostia and Potomac Rivers.  
8 So, it's subject to flooding and also the impacts of  
9 climate change and sea level rise.

10           Given the complications with the site, we've  
11 worked closely to determine a design solution to  
12 allow the building to floodproof to the 500-year  
13 floodplain elevation, and are confident with the  
14 design solution that we figured out.

15           Phetmano is going to talk a little bit more  
16 about that, and then I'll just summarize a couple  
17 other details about the solar and LEED credits.

18           MR. PHANNAVONG: Thank you for having me here  
19 today.

20           So, just want to make several points,  
21 addition to Mr. Marsala here, that also give the  
22 Commission some sort of background, the National  
23 Flood Insurance Program.

24           The District joined the program since 1976,  
25 so as part of the program is that, you know, this is

1 a federal insurance program that provide a flood  
2 insurance for any residents and renter and property  
3 owner in the District. And it used to be, FEMA can  
4 say it's a low-cost, but that's what kind of are the  
5 program.

6 And as part of joining the program, the  
7 District has a responsibility in terms of adopting  
8 the floodplain regulations and now (garbled speech)  
9 rules and also the building construction codes and  
10 all the provisions in the construction code.

11 So, the second point I wanted to make, I just  
12 wanted to clarify on the dry floodproofing, what it  
13 means. The dry floodproofing, it means that it  
14 protect water, flood water at that -- whatever the  
15 design flood level not going to the building. So,  
16 basically it's completely dry.

17 So, there is a concept of flood proofing that  
18 allows flood water to flow through, that kind of have  
19 some criteria of a certain building, like crawlspace  
20 and things like that. But for flood proofing,  
21 meaning at that flood level, you will not allow flood  
22 water to go inside a building.

23 And, you heard about the concept of  
24 residential requirement versus the nonresidential  
25 building. The FEMA minimum requirements that we

1 adopted is that if it's a residential building, the  
2 lowest floor has to be, for FEMA standard it has to  
3 be at the 100-year flood elevation. We adopted  
4 higher standard than that, since 1985. The lowest  
5 floor has to be one and a half feet above the 100-  
6 year floodplain.

7 And for the nonresidential you're allowed  
8 anything below that to be floodproof. So, that, just  
9 want to give you what's in our construction codes and  
10 our floodplain regulation.

11 And typically implemented the National Flood  
12 Insurance Program through this, it's been achieved  
13 through many codes, not just the building code. But  
14 we have the floodplain regulations. Some  
15 jurisdictions, they adopt through the zoning  
16 regulations. So, it depends on the jurisdiction in  
17 terms of adopt these minimum requirement so that we  
18 will, we as the District, can have the -- can be  
19 illegible to the flood insurance through the National  
20 Flood Insurance Program. So, I just want to add to  
21 that for the record. Thank you.

22 MR. WILSON: Now, I'll just add that we  
23 worked with the applicant pretty closely on the  
24 addition of solar, and on the details of the storm  
25 water management program. We're happy with the

1 addition of solar on the roof and recognize that due  
2 to the strong financials in the District, solar is  
3 something that's suitable for all projects. We'd  
4 like the applicant to continue to look for more  
5 opportunities to include, and include more solar as  
6 the design moves forward, and look for opportunities  
7 to capture and retain storm water.

8           Those details will be worked out with us as  
9 the project moves forward. Thanks for your time and  
10 we're happy to answer any questions you may have.

11           CHAIRPERSON HOOD: Okay. Want to thank you  
12 Mr. Wilson and Mr. Phannavong. We appreciate you  
13 giving us the input.

14           Now, colleagues, I think what we can do is if  
15 we have any questions for the applicant, as well as  
16 for DOEE, we can do that simultaneously. Okay? So,  
17 who would like to go first? Commissioner Shapiro?

18           MR. SHAPIRO: Thank you, Mr. Chair. Just a  
19 few quick questions.

20           One, this is for Mr. Phannavong. What  
21 triggers -- if this is a really long complicated  
22 thing I'm probably less interested. But, what  
23 triggers dry versus wet? Is there some standard that  
24 has to be met? Or was that just a negotiation with  
25 the applicant? Or, how did that work?

1           MR. PHANNAVONG: Okay. Typically, the code  
2 or the regulation or the National Flood Insurance  
3 Program do not allow the wet floodproofing.

4           MR. SHAPIRO: Okay.

5           MR. PHANNAVONG: Except crawl space, because  
6 the rules stated for residential home you have to  
7 raise the first floor above the floodplain, but you  
8 still have some area below that, the crawlspace. So,  
9 you allow water to flow through so that the flood  
10 water would not impact the structure or the building.  
11 So, that's kind of concept of what floodproofing that  
12 allow water to flow through.

13           But for livable space, like home, you would  
14 not allow the wet --

15           MR. SHAPIRO: And you didn't -- you wouldn't  
16 approve that for the garage or the retail space. So,  
17 that's where you set the -- okay, thank you.

18           This actually would be for Mr. Wilson. But  
19 is there -- or the applicant. But was there specific  
20 things that led to LEED Gold versus LEED Silver?

21           MR. WILSON: I think when we spoke to the  
22 applicant we focused on energy efficiency and the  
23 addition of renewable energy as the focus to bring  
24 the project from LEED Gold -- from LEED Silver to  
25 LEED Gold.

1 MR. SHAPIRO: So, the solar panels were  
2 the --

3 MR. WILSON: That adds a credit.

4 MR. SHAPIRO: Okay.

5 MR. WILSON: So, at least one percent of the  
6 building's energy will be provided by solar. So,  
7 that adds one LEED credit.

8 MR. SHAPIRO: And that leads to my last  
9 question, which is the -- why 8,000? Or maybe I can  
10 address this to you. Why 8,000 as opposed to 4,000  
11 or 12,000, or --

12 MS. BELTIKOVA: That's roughly the square  
13 footage according to our MEP engineers, that would  
14 yield between one and three percent of the total  
15 building use.

16 MR. SHAPIRO: Okay. So, you want to meet the  
17 minimum standard that D.C. is setting up in their  
18 sustainable goals. Okay.

19 And are you finding -- are you trusting in  
20 the process that this actually saves you money by  
21 putting in the solar panels?

22 MR. ORR: It's roughly break even, is where  
23 it gets to. But we think that it will be accretive  
24 to our ability to lease units, frankly. A lot of  
25 people are thinking environmentally now, and so we

1 think it's accretive to that.

2 MR. SHAPIRO: But if it's break even, is  
3 there any reason not to do 12,000 or 14,000, or --

4 MR. ORR: Yeah, there's some physical  
5 constraints relative to achieving our GAR and our air  
6 conditioning systems and other -- it's just physical  
7 constraints too.

8 MR. SHAPIRO: Okay. But you'll continue to  
9 work with DOE to find ways to maximize that, and  
10 you're already committed to doing at least the  
11 minimum.

12 MR. ORR: That's correct.

13 MR. SHAPIRO: Okay. Thank you. That's all I  
14 have. Thank you, Mr. Chair.

15 CHAIRPERSON HOOD: Okay, Commissioner  
16 Turnbull.

17 MR. SHAPIRO: Oh, thank you, Mr. Chair.  
18 First of all, let me commend you for going to the  
19 500-year level. I mean, I think that's a -- it must  
20 have been something you looked at hard and long, and  
21 agonized over. I mean, you must have really  
22 struggled with that in the beginning.

23 MR. ORR: Honestly, yes, we did struggle with  
24 it in the beginning. But as we started to look at  
25 all of the ramifications of it and you know, just as



1 an example, it's a much better conversation to  
2 explain to a retail tenant that you've floodproofed  
3 to the 500-year floodplain, and so they're not in  
4 jeopardy anymore of being out of business.

5 MR. TURNBULL: Yeah, that's good.

6 MR. ORR: So, as you weigh all of those  
7 factors it became very obvious. And Jay and his  
8 staff, and the studies that they had done, were also  
9 very helpful in convincing us that it's the right way  
10 to go.

11 MR. TURNBULL: Well, that sort of leads me to  
12 the, from a design standpoint. You've got all the  
13 storefront with -- and this is a mechanically  
14 operated system that comes up from the ground? Or,  
15 how does that work?

16 MS. BELTIKOVA: It's actually manual system.

17 MR. TURNBULL: It's a manual system.

18 MS. BELTIKOVA: It's a manual system.

19 MR. TURNBULL: So, does it --

20 MR. ORR: Our property management staff  
21 installs it.

22 MR. TURNBULL: Do you have to go around to  
23 each section of the storefront, and do it?

24 MR. ORR: Yeah. And what you do is you train  
25 them. So, the company that sells the panels trains

1 our staff to install it.

2 MR. TURNBULL: Oh, okay.

3 MR. ORR: Yeah. So, our property management  
4 staff installs it.

5 MR. TURNBULL: And I looked, at looking at  
6 your storefront, I guess it's in front of the  
7 storefront or, I was trying to figure out how you  
8 worked that in with your storefront so that from a  
9 design standpoint it doesn't look like a mess or --

10 MR. ORR: The whole idea behind it is that  
11 you never see it except when we have a 500-year  
12 flood.

13 MR. TURNBULL: Okay. Okay.

14 MR. ORR: That's it. So, we put it up  
15 manually, and there's bolts that are in the façade of  
16 the building that are very indistinguishable, and  
17 then we mount to that when we need to.

18 MR. TURNBULL: Okay.

19 MR. ORR: And there's some stanchions in the  
20 sidewalk too.

21 MR. TURNBULL: So, at some point you get a --  
22 the building manager is monitoring. You get a  
23 weather report, you get something that tells you --

24 MR. ORR: The good news is, is that there's  
25 lots of advance notice for floods. And we had told -

1 - you had asked at the last hearing, how do we notify  
2 people, and we said well, we'll go door to door.

3 MR. TURNBULL: Yeah. Yeah.

4 MR. ORR: Actually, what's going to happen is  
5 we're going to have a full building annunciation  
6 system. So, it will be two things, where we  
7 annunciate to everybody in the building, and we'll go  
8 door to door if we have to.

9 MR. TURNBULL: Okay. Well, I won't ask you  
10 how much cost this is to your project, but I'm sure  
11 it's a significant investment.

12 MR. ORR: It's a million and a half dollars,  
13 something like that. Dale, you would know.

14 UNIDENTIFIED SPEAKER: That's been the order.

15 MR. ORR: Yeah, about a million and a half  
16 dollars, increase in cost.

17 MR. TURNBULL: Oh, it --

18 MR. ORR: It's substantial.

19 MR. TURNBULL: It isn't as bad as I thought,  
20 but it's still a lot of money.

21 MR. ORR: It's a lot of money.

22 MR. TURNBULL: Yeah, it's --

23 MR. ORR: It's a lot of money. But again,  
24 when we weigh all of the factors --

25 MR. TURNBULL: Yeah.

1           MR. ORR:  -- that go into this decision, we  
2 felt that, you know, it was the right thing to do.

3           MR. TURNBULL:  Well, it's a unique property  
4 and I think it's got a lot of potential.  I mean,  
5 it's going to be a significant site to be developed.  
6 And I think doing this, you are to be commended for  
7 it, so.

8           MR. ORR:  Thank you.  We appreciate that.  
9 There's a number of initiatives that we're taking on  
10 with smart home characteristics and other things  
11 that --

12          MR. TURNBULL:  Yeah.

13          MR. ORR:  -- are really going to be at the  
14 forefront with this development.  So, we appreciate  
15 that.

16          MR. TURNBULL:  Well, we'll be looking forward  
17 to it.

18          MR. ORR:  Thank you.

19          CHAIRPERSON HOOD:  Any questions or comments  
20 up here?  Vice Chair Miller?

21          MR. MILLER:  Thank you, Mr. Chairman.  And,  
22 thank you for your presentation and the supplemental  
23 filing, and the filing, and all the work that you did  
24 with DOEE to reach an agreement there in the  
25 upgrading of the floodproofing and the LEED and the

1 solar panels, and maybe, I think there were other  
2 elements as well.

3 And thank Office of Planning for their  
4 supplemental report as well, and the applicant and OP  
5 both clarified the Inclusionary Zoning units, which  
6 was helpful. I think it was 2600 square feet will be  
7 provided at the 60-percent MFI level, triggered by  
8 the new -- I guess that's triggered by the new gross  
9 floor area of residential, and 3,200 square feet at  
10 the 50 percent MFI level. So, that's a very positive  
11 element as well.

12 I agree with my colleagues and Commissioner  
13 Turnbull's comment that it's a very attractive  
14 project. The whole waterfront terrace concept will  
15 be an exciting destination, and so look forward to  
16 seeing it.

17 MR. ORR: Have you been over there lately?  
18 Have you see, the stadium is starting to take shape.

19 MR. MILLER: No, I --

20 MR. ORR: They're putting the bleachers in,  
21 you know, the risers.

22 MR. MILLER: Really?

23 MR. ORR: It's amazing. Yeah. It's really  
24 something to see.

25 MR. MILLER: I'll take a trip over there.

1           CHAIRPERSON HOOD: All right. Only thing I  
2 would add is I appreciate all the work that's been  
3 done. Sometime the first time you think that the  
4 pushback and you know, you think sometime that hey,  
5 look, why I got to do all this. But then again, with  
6 the comments of DOEE and Office of Planning, our  
7 comments and others, I think a lot of times your  
8 input -- a lot of times you get a better project, and  
9 I think this is what we have here. And it gives, of  
10 course, everybody a little comfort level with the  
11 500-year floodplain.

12           So, anyway, I don't have any comments. It  
13 looks like everything has been worked out. Any other  
14 questions up here?

15           Vice Chair?

16           MR. MILLER: I meant to mention one other  
17 supplemental filing by DDOT, and that you did  
18 additional -- they had additional conditions, which  
19 you agreed to, including the permeable pavers, pavers  
20 in the parking lanes. So, all that's good too.

21           MR. SHAPIRO: Mr. Chair, one quick question.  
22 You said you were going to do -- you do annual drills  
23 with the staff?

24           MR. ORR: We do an initial training, and then  
25 anybody who is new would go through the training as

1 well.

2 MR. SHAPIRO: Is there some requirement that  
3 -- is there some regulatory requirement that their  
4 staff is trained up to a certain level?

5 MR. PHANNAVONG: Yes, that's part of the  
6 submission for the floodproofing. We require  
7 engineer to certify that the structure is actually --  
8 can stand at that level. And also, they have to come  
9 with the operation and maintenance plan. This is for  
10 the part of, you know, how they maintain that when we  
11 need these systems to be put up that is ready and  
12 also the staff. And, you know, the plan, operating  
13 and maintenance plan would be part of the package of  
14 the approval.

15 MR. SHAPIRO: I mean, I just have it in my  
16 head like a fire drill. Is there equivalent of a  
17 flood drill?

18 MR. ORR: There is an emergency management  
19 plan that we're going to work out with Jay and his  
20 staff.

21 MR. SHAPIRO: I'm thinking more about the  
22 kind of repetition that comes from -- the helpfulness  
23 of a fire drill.

24 MR. ORR: Yes. That would be part of our  
25 proposed management standard practice where we would

1 do that.

2 MR. SHAPIRO: Okay, thank you.

3 CHAIRPERSON HOOD: Okay. The only thing that  
4 we had that was still outstanding, and I'm going to  
5 go to the Office of Planning. We had some -- we  
6 asked there reason -- I think, hopefully this  
7 supplemental takes care of it.

8 Ms. Steingasser, there was some mention, some  
9 outstanding Office of Planning issues. Are those  
10 issues still outstanding?

11 MS. STEINGASSER: They are. And we would  
12 just ask that the reference to the Anacostia  
13 Riverwalk Trail be included in the order.

14 CHAIRPERSON HOOD: So, any objections to  
15 that? Is that the only thing?

16 MR. ORR: Yeah. No objection.

17 CHAIRPERSON HOOD: Okay. What I'm trying to  
18 make sure that we covered everything, so I would like  
19 to move this thing, move it along.

20 Ms. Steingasser, is that the only thing?

21 MS. STEINGASSER: I think so. They address  
22 why they could not provide the three-bedroom units.

23 CHAIRPERSON HOOD: Right.

24 MS. STEINGASSER: The others have been  
25 included, and including the pervious paving. So,



1 it's just the off-site Anacostia River Walk Trail.

2 CHAIRPERSON HOOD: And he just mentioned no  
3 objection, so that would be included in the order.  
4 Anything else from the Office of Planning? Mr.  
5 Wilson, anything else?

6 MR. WILSON: Quickly. I wanted to mention  
7 that the floodproofing details that we worked out is  
8 a regulatory requirement in order to meet the code  
9 modification process. So, it's not benefit or  
10 amenity to the project going above a minimum  
11 requirement. But it will be required and worked out  
12 during the permit process.

13 CHAIRPERSON HOOD: So, we got to where we  
14 needed to be.

15 MR. WILSON: Yes, we are there now, though.

16 CHAIRPERSON HOOD: Yeah. Okay. I think I  
17 caught that.

18 All right. Anything else?

19 All right. The applicant have any closing?

20 MS. RODDY: We just wanted to thank everyone  
21 for their time. And I just wanted to point out, we  
22 did submit proposed conditions of approval, and the  
23 Condition No. 10 includes some language with respect  
24 to the Riverwalk Trail design, and I think that  
25 speaks to the Office of Planning's concern.

1           We believe that the record is complete and  
2   that we have addressed the agency's concerns and  
3   issues, and we have also addressed the comments that  
4   came up at the last hearing. So, we would ask that  
5   the Commission take a vote this evening, given that  
6   there is the August recess coming up. Thank you.

7           CHAIRPERSON HOOD: I was fine until you said  
8   -- so, you want us to take a vote even given that the  
9   August -- what does the August recess -- and I'm not  
10   being -- I'm just sarcastic. I'm just curious. What  
11   does the August recess have to do with -- we'll come  
12   in, in August.

13           MS. RODDY: We just didn't want this -- oh,  
14   then that's fine.

15           CHAIRPERSON HOOD: Either one of --

16           MS. RODDY: But we just didn't want this to  
17   be pushed to September. We're eager to move forward  
18   with this as soon as possible.

19           CHAIRPERSON HOOD: Okay. Okay. Actually, so  
20   am I. That's why I said, I want to move this along.  
21   That's why I'm going to cover all those issues.

22           So, point well taken. I was kind of messing  
23   with you too.

24           Okay, Commissioners. I would move -- let me  
25   say this first, because we're still doing some

1 things. This is one vote. So, this is still a  
2 comfort level. Okay.

3 Okay, hold on for a second.

4 MR. SHAPIRO: The only -- I'm absolutely  
5 excited for this to move forward.

6 I heard a number of times, and I even heard  
7 it from DOEE staff, that there would be refining  
8 details if they moved along, and I you know,  
9 sometimes the refining of details triggers -- if the  
10 details have to be refined, then it triggers a review  
11 of ours. And I mean, I'm stating the obvious, but  
12 that's the only thing I had that caused me any  
13 concern at all. And that doesn't change what I think  
14 -- the action I think we should take tonight, I'm  
15 just flagging it.

16 CHAIRPERSON HOOD: Okay. I think every case  
17 that we have, they're refining reviews. The way I  
18 picture it, Commissioner Shapiro, is that it can't be  
19 any less than what we have. It's got to be even  
20 better. I'm not sure these details would have to --  
21 hopefully will not have to come back for our review.  
22 But if they do, we'll be here.

23 So, point well taken, but I think this is  
24 flavored. This is ready to move forward and I'm sure  
25 that if it's something to that extent then I'm sure

1 that everyone would turn around and come back and see  
2 the Zoning Commission because you've stated more than  
3 I've ever heard anybody say how lovely it is to work  
4 with us and Office of Planning and DOEE. You need to  
5 come down here more often, because we don't get that  
6 often.

7 MR. ORR: We'll come back. We'll lift the  
8 spirits of the room. We're happy to do it.

9 CHAIRPERSON HOOD: Okay. So, with that,  
10 colleagues, let's get a motion on the table. Vice  
11 Chair Miller.

12 MR. MILLER: Mr. Chairman, I would move that  
13 the Zoning Commission approve Case No. 17-05, 2100  
14 2nd Street Southwest, LLC, design review, and ask for  
15 a second.

16 MR. TURNBULL: Second.

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

19 [Vote taken.]

20 CHAIRPERSON HOOD: Ms. Schellin, would you  
21 record the vote?

22 MS. SCHELLIN: Yes. Staff records the vote  
23 five, to zero, to zero to approve final action in  
24 Zoning Commission Case No. 17-05, Commissioner Miller  
25 moving, Commissioner Turnbull seconding,

1 Commissioners Hood, Shapiro, and May in support.

2           If I could get a draft order in two weeks?

3 Three weeks? Two weeks? Okay, great. Thanks.

4           CHAIRPERSON HOOD: Ms. Schellin, do we have  
5 anything else?

6           MS. SCHELLIN: No. We can go home.

7           CHAIRPERSON HOOD: I want to thank everyone  
8 for their tremendous hard work in this case, and with  
9 that we got it done before our August recess, as was  
10 requested. So, with that I want to thank everyone,  
11 and this continuation is adjourned.

12           [Whereupon, the hearing adjourned at 7:14  
13 p.m.]

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## CERTIFICATE OF TRANSCRIPTIONIST

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A handwritten signature in cursive script, reading "Kimberly Lawrie".

Kimberly Lawrie,  
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