

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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 IN THE MATTER OF: :  
 :  
 FP ECKINGTON HOLDINGS, LLC : Case No.  
 : 17-09  
 :  
 ----- :

Thursday,  
December 14, 2017

Hearing Room 220 South  
441 4th Street, N.W.  
Washington, D.C.

The Public Hearing of Case No. 17-09 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Jerrily R. Kress Memorial Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson  
ROBERT MILLER, Vice Chairperson  
MICHAEL G. TURNBULL, FAIA, Commissioner  
(AOC)

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

STEVE COCHRAN

D.C. DEPARTMENT OF ENERGY AND ENVIRONMENT:

JAY WILSON

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF PRESENT:

AARON ZIMMERMAN

The transcript constitutes the minutes from the Public Hearing held on November 6, 2017.

C-O-N-T-E-N-T-S

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

6:41 p.m.

1  
2  
3 CHAIRMAN HOOD: Good evening, ladies and  
4 gentlemen. This is a public hearing of the Zoning Commission  
5 for the District of Columbia. Today's date is December the  
6 14th, 2017.

7 My name is Anthony Hood. We're located in the  
8 Jerrily R. Kress Memorial Hearing Room.

9 Joining me this evening are Vice Chair Miller and  
10 Commissioner Turnbull, as well as Office of Zoning staff Ms.  
11 Sharon Schellin, Office of Planning staff, Mr. Lawson and Mr.  
12 Cochran, District Department of Transportation, Mr.  
13 Zimmerman, as well as the District Department of the  
14 Environment, I think Mr. Wilson will be joining us as well.

15 This proceeding is being recorded by a court  
16 reporter. It's also webcast live. Accordingly, we must ask  
17 you to refrain from any disruptive noise or actions in the  
18 hearing room, including display of any signs or objects.

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

22 The hearing will be conducted in accordance with  
23 provisions of 11 DCMR Chapter 4, as follows. Preliminary  
24 matters, Applicant's case, report of the Office of Planning,  
25 report of other government agencies, report of the ANC,

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

3           The following time constraints, we maintain in  
4 this meeting. The Applicant has up to 60 minutes, but I want  
5 to show you that we have read the record, and we can probably  
6 do this in about 10 minutes, and let us ask our questions if  
7 we have any. Organizations, five minutes, individuals, three  
8 minutes.

9           All persons wishing to testify before the  
10 Commission in this evening's hearing are asked to register  
11 at the witness kiosk. That's to my left.

12           If you have any problems doing that, you can see  
13 Ms. Schellin. The staff will be available throughout the  
14 hearings to discuss procedural questions.

15           Please turn off all electronic devices at this  
16 time so not to disrupt these proceedings. Would all  
17 individuals wishing to testify please rise and take the oath?  
18 Ms. Schellin, would you please administer the oath?

19           MS. SCHELLIN: Please raise your right hand. Do  
20 you solemnly swear or affirm the testimony you will give this  
21 evening will be the truth, the whole truth, and nothing but  
22 the truth?

23           (Witnesses sworn.)

24           CHAIRMAN HOOD: First, let me ask, is there anyone  
25 here that's in opposition of this case? Okay.

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1 Ms. Schellin, do we have any preliminary matters?

2 MS. SCHELLIN: We do. I'm looking for one more  
3 thing. First of all, we received a party status request  
4 that, at Exhibit 35, it came in late.

5 (Whereupon, the above-referred to document was  
6 marked as Exhibit No. 35 for identification.)

7 MS. SCHELLIN: They are asking for a waiver of the  
8 rules for the late filing, but I didn't really see the reason  
9 why it was late, so it's up to the Commission to make that  
10 decision, of course, about the waiver.

11 It is a party status request in support from the  
12 Eckington Civic Association, and it asks the Commission to  
13 first rule upon that.

14 CHAIRMAN HOOD: Okay. Thank you. The last name,  
15 I think, is --

16 MS. SCHELLIN: Velasquez.

17 CHAIRMAN HOOD: Velasquez? Okay. Well, I'm  
18 looking at something else. President, what's the first name,  
19 Katherine?

20 MS. SCHELLIN: Katrina.

21 CHAIRMAN HOOD: Katrina. Okay. Is Ms. Velasquez  
22 here? Okay. Okay. Commission, while I know this, again,  
23 still kind of new for a lot of our residents, especially our  
24 volunteers, of how party status is done, and might not hit  
25 all the high points.

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1 I think this is very simple, and I would be  
2 willing to grant party status in support of this case. Any  
3 objections? Okay.

4 Do we need a, I would, I would move that we give  
5 Eckington community, I mean, citizens, no, the Eckington  
6 Civic Association party status in this case, and ask for a  
7 second.

8 VICE CHAIR MILLER: Second.

9 CHAIRMAN HOOD: It's been moved and properly  
10 seconded. Any further discussion? All in favor, aye. Any  
11 opposition? Not hearing any, Ms. Schellin, would you record  
12 the vote.

13 MS. SCHELLIN: And I take it that includes the,  
14 approving the waiver, the late filing?

15 CHAIRMAN HOOD: Yes, the waiver too, yes.

16 MS. SCHELLIN: Okay.

17 CHAIRMAN HOOD: Everything.

18 MS. SCHELLIN: Staff records the vote 3-0-2, 2  
19 approve. The party status request in support from the  
20 Eckington Civic Association, along with approving the waiver  
21 for the late filing, Commissioner Hood moving, Commissioner  
22 Miller seconding, Commissioner Turnbull in support,  
23 Commissioners May and Shapiro not present, not voting.

24 CHAIRMAN HOOD: Okay. Do we have anything else  
25 preliminary?

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1 MS. SCHELLIN: Also, we had, I'm sorry. At  
2 Exhibits 36 and 36A, we have a request from the ANC to keep  
3 the record open after the hearing in order to allow them to  
4 submit the CVA, which they're actually working with the  
5 Applicant on, and that's something I'm sure the Applicant and  
6 the ANC may go into.

7 MS. SCHELLIN: And that's something maybe  
8 throughout, through the hearing, you guys can work on. But  
9 I just wanted to bring it to your attention. Not necessarily  
10 rule on now, but just to bring it to your attention.

11 And Hannah Powell has been approved to represent  
12 the ANC. She has submitted testimony on her own, but she is  
13 representing the ANC this evening, I believe. I don't know  
14 if she's here. She is at the table. Okay.

15 And then, the experts that have been proffered,  
16 Sarah Alexander, Trini Rodriguez, Erwin Andres, and Shane  
17 Dettman, they've all be previously accepted by the  
18 Commission. And so, just ask the Commission to accept them  
19 as experts in this case.

20 CHAIRMAN HOOD: Let's do the expert witnesses  
21 first. I think if, I don't think, I don't guess we have any  
22 objections to continue our status expert witness of all who  
23 have already been accepted. Okay. We will keep that status.

24 Now, we will see as we go along, I'm pretty sure  
25 we will continue to leave the record open for the ANC to be

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1 able to work that out.

2 I'm sure that, again, shows the collaborative, and  
3 working together on that. Anything else, Ms. Schellin?

4 MS. SCHELLIN: I have nothing else.

5 CHAIRMAN HOOD: Okay. So with that, you've heard  
6 my announcement about the 10 minutes, so just hit the  
7 highlights.

8 You may want to talk about the affordability  
9 question, the Office of Planning and things, question.

10 Anything that's outstanding. Other than that, I  
11 think we'll ask our questions and we'll move forward. Okay.  
12 Thank you. You may begin.

13 MS. MOSELEY SHIKER: Good evening, Chairman Hood,  
14 Members of the Commission. My name is Christy Shiker with  
15 the law firm of Holland and Knight. I am representing the  
16 Applicant today, along with Joe Gaon from Holland and Knight  
17 as well.

18 From my right to my left, I have Erwin Andres, our  
19 traffic consultant, Shane Dettman, our planning expert, Sarah  
20 Alexander from Torti Gallas, our architect, Josh Etter from  
21 Foulger-Pratt, representing the Applicant, and then we have  
22 Hannah Powell, from ANC, and we'll get to them in a few  
23 minutes.

24 We are here today to present an application for  
25 a consolidated PUD, and zoning map amendment from PDR 2 and

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1 PDR 4 to MU 5A for property that is located at the corner of  
2 R Street and Harry Thomas Way in Eckington.

3 The project is a residential building with ground  
4 floor retail. It has a proposed FAR of just over four. The  
5 height of the building is 81.5 feet with an 18 inch parapet.

6 The proposed FAR and height are below what's  
7 permitted in both the existing zones and the proposed zone.

8 The project's going to include two and three  
9 bedroom inclusionary zoning units, and four artist-live work  
10 studios, all of which will be affordable to households at 60  
11 percent at MFI.

12 Since set down, the project has also been modified  
13 to include solar panels that will generate approximately 1  
14 percent of the energy of the project, and it's also been  
15 designed to meet the LEED gold standards.

16 The project really focuses on the creation and  
17 enhancement of park land, with a dedication of a large park  
18 on the east side of the PUD, and with a design that  
19 compliments and supports both that space, as well as the  
20 proposed 2 acre park immediately to the south.

21 The project, as Sarah will briefly talk about, has  
22 been fully designed to fit in with all of the various context  
23 that it surrounds, the large Eckington Yards project to the  
24 west, residential and lower rise residential to the  
25 northwest, industrial uses both to the north and the south,

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1 and then the MBT, the Metropolitan Branch Trail, and the  
2 tracks to the east. Since the inception of the project, we  
3 have worked closely with the District.

4 We've appreciated the Office of Planning's help  
5 and their support in the report. We filed, in response to  
6 the specific questions and clarifications they requested, we  
7 filed a written response to each of those, addressing those  
8 items, and that's in Exhibit 33 of the record.

9 Those responses also included comments to DOE's  
10 report. With respect to DDOT, we've worked closely with them  
11 since the inception of the project as well.

12 We worked on the access points in making sure that  
13 we created a safe pedestrian and bicycle access along our  
14 street, while at the same time, having our access to the  
15 loading and the parking.

16 We did that by including front-in front-out  
17 maneuvering, and the Public Space Committee has actually  
18 approved those access points back in June.

19 In the last few days, we've worked closely with  
20 DDOT to address their comments in the report. We filed a  
21 written submission, which is at Exhibit 34.

22 Since then, we've had further conversations, and  
23 we have come to agreement on all of the additional  
24 mitigation. Mr. Andres will talk about that, and DDOT is  
25 here to confirm that as well. I don't believe there's any

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1 outstanding issues there.

2           Finally, and really most importantly, our  
3 community engagement process started over a year ago.

4           We've worked very closely with all the  
5 stakeholders, with the single member District representative,  
6 the ANC, the Eckington Civic Association, interested  
7 neighbors.

8           When we first began this process, there were  
9 concerns about the project related to traffic, massing,  
10 design, and we are pleased to have worked collaboratively  
11 with the community, and have arrived at a design and traffic  
12 mitigation program that's resolved many of those concerns.

13           As part of that work, just this week, we've added  
14 three additional amenities that were not included in our  
15 supplemental pre-hearing submission that I want to let you  
16 know about.

17           The first is a skills and training program at  
18 McKinley Tech for their high school students. Second is  
19 contributions of \$60,000 to fund needs that have been  
20 identified for local public schools, and educational needs  
21 that have been identified for the Recreation Center, the  
22 Eckington Recreation Center, and the Bloomingdale Civic  
23 Association.

24           Finally, we've also agreed to a contribution of  
25 \$40,000 to fund an affordable housing training program for

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1 Eckington residents that has been crafted by the Eckington  
2 Civic Association in concert with some nonprofit  
3 organizations.

4           These amenities are an addition to what we had  
5 proposed in our most recent supplemental pre-hearing  
6 submission.

7           And for a completeness of the record, we did file,  
8 at Exhibit 33A, a full chart showing all of the amenities  
9 we've proffered thus far, including these additional ones.

10           We are pleased that the Eckington Civic  
11 Association voted unanimously to support us, and they're here  
12 tonight to support the project as well.

13           ANC 5E voted to support the project as well. They  
14 cited no issues with, or concerns with the use or the design  
15 of the project.

16           However, they did ask for additional time to  
17 provide something to the record on the community benefits,  
18 and we do not object to maintaining the record open as  
19 they've requested.

20           And our team's also agreed to go to their next ANC  
21 meeting on December 19th. With respect to the benefits,  
22 members of ANC 5E have indicated that additional funding is  
23 needed for schools and local rec center priorities.

24           At the ANC, earlier this week, we agreed to go  
25 back and look at that, and suggestions were made that funding

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1 for the park amenities should be taken away and shifted to  
2 these other priorities.

3           Since that meeting, our team has reviewed the  
4 information provided by the schools and the local rec center,  
5 and we note that the \$60,000 that has been proffered will  
6 fund the significant majority of all the needs that were  
7 identified.

8           Furthermore, based on our work in the community,  
9 we believe that there is strong support in the community for  
10 funding the priorities as currently proposed in the  
11 application, and that's especially as it relates to the park  
12 amenities and to the MBT.

13           Accordingly, the Applicant believes that the  
14 community benefits, as proposed tonight, is appropriate for  
15 this case.

16           Mr. Dettman, we'll let him just answer questions,  
17 but he is prepared to talk to you about how those benefits  
18 and amenities, when compared with the very limited  
19 development flexibility requested for this case, satisfy the  
20 PUD standards for judging, reconciling, and balancing those  
21 two factors.

22           At this point, I'm going to go straight to Ms.  
23 Alexander to walk through the design, and then Mr. Andres  
24 will just briefly touch on the final resolution with DDOT,  
25 and then we're available to answer any questions. We have

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1 a large team here. Thank you.

2 MS. ALEXANDER: Good evening. Thank you, Christy.  
3 As Christy said, my name is Sarah Alexander, and I'm with  
4 Torti Gallas Urban.

5 We are excited to be here tonight to share the  
6 project. I am going to go very quickly, but everything I'm  
7 showing you is in the book, and I'll be happy to go in more  
8 detail with any questions. Quickly, some context photos,  
9 both north and south of the site.

10 We wanted to make sure our building fit in  
11 seamlessly with the existing context, which is generally  
12 industrial in character. Here are some precedents that we  
13 were inspired by when we started the design process.

14 A mixture of most traditional and modern  
15 industrial stall buildings. From an urban design standpoint,  
16 we really wanted to make sure that our building capped off  
17 the end of the Eckington Yards project in a very effective  
18 way, which you'll see as we move forward, as well as embrace  
19 the park and our unique situation between the neighborhood  
20 and the tracks.

21 Zooming in on the ground floor, you'll see that  
22 both corners are red, retail use. We wanted to activate both  
23 corners, as well as activate the remainder of Harry Thomas  
24 Way with our lobby and amenity space.

25 Additionally, we have front-in front-out loading

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1 and a garage entry on R Street, and we have gently bent our  
2 building to emulate the shape of the realigned Metropolitan  
3 Branch Trail.

4           The four artist-live work units are located on the  
5 eastern side of the building, and on the south side, we've  
6 also provided a secondary lobby so residents can go right out  
7 to the park, as well as access for parking and bike parking  
8 directly into the garage from the Trail.

9           Service and loading, I could go into this in  
10 detail, but all service and loading and trash needs have been  
11 met by this project internally. 328 units, a mixture of  
12 studio to 3 bedrooms.

13           On the, on the southeast corner, we have provided  
14 a small roof terrace for amenity of our building, which we  
15 think will help activate and enliven the park, as it  
16 overlooks the park. We are providing solar panels, as  
17 Christy mentioned.

18           So, we are putting solar panels directly on top  
19 of the green roof, and we've worked DOEE on the detailing of  
20 that.

21           All parking is below grade, 124 spaces for cars,  
22 and 174 spaces for bikes. For the outside of the building,  
23 again, we really wanted to make sure we crafted and honed the  
24 design so that it fits into this wonderful and unique  
25 neighborhood.

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1 Majority of the buildings are industrial in  
2 character in the neighborhood, so we also took that theme  
3 with our buildings.

4 We scaled the buildings to be in concert with the  
5 adjacent context, and we wanted to, most importantly, step  
6 down the northwest corner where we are adjacent to some of  
7 the smaller town homes to our northwest.

8 So, we made sure to step back the top floor 10  
9 feet. We also dropped the corners to give an attic level to  
10 the 6th floor, and additionally added balconies, which brought  
11 the scale down even further to the fifth floor.

12 We also, as you can see here, we've divided Harry  
13 Thomas Way into a series of four different facade types.

14 That way, the scale and rhythm and proportion of  
15 those pieces were in keeping with across the street, which  
16 is folded down on this page for you.

17 So, you can see everything really works in harmony  
18 in the context. As you go clockwise around the building,  
19 this is if you were standing on the red line track looking  
20 at our building, we thought a more unified appearance of the  
21 building on the tracks was appropriate because on such  
22 industrial sites, often there are more linear style buildings  
23 along the tracks.

24 So, again, responding the building in each face,  
25 based on its context. Additionally, we have modified the

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1 penthouse in, as a request at the set down. Added  
2 articulation and darkened the color.

3           And I did forget to note, we also eliminated a  
4 facade type on Harry Thomas Way as a request of -- studying  
5 that, as a request of the set down.

6           We are proposing some artwork. We are still  
7 working with the artist on the exact design of the artwork  
8 along the Metropolitan Branch Trail, but we will continue to  
9 hone that as we move forward.

10           Moving again down the red line tracks here, you  
11 can see the plaza of the park in front of our building.

12           We have a wonderful green canopy on the, on the  
13 building, as well as that setback I noted before for the  
14 public terrace. And then, we are proposing artwork again on  
15 that public terrace.

16           I can read more of the design inspiration for you  
17 at length, but essentially, it's a combination of the more  
18 floral and garden aspects of the park, as well as the more  
19 hard lined and industrial aspects of the tracks.

20           Moving all the way to Harry Thomas Way, I think  
21 this was the one facade type that was noted for a couple of  
22 comments in the, in the set downs.

23           So, we have provided a little more information on  
24 this building. We did want something lighter and more modern  
25 on the park and adjacent to the Eckington Yards project, so

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1 we did pick a combination of dark gray brick for the first  
2 two stories with a light gray.

3           It was previously white, and as noticed, we,  
4 noted, we have made it light gray instead of white,  
5 cementitious panel, and metal panel combination for the upper  
6 floors, all working in concert with the window pattern to  
7 give a nice light industrial character to this building.

8           We also honed the detail of the corner, as noted,  
9 so that will be an aluminum reglet detail for the panels at  
10 the corners, so it's a nice, neat corner.

11           So, I think you can see, we've really worked to  
12 sculpt our building to work seamlessly into the landscape.

13           A little more detail on the landscape, we are  
14 proposing, again, the realignment of the Metropolitan Branch  
15 Trail so that you don't have to make two really sharp turns  
16 as you currently do.

17           And in the northeast corner of the east park,  
18 there will be a dog park. And then, in the southern portion,  
19 there is a nice public plaza adjacent to our artist-live  
20 works, and proposed two-story residential level. And doing  
21 a wonderful courtyard.

22           It's a combination of outdoor terrace, lap pool,  
23 private terraces for the units. And again, that wonderful  
24 outdoor space overlooking the park, kind of activating that  
25 corner of the building. I think that's in a nutshell. So,

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1 Erwin.

2 MR. ANDRES: Great. Good evening, Chairman Hood,  
3 Members of the Commission. Erwin Anders of Gorove-Slade  
4 Associates.

5 DDOT had reviewed, in our coordination with them,  
6 our project and our comprehensive transportation review  
7 document, and issued a letter dated December 4, 2017 that  
8 identified their recommended mitigations.

9 Those mitigations fall into two categories. The  
10 first are physical recommendations with respect to physical  
11 improvements that they recommended to be made.

12 And the second are recommendations associated with  
13 the proposed transportation demand management plan that we've  
14 proffered.

15 As part of our coordination with DDOT, we issued  
16 a letter dated December 13th, and had subsequent meetings  
17 with them to finalize a plan that meets our needs, as well  
18 as meets DDOT's initiatives to satisfy the mitigation for the  
19 project.

20 With respect to the recommended physical  
21 mitigations, what we have agreed with DDOT consists of  
22 installing crosswalks and curb extensions, and an all-way  
23 stop at Harry, at the intersection of Harry Thomas Way and  
24 Eckington Place.

25 We've also agreed to install crosswalks and curb

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1 extensions on the southern, on the southeast and southwest  
2 corners of the intersection of Harry Thomas Way and R Street.

3 We also agreed with DDOT not to install the bike  
4 lane striping that they had recommended, and not to install  
5 the bike counter digital display that they recommended,  
6 considering that we've made significant bike amenities  
7 associated with the realignment of the Trail.

8 With respect to the transportation demand  
9 management plan, what we've, what we've agreed to consists  
10 of everything in our comprehensive transportation review.

11 But in addition to that, we've also agreed to  
12 purchase 13 shopping carts for the residents. We've agreed  
13 to the unbundling recommendation that DDOT had identified.

14 We've also agreed that for the car sharing spaces,  
15 in the event that we cannot secure a car share provider, we  
16 are committed to host the Washington Area Bike Association  
17 bike seminars twice a year for three years, and DDOT had  
18 agreed that that was appropriate.

19 In addition to that, some clarifications. We are  
20 agreeing to install an electric car charging station for two  
21 cars, and we've also confirming that the R Street sidewalk  
22 connects to the Metropolitan Branch Trail, and that the Trail  
23 will remain open during the construction of the project. So,  
24 with that, I'm available for questions. Thank you.

25 MS. MOSELEY SHIKER: And with that, we would be

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1 happy to answer any questions that the Commission has.

2 CHAIRMAN HOOD: All right. Thank you all very  
3 much for your presentation. Let's see if we have any  
4 questions or comments up here. Anybody? If not, I had one  
5 or two. Okay. Mr. Turnbull?

6 COMMISSIONER TURNBULL: Thank you. Thank you, Mr.  
7 Chair. Thank you for your presentation tonight. It was very  
8 thorough, and it's a very, I think, since that set down, it's  
9 greatly improved, and I was just going back over our notes  
10 from that.

11 And I looked at Commissioner May's comment, who  
12 I think had made something to the effect that there was nine  
13 different facade types.

14 So, we're happy to see that you've got down to,  
15 I think you said four, but I, could be five, depending upon  
16 how you look at it.

17 MS. ALEXANDER: Yes, it's four with one that  
18 repeats.

19 COMMISSIONER TURNBULL: Yes. Okay. So, thank you  
20 for simplifying the design, and I think it makes a big  
21 difference. I think it's a very, I think it fits very well  
22 in with the neighborhood, and I think it's a very appropriate  
23 situation.

24 So, I guess the other thing, the big, is the  
25 retail. Is this going to be neighborhood serving retail, or

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1 what do you see as this? Restaurants or --

2 MR. ETTER: Yes, sir. Josh Etter, Foulger-Pratt.  
3 Neighborhood goods and services. The tenants haven't been  
4 identified yet, but local restaurants, dry cleaners, things  
5 of that nature.

6 COMMISSIONER TURNBULL: Okay. Because I think one  
7 of the spaces is about 2,500, the other one's about 3,500  
8 plus. Something like that.

9 MR. ETTER: Yes, sir. The 3,500 that faces the  
10 park, we envision that as more of a café, that --

11 COMMISSIONER TURNBULL: Okay.

12 MR. ETTER: -- gray kind of space that connect the  
13 south park to that retail space --

14 COMMISSIONER TURNBULL: Okay. Okay.

15 MR. ETTER: -- at the bottom of our building.

16 COMMISSIONER TURNBULL: I guess the only, my other  
17 question is on the solar. By your, by your calculations,  
18 you're at 1 percent, which is at the low end of what DOEE was  
19 recommending, 1 to 3 percent.

20 Is there any way that you can enhance that? It  
21 looks like there is some more room up there that you might  
22 be able to add, and I'm sure Commissioner Shapiro is very  
23 interested in wanting to see if you could increase that.

24 MS. MOSELEY SHIKER: So, we had gone from having  
25 no solar --

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1 COMMISSIONER TURNBULL: None.

2 MS. MOSELEY SHIKER: -- and just green roofs, to  
3 getting up to the 1 percent. And it, and it took quite a,  
4 quite a bit of design work to do that in light of the green  
5 roof that's there, the mechanical systems that are there.  
6 I'm happy, we worked very closely with Office of Planning,  
7 with Mr. Wilson at DOEE to --

8 COMMISSIONER TURNBULL: Right.

9 MS. MOSELEY SHIKER: -- try to make this happen  
10 with the new types of standards that they have with solar  
11 over green roofs.

12 But I think, at this point, this is kind of where  
13 we're comfortable. We've gotten to that 1 percent, which --

14 COMMISSIONER TURNBULL: Okay. And, well, I'm just  
15 sort of trying to represent Mr. Shapiro, who's not here. So,  
16 if you could take another close look and see if you could  
17 somehow increase it, I'm sure he would be very appreciative  
18 of that.

19 The other aspect is, on the affordable housing.  
20 And OP and, responding to what OP had said, going to 10  
21 percent, and you had sort of given a response, but still  
22 really never really addressed the OP issue, and I wonder if  
23 you could go back and explain further on that.

24 MS. MOSELEY SHIKER: Sure. So, where we are in  
25 terms of the affordable housing is that we're at 10.3 percent

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1 of the residential square footage that's devoted to  
2 affordable housing.

3           Within that, we have 8 percent that are the IZ  
4 units at 60 percent MFI, and we have made a commitment to  
5 maintain all of those units as either two bedrooms or three  
6 bedrooms.

7           And so, we've committed to four three-bedroom  
8 units and 14 two-bedroom units. So, we will have zero  
9 studios, zero one-bedrooms.

10           This is a very important priority in the  
11 community, and so, therefore, within that area of IZ, we have  
12 committed to larger family sized units. We --

13           COMMISSIONER TURNBULL: And --

14           MS. MOSELEY SHIKER: -- also have --

15           COMMISSIONER TURNBULL: And the rate that they're  
16 at?

17           MS. MOSELEY SHIKER: 60 percent MFI.

18           COMMISSIONER TURNBULL: 60 percent AMI. We also  
19 have committed to four artist live-work studios that will be  
20 at 60 percent MFI for the life of the project as well, and  
21 so, that brings the total up to 10.3 percent.

22           And with this project, there are, there is a  
23 significant amenities and benefits program, and we have, we  
24 believe that we are very, very strong in the parks and open  
25 space with the dedication of over 20,000 square feet for a

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1 park, the significant contributions and the work to make  
2 these parks happen.

3           And so, therefore, in the midst of the overall  
4 benefits package, we felt that we did meet the balancing  
5 test, and we were exceeding both the amount and the types of  
6 units that are desired for the affordable housing.

7           COMMISSIONER TURNBULL: Okay. I'm sure that, I'm  
8 sure Commissioner Miller may have some more comments.

9           On the First Source CBE, you wrote that you're,  
10 you've got all these alternatives. But is there a chart or  
11 something that sort of shows how First Source CBE relates to  
12 all of the different programs you're doing, and --

13           MS. MOSELEY SHIKER: Not in the record. First  
14 Source is no longer permitted on a voluntary basis.

15           So, only those projects that have public funding  
16 and that get mandated for First Source can opt into, or can  
17 participate in First Source.

18           There's no longer an opt in process, according to  
19 everything that we've seen from DOES.

20           So, what we did instead is we worked with the  
21 community about what type of training skills we could do to  
22 take, to put in place of that type of an amenity, and that's  
23 how we did the McKinley High School construction training  
24 program.

25           COMMISSIONER TURNBULL: Yes, I guess my only, I

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1 was trying to look at that and, as you say, you just added  
2 some things tonight.

3           Could you put together a, sort of a, not a  
4 spreadsheet, but something that sort of shows all of the  
5 programs that you're doing that we could readily see at once  
6 that fill in the, maybe it's in the record. I just didn't  
7 see it.

8           MS. MOSELEY SHIKER: So, we provided some  
9 information about that training program. We're happy to  
10 provide more to you.

11           I mean, it is a different program than a First  
12 Source Employment Program, but it does provide training and  
13 construction skills for students in the District of Columbia,  
14 and I think really goes to kind of what the intent of  
15 providing employment and training is. But we're happy to  
16 provide more details about that.

17           COMMISSIONER TURNBULL: Well, yes, and what kind  
18 of numbers are we looking at? I mean, how, like, how many  
19 people would be involved in this? Do we know?

20           MR. ETTER: So, within the engineering program at  
21 McKinley Tech, I believe it's about 50 to 60 students,  
22 currently. So, we were planning on offering multiple  
23 workshops through the 24 month construction period.

24           COMMISSIONER TURNBULL: Okay. And what other  
25 programs are then, is the --

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1 MR. ETTER: So, those programs would be related  
2 to soft skills, such as project management, you know,  
3 scheduling, negotiating contracts, as well as trade skills.

4 You know, how do electricians, how do mechanical,  
5 plumbers, and engineers work together to design, and then  
6 ultimately construct a building?

7 COMMISSIONER TURNBULL: Okay. I'm sure the Chair  
8 will have some more comments on that, but Mr. Chair, that'll  
9 be it for me, then.

10 CHAIRMAN HOOD: Thank you, Mr. Turnbull. Vice  
11 Chairman, will you have any questions or comments?

12 VICE CHAIR MILLER: Thank you, Mr. Chairman. And  
13 thank you for your presentation and all the materials that  
14 you've provided, and thank you for all of your community  
15 engagement with the Eckington Civic Association and ANC 5E,  
16 both as a whole and with the single member district  
17 commissioner, and your responsiveness to concerns that they  
18 have raised, and that the Commission and Office of Planning  
19 and DDOT and DOEE and others have raised.

20 And one of the community's responses you noted was  
21 on the, on the affordable housing, to make it, make all the  
22 affordable two or three-bedroom, and that is commendable  
23 because we need affordable housing and market rate housing,  
24 of all types, but particularly family sized units for both  
25 affordable and market rate.

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1           And so, it's great to, that that's two and three-  
2 bedroom. But I, but OP still seems to be suggesting, and I,  
3 and I would agree with their recommendation that you perhaps  
4 increase the artist loft space by a certain amount so that  
5 you can, not only strengthen what is already a very strong  
6 affordable housing amenity, but also satisfy that PDR  
7 designation for this site since there, you gave a response  
8 as to why, I think, some other maker spaces might be  
9 incompatible with the residential. So, and I think that was  
10 a good point.

11           So, but I think the artist loft space is  
12 compatible, and I think if you're able to increase that, that  
13 would be, that would be great. I don't know if you wanted  
14 to comment. That's fine.

15           MS. MOSELEY SHIKER: So, certainly, we have read  
16 the Office of Planning report. We've had conversations with  
17 the Office of Planning. And I would just have a couple of  
18 comments.

19           One, we do believe that the artist live-work that  
20 we're providing is consistent with the comprehensive plan and  
21 the designation for PDR. We had many slides to go through  
22 on it. We'd be happy to do that. Why don't we pull up just  
23 --

24           VICE CHAIR MILLER: I agree that it is, yes.

25           MS. MOSELEY SHIKER: Okay. So, but even the

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1 amount that we're providing, when you look at the comp plan,  
2 you need to look at it in terms of the planning areas. It's  
3 not parcel-specific.

4           And so, if you look at the amount of makers space  
5 that we're supporting with the different types of uses in our  
6 building, there is a significant amount of PDR in the general  
7 area.

8           And I think that you can see here, this is where,  
9 this is where our site is with, you know, the more than 5,400  
10 square feet. You have 70,000 square feet across the street,  
11 and you have a large node that really starts to satisfy that.

12           We compared that to other policies in the comp  
13 plan, which also call for the importance of family sized  
14 housing units.

15           And so, every time you put in another artist live-  
16 work unit, you take away a three-bedroom unit, whether it be  
17 an affordable or a market rate.

18           And so, we were balancing those two competing  
19 priorities of the comprehensive plan to make sure that we  
20 satisfied the PDR, but that we also provided those three-  
21 bedroom market and affordable housing units for the community  
22 to fulfil those other needs, which was also a stated priority  
23 from the community.

24           So, it, we felt like we balanced the two competing  
25 priorities of the comp plan, which is why we thought the

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1 number of units we provided was sufficient.

2 VICE CHAIR MILLER: Well, thank you for that  
3 explanation. We're very aware of the challenge of balancing  
4 competing priorities in a comprehensive plan, and so I  
5 appreciate your effort to do so.

6 If you're able to take a look again and to make  
7 a gesture toward an additional, any additional artist loft  
8 space, that would be appreciated.

9 And I guess, I do appreciate that you, the design  
10 and color changes that you made as a result of comments, and  
11 I think it is a very attractive building, and compatible with  
12 the neighborhood, as Commissioner Turnbull said, with the  
13 setbacks and the, and just the way it, the way it fits in.  
14 It's right next to the railroad tracks, and obviously you  
15 can, you can fit almost anything into there.

16 (Laughter.)

17 VICE CHAIR MILLER: But you, but you did a good  
18 job of showing that industrial motif on that side.

19 I guess, on the, and I appreciate that you added  
20 the solar that wasn't there originally, but DOEE did say, I  
21 don't know.

22 Maybe you can provide a written response to the  
23 DOEE memo of December 4th, which suggests certain ways to  
24 increase the solar or, now, maybe you've already looked at  
25 it and that's not possible, but that you could just try to

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1 bring a response so we have that in the record.

2           And if you're able to be responsive, that would  
3 even be great, that would be great. I have some, I had some  
4 DDOT questions, but I can't remember what they are. Maybe  
5 when DDOT comes up, I'll remember them. So, thank you very  
6 much.

7           CHAIRMAN HOOD: Okay. I think I just have a few  
8 questions. Who from your, my standard question, who from  
9 your development team is from the neighborhood?

10           MR. ETTER: From the neighborhood? None of us  
11 are.

12           CHAIRMAN HOOD: Okay. All right. I'm not going  
13 to expand on that because it seems like you have overwhelming  
14 support.

15           MS. ALEXANDER: I live in Brookland.

16           MR. ETTER: Excuse me, our architect lives in  
17 Brookland. But from the neighborhood of Eckington, none of  
18 us are.

19           CHAIRMAN HOOD: Well, that's close. That's close,  
20 so good.

21           (Laughter.)

22           CHAIRMAN HOOD: You live in Brookland. That's  
23 still in, that's in, that's in Ward 5, so, good. We're  
24 getting there. We're getting there.

25           Let me, first of all, thank you for what you're

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1 going to do with McKinley. I just need to see it  
2 memorialized. I know I've mentioned that at the set down.

3 Being a McKinley alumni, I would be less than  
4 diligent if I didn't look out for my old high school. But  
5 anyway, let me ask this. The school north used to be the  
6 Penn Center. What is, what is that now? Does anybody know?

7 MS. MOSELEY SHIKER: It is a storage warehouse.

8 CHAIRMAN HOOD: A storage, probably been, I've  
9 been out of school for 35 years, so --

10 (Off mic comments.)

11 MS. MOSELEY SHIKER: For the library? Yes. A  
12 storage warehouse for the library. And I thought they were  
13 going to move some of the DC archives there too, I thought,  
14 but --

15 CHAIRMAN HOOD: Okay. So, no students are --

16 MS. MOSELEY SHIKER: Yes.

17 CHAIRMAN HOOD: -- in there anymore? Okay.  
18 Things do change. Harry Thomas Way, one of the things that  
19 jumps out of that area was FedEx, as well as XM Satellite.

20 And when they named Harry Thomas, when they named  
21 that street, it was a private street first, and I think it's  
22 public now.

23 Is there anything on Harry Thomas Way, he was a  
24 former council member in our ward, but is there, is there  
25 anything that memorializes anything about him other than the

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1 street name? I'm just asking because I --

2 MS. MOSELEY SHIKER: I'm not aware of anything.  
3 The street is named Harry Thomas Way, and I'm sure that was  
4 dedicated and accepted by the Council, because the Council  
5 is the one legally in charge of naming streets. But I  
6 haven't seen anything else.

7 CHAIRMAN HOOD: Yes, I'm aware of that. I was  
8 there when it was done. But I'm, my question is, I know it  
9 was private, and I think now it's public.

10 MS. MOSELEY SHIKER: It is.

11 CHAIRMAN HOOD: It's a public street. So, is  
12 there anything there memorializing or recognizing Harry  
13 Thomas, Sr.?

14 I would encourage the ANC and Eckington Civic  
15 Associate and everyone to do that, because Harry was very  
16 into, Council Member Thomas was very instrumental in what's  
17 going on now.

18 And if he, if he was living today, he would've  
19 never thought the things that, you see, I was there when  
20 there wasn't nothing down there.

21 I mean, so to see what's going on now, and this  
22 project also evolving, what's going to, what's going to be  
23 to the south of this in that park, the south park? What is  
24 that?

25 MS. MOSELEY SHIKER: It is a two acre park that

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1 will have a green lawn, and it will have an amphitheater.  
2 Do you want us to talk a little bit more? Some retail  
3 kiosks.

4 CHAIRMAN HOOD: Okay.

5 MR. ETTER: Yes, amphitheater, playground, retail  
6 kiosks, and that connects to the east park that we're deeding  
7 back to the District for the use of the MBT realignment.

8 CHAIRMAN HOOD: Okay. And I know you're still  
9 having some conversation with the ANC, as well as Eckington,  
10 I believe.

11 I would suggest that we start looking at some kind  
12 of, we don't have to put it all on just this applicant, but  
13 maybe to the community.

14 We need to start looking at some kind of way to  
15 memorialize a plaque like we've done in some other areas,  
16 like we did on Rhode Island Avenue about Harmony Cemetery.

17 But we need to make sure we don't lose sight. We  
18 know Harry Thomas Way is a street named after former  
19 councilman. Some people know that and some people probably  
20 don't.

21 Some kind of way that we can memorialize that so  
22 that we won't lose sight as newer residents move in and move  
23 out, and that way that will still, so I'm depending upon the  
24 ANC, Chairman Thomas and others, to get that done, hopefully,  
25 in their conversations.

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1           The other things is, I heard something that kind  
2 of said, wait a minute, we're going to use this for, I heard  
3 that some of the money's going to go towards recreation, the  
4 Recreation Department. Did I hear that correctly?

5           MS. MOSELEY SHIKER: To the Eckington Recreation  
6 Center. It's a local recreation center that the ANC has  
7 identified as having --

8           CHAIRMAN HOOD: Harry Thomas Way. So, I'm going  
9 to ask this. So, here's the thing, and I'm going to also  
10 give you, see, I've learned, I'm not saying this is the way  
11 to do it.

12           I don't want to do anything that the ANC has done,  
13 because they work hard for nothing. Trust me. But what I  
14 will say is one of the things I've learned when we got a  
15 grant from Allstate years ago was not to use the money that  
16 he had on capital improvements.

17           And I'm just putting that out there. They can do  
18 what they want because, and if you do do it for Harry Thomas  
19 Rec, I know there's a need there.

20           We want to make sure that we don't put it in the  
21 general fund, because we might not see it. So, those are  
22 just things, from my experience that I've had over the years,  
23 I would suggest that.

24           And I can have that conversation with the ANC when  
25 they do their report. But we want to push and make sure that

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1 some stuff's capital improvements that we let the city and  
2 our tax dollars take care of it, and you all use something  
3 else for that to help benefit your community. That's just  
4 my --

5 MS. MOSELEY SHIKER: The --

6 CHAIRMAN HOOD: -- two cents' worth.

7 MS. MOSELEY SHIKER: The identified need that  
8 Foulger-Pratt had agreed to fund was \$8,500 to purchase  
9 tablets and computers for the before and after programs --

10 CHAIRMAN HOOD: Okay.

11 MS. MOSELEY SHIKER: -- that would go to literacy  
12 support. So, it was the need that they identified, and that  
13 is the specific proffer that's been made to that rec center.

14 CHAIRMAN HOOD: Oh, okay. So, it won't go to the  
15 general fund?

16 MS. MOSELEY SHIKER: No.

17 CHAIRMAN HOOD: Okay. Okay. All right.

18 MS. MOSELEY SHIKER: It will be an item delivered  
19 to that.

20 CHAIRMAN HOOD: We have a need. We know where  
21 it's going to be at, but it will be turned over.

22 The Applicant will purchase and make sure it's  
23 turned over to that organization. Okay, great. Great.  
24 Because I know that's a need. What else did I have?

25 Also, I think one of my colleagues had already

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1 mentioned about the DOEE comments. I heard you say, one of  
2 my questions were, have you been working with them, but  
3 obviously you have, from what I've heard.

4 And as stated, if you could just comment on some  
5 of the things they had in the letter. Mr. Wilson does a  
6 great job, and really a thorough letter.

7 Everybody, Office of Planning as well as DDOT and,  
8 as well, but make sure you just comment on some of the things  
9 that he has to make that building more energy efficient.  
10 Okay?

11 MS. MOSELEY SHIKER: We'll submit that, yes.

12 CHAIRMAN HOOD: All right. But, again, I want to  
13 thank you for what you are doing. You have overwhelming  
14 support, and that means a lot. That shows that you are  
15 working with the neighborhood. That's why I didn't really  
16 push it.

17 When you do have somebody on your development team  
18 that lives in Brookland, which is no problem, but had you not  
19 had overwhelming support, I would've pushed that.

20 And I would've, you know what I would've said?  
21 I can say it now. What I, what I usually want to say is if  
22 you don't have anybody from the neighborhood on your  
23 development team, then it would've been a lot easier for you  
24 to get things through because the people that live there know  
25 what they want.

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1 But obviously, you have overwhelming support, so  
2 I can't, you stole my thunder from that line tonight, but I  
3 guarantee I'll be able to use that line another night.

4 (Laughter.)

5 CHAIRMAN HOOD: Okay. All right. Anything else  
6 up here? All right. Let's go to the ANC. Does the ANC have  
7 any cross? Any cross? We're going to come back for your  
8 report.

9 MS. POWELL: No, sir.

10 CHAIRMAN HOOD: Okay. Let's go to the Office of  
11 Planning's report, as well as the District Department of  
12 Transportation, and then DOEE in that order.

13 MR. COCHRAN: Thank you, Mr. Chair. OP has worked  
14 very closely with the Applicant on this PUD proposal.

15 And we believe that it is not inconsistent with  
16 the comprehensive plan. It's certainly with respect to the  
17 balance between what they're asking for in terms of the zone  
18 change, and what they're proffering, and what the project  
19 itself would provide as benefits, balance out the, as the  
20 Applicant had stated.

21 The project would be less tall, less dense, than  
22 what could be permitted by right. It's also providing  
23 housing where it couldn't not now be provided.

24 And it's providing affordable housing, most of it  
25 having to be provided because they are going a residential

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1 zone, and then plus another four units for artist live-work  
2 space.

3 But we continue to have concerns about the way in  
4 which the project addresses both PDR and affordable housing.

5 And the concerns raised by Commissioner Miller are  
6 the concerns that we still have. And we have pushed the  
7 Applicant to really consider hard adding another live-work  
8 unit. Unfortunately, they haven't.

9 So, at this point, we still think that it would  
10 be advisable for the Commission to ask the Applicant to  
11 continue looking very hard at increasing its proffers for  
12 affordable housing and PDR.

13 But again, we note that the project's benefits and  
14 amenities are considerable. It's providing a two and a half  
15 acre park in an area of the city that doesn't have  
16 significant parks. It's providing for alternative  
17 transportation, much safer alignment of the bike trail.

18 It's designing to LEED Gold. It's making several  
19 contributions to schools and neighborhood associations. With  
20 respect to those last two, they're very desirable. They're  
21 also very difficult to track.

22 An affordable housing unit is not nearly as  
23 difficult to track. It stays for the life of the project.  
24 A computer wears out.

25 So, those are the kinds of things we've been

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1 looking at, and therefore, we're not yet prepared to  
2 recommend your approval.

3 CHAIRMAN HOOD: All right. DDOT, Mr. Zimmerman.

4 MR. ZIMMERMAN: Good evening. Thank you, Chairman  
5 Hood and Commissioners. For the record, my name is Aaron  
6 Zimmerman with the District Department of Transportation.

7 DDOT is generally very supportive of this project,  
8 especially with the significant improvements to the Met  
9 Branch Trail, and the surrounding transportation network that  
10 the Applicant has committed to.

11 With the conditions that the Applicant has agreed  
12 to in Mr. Andres presentation, with those included in the  
13 zoning order, DDOT has no objection to the approval of this  
14 consolidated PUD and related map alignment.

15 CHAIRMAN HOOD: Thank you. Mr. Wilson?

16 MR. WILSON: Good evening, Chairman Hood and  
17 Commissioners. My name is Jay Wilson with the Department of  
18 Energy and Environment.

19 To successfully reach the District's goal of 100  
20 percent reduction in greenhouse gas emissions by 2050, the  
21 District will need to increase the energy efficiency and  
22 renewable energy generation of all public and private  
23 buildings.

24 The Applicant has committed to dedicating 1,500  
25 square feet of rooftop space to generate approximately 1

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1 percent of the building's energy demand.

2           And while this does move the needle, it's not  
3 enough to meet the District's long term goals.

4           We see additional opportunities to include rooftop  
5 solar and the request the Applicant maximize these  
6 opportunities to integrate solar panels on the nearly 38,000  
7 square feet of rooftop space beyond the 1,500 square feet  
8 committed.

9           In addition, the project should prioritize energy  
10 efficiency and revise the design to integrate variable  
11 refrigerant flow mechanical systems of the apartment units  
12 in lieu of the proposed split system units.

13           This would reduce the condenser farm on the room,  
14 allow space for solar, and increase the energy efficiency by  
15 up to 20 percent.

16           With regards to LEED certification, the Applicant  
17 is correct that the zoning regulations state that, "designing  
18 to a LEED standard is an allowable public benefit".

19           However, given the fact that without  
20 certification, the design can't be verified as being  
21 compliant with the rating system, and that the LEED version  
22 2009 rating system is nearly nine years old.

23           This benefit, we feel, can be improved. LEED  
24 version 4 was launched in 2013, and is appropriate rating  
25 system for projects demonstrating a commitment to

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1 sustainability beyond that required by current codes and  
2 regulations.

3           We recommend the Applicant commit to certification  
4 of the project and explore the LEED version 4 rating system  
5 and target a minimum of LEED Gold certification.

6           The development team is encouraged to take  
7 advantage of financial programs and incentives that may be  
8 needed to defray increased costs associated with  
9 sustainability measures as well. Thank you. I'm glad to  
10 answer any questions that the Commission may have.

11           CHAIRMAN HOOD: Okay. Thank Office of Planning,  
12 DDOT, and DOEE. Let's see if we have any questions or  
13 comments up here. Okay. Mr. Turnbull?

14           COMMISSIONER TURNBULL: I just got set up here.  
15 No, I shouldn't say that. Mr. Cochran, thank you again for  
16 an excellent report.

17           Just one question, and we, I think I agree with  
18 all of your comments that you've had and what we just said.  
19 Again, I think it's, of all the people at OP, you give a very  
20 great summary and reduce everything to its fine points, and  
21 I appreciate that.

22           The question, you said you could not recommend  
23 approval, but in the report, it says you do recommend  
24 approval.

25           MR. COCHRAN: Thank you, Commissioner. We

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1 recommended approval in the report subject to satisfaction  
2 of the following items, and --

3 COMMISSIONER TURNBULL: Oh, okay. I got you.

4 MR. COCHRAN: -- among those items were --

5 COMMISSIONER TURNBULL: Oh, so you're, oh, okay.

6 MR. COCHRAN: Yes. Everything else has been  
7 satisfied or will be satisfied, we know, before the order --

8 COMMISSIONER TURNBULL: Well, the --

9 MR. COCHRAN: -- would be issued because we'd be  
10 working with the Applicant on those details. But those,  
11 unfortunately, are not details.

12 COMMISSIONER TURNBULL: Okay. Well, that's what,  
13 I was reading into your report that overall you felt very  
14 confident about the project, so --

15 MR. COCHRAN: We think it's an excellent project.

16 COMMISSIONER TURNBULL: Right. Okay. Thank you  
17 very much. So, that, you've clarified that, which, Mr.  
18 Wilson, on your, on your report, are you, we've seen at least  
19 two or three PUDs now with VRF systems, I think, in the last  
20 several months.

21 Are you, yourself, seeing more of those as you,  
22 throughout, in general? Are you seeing more and more of  
23 those coming forward?

24 MR. WILSON: Absolutely. They're becoming a lot  
25 more common throughout the multifamily industry, and we're

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1 seeing them throughout the market.

2 COMMISSIONER TURNBULL: Is there a, overall,  
3 there's got to be a cost saving with going to this system?

4 MR. WILSON: There's, it's the --

5 COMMISSIONER TURNBULL: Is there an up-front cost  
6 more so than the overall cost or --

7 MR. WILSON: There is an up-front cost increase  
8 of about \$1,000 per apartment unit. That's typically the  
9 initial construction costs associated with those systems, but  
10 then there's an energy savings of the system long term.

11 There's a split incentive issue where the energy  
12 savings is passed onto the resident, and it isn't always  
13 captured by the developer, depending on how the utilities are  
14 run in that building.

15 COMMISSIONER TURNBULL: Right.

16 MR. WILSON: But there are ways around that as  
17 well.

18 COMMISSIONER TURNBULL: Okay. All right. Thank  
19 you very much.

20 CHAIRMAN HOOD: Back, Vice Chair reminded me that  
21 we did have a party in support. Does Eckington Civic  
22 Association have any cross examination of the Applicant? Of  
23 the Applicant. I've messed up, I just did the ANC.

24 MS. VELASQUEZ: No, we don't.

25 CHAIRMAN HOOD: Okay. Great. All right. Any

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1 other questions up here? Okay. Let's see if, does the  
2 Applicant have any, either one of those three groups,  
3 government agencies?

4 MS. MOSELEY SHIKER: I have a question for the  
5 Office of Planning, please.

6 CHAIRMAN HOOD: Sure.

7 MS. MOSELEY SHIKER: So, we understand the  
8 importance of affordable housing and the policies of the  
9 Department of Housing and Community Development.

10 We certainly believe that our affordable housing  
11 proffers are strong. My question is, does the Office of  
12 Planning find that the benefits and amenities as proposed do  
13 not balance against the development flexibility that's been  
14 requested, which is a side yard and restructuring of where  
15 the heights are on the site?

16 Would the Office of Planning, while they want  
17 more, and they desire as a policy goal for more affordable  
18 housing, would you find that the PUD did not balance without  
19 that affordable housing?

20 MR. COCHRAN: The PUD does balance. The benefits  
21 and amenities do balance. Perhaps it's a policy disagreement  
22 on which types of benefits and amenities should be given  
23 greater weight than others.

24 It's a primary objective of the District that  
25 there be more affordable housing. It's also a policy that

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1 there be more PDR.

2 MS. MOSELEY SHIKER: Okay. All right. Thank you.

3 MR. COCHRAN: Obtained, at least.

4 CHAIRMAN HOOD: Finished?

5 MS. MOSELEY SHIKER: I'm finished.

6 CHAIRMAN HOOD: Okay. Does the ANC have any cross  
7 of either one of those agencies? Sure. Ms. Powell.

8 MS. POWELL: We just have one quick question for  
9 the Department of Transportation, or more a comment, really.

10 Just as you all considered this project in light  
11 of all of the other developments that are coming to this, to  
12 this area, particularly the intersection of New York and  
13 Florida Avenues, there is another PUD that's Eckington Yards,  
14 which is going to be about 690 units just to the west of this  
15 project, as well as, this is also in my single member  
16 district MRP has the second phase of its Washington Gateway  
17 project, which will have at least 300, if not twice that,  
18 residential units, or just 300 units plus another office  
19 building.

20 So, just encourage DDOT, I know you all have been  
21 in conversations with this, but this is a major concern for  
22 the community. It's, we don't consider each individual  
23 developer to have a responsibility to fix Dave Thomas Circle,  
24 but we are eager to hear from DDOT as to how we're going to  
25 approach this problem once 1,500 units land smack dab on top

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1 of the circle.

2 MR. ZIMMERMAN: Yes. So, Dave Thomas Circle, or  
3 the project that we're referring to is the virtual circle at  
4 New York Avenue, Florida Avenue, 1st, and O Street, a number  
5 of streets that all kind of come in around the Wendy's there.

6 DDOT is currently redesigning that intersection,  
7 and I don't, I don't know what your familiarity is with the  
8 plans for that, but Eckington Place is planned to go  
9 basically through the Wendy's property and connect to 1st  
10 Street NE, over by around where the McDonald's and ATF are  
11 located.

12 So, and then, eventually, to turn a number of  
13 those roads back into two-way streets around there. So, as  
14 part of that redesign process, they are factoring in future  
15 land uses that are going to be, that are going to come in,  
16 future apartment growth and office and other vacant parcels  
17 around the area.

18 So, those things are being considered, and also,  
19 you know, expanding the bike infrastructure, particularly the  
20 cycle track that's currently on the east side of 1st Street,  
21 down by the Harris Teeter, and bringing that north through  
22 the intersection and up through this community into  
23 Eckington. So --

24 MS. POWELL: Great. Thank you. And we're, we  
25 have seen some of the proposals. We're excited about it.

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1 Do you have funding for these proposals?

2 MR. ZIMMERMAN: At this time, I'm not exactly sure  
3 of the status of that. I can't give you a crisp and clear  
4 answer on that.

5 MS. POWELL: Okay, great. Thank you.

6 CHAIRMAN HOOD: Okay. Let' see, does Eckington  
7 Civic Association have any cross of either one of those  
8 agencies?

9 MS. VELASQUEZ: No, I do not.

10 CHAIRMAN HOOD: Okay. Thank you. All right.  
11 Let's go to the ANC report. Commissioner, Powell, I think  
12 you are representing the ANC tonight, right?

13 MS. POWELL: Yes, sir. Thank you. And as was  
14 mentioned at the outset of the meeting, the ANC does support  
15 the developer's request, and has identified no specific items  
16 regarding the design or transportation plan about this  
17 project. However, it does request of the Zoning Commission  
18 that it keep the record open for two weeks because the  
19 Commission will meet on Tuesday.

20 The Commission requests additional time to work  
21 with the developer, essentially to find another \$100,000 for  
22 items for our local schools, for McKinley Tech, which has a  
23 middle and a high school, Langley Elementary, and Harmony  
24 PCS, as well as the Harry Thomas Recreation Center.

25 So, that's where we are now. I'm happy to take

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1 questions. I did submit, as was noted, in my individual  
2 capacity, a separate testimony, which you all have written,  
3 so I will try very hard to distinguish what is the position  
4 of the ANC, and the, separately during statements from the  
5 general public, if you would like me to answer questions  
6 about my written testimony in my individual capacity, I'm  
7 happy to do so.

8 CHAIRMAN HOOD: Okay. Thank you. Any questions  
9 up here? Commissioner, any questions? So, you've heard me  
10 talk about a little history now.

11 And let me ask you, what do you think about the  
12 idea of making sure that those who are the newcomers, as well  
13 as those who there still remember the late council member  
14 Harry Thomas. We know it's Harry Thomas Way, but, and I see  
15 Mr. Clark in the audience.

16 But I don't see anything down there other than me  
17 being there that tells me who Harry Thomas was. And with all  
18 this development going on, like I say, we can do some type  
19 of plaque down there or something. We really need to. I  
20 would encourage that.

21 And while I can't do it here, I can ask that we  
22 maybe get with the, because we have other development PUDs  
23 that maybe come in with MRP or whoever else, can help to fund  
24 something like that or put something like that as I mentioned  
25 in the neighborhood.

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1           So, in your conversations with your chairman and  
2 your ANC, as well as your civic associations in the area,  
3 let's see if we can make that happen.

4           MS. POWELL: Yes, sir. I think that would be,  
5 that would be great. I've lived in the District for 16 years  
6 now, so I had a bit more familiarity.

7           But there, we have a lot of residents moving into  
8 the area. We've got a lot of buildings, we've got a lot of  
9 new people coming in.

10          And yes, I think there would be a lot of support  
11 on the Commission to do something that reflects the history  
12 of Ward 5 and the neighborhood.

13          CHAIRMAN HOOD: Right.

14          MS. POWELL: And that would be great.

15          CHAIRMAN HOOD: Because some of the work that he  
16 did is, like I said earlier, is the rationale for some of the  
17 things that are giving birth.

18          And there's others out there who I've been doing,  
19 and Mr. Clark, I'm calling his name because he's in the  
20 audience. He's been one of those ones who, well as,  
21 remembers before FedEx and XM Satellite, which jump started  
22 that area.

23          So, we need to make sure that we memorialize that  
24 and don't forget where, what helped us to get started to all  
25 these nice things that are going on now as well. So, anyway,

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1 I'm hoping that happens. Okay?

2 MS. POWELL: Thank you, sir. I will definitely  
3 take it back.

4 CHAIRMAN HOOD: Great. Any other questions up  
5 here? Okay. Does the Applicant have any cross?

6 MS. MOSELEY SHIKER: We do not.

7 CHAIRMAN HOOD: Okay. Does Eckington have any  
8 cross?

9 MS. VELASQUEZ: No, we do not.

10 CHAIRMAN HOOD: Okay. That's right. You all are  
11 on cross. I'm about to give you all a chance to cross. That  
12 would've been the first time. Okay.

13 So, do we have any, well, we mentioned in most of  
14 the reports that we have, do we have any persons,  
15 organizations or persons who are here in, I'm sorry. Oh,  
16 okay.

17 See, that's what happens when you go off the top  
18 of your head. I'm getting a little older. Can't remember  
19 everything. Okay. Let's go with Eckington Civic  
20 Association. We'll hear from you.

21 MS. VELASQUEZ: Great. Thank you so much,  
22 Commissioner Hood. My name is Katrina Velasquez. I'm the  
23 president of the Eckington Civic Association.

24 Thanks so much for this opportunity. And  
25 Commission Hood, we look forward to you coming back and

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1 visiting McKinley and the rest of Eckington. I'm about a  
2 half a block away, and it's look good. It's looking real  
3 good.

4 But anyways, I just want to really give our  
5 support for this project. We've worked with Foulger-Pratt  
6 for over a year on this project. We had a community-wide  
7 survey on really what we wanted to see. We worked with them  
8 on the architectural design.

9 What I can say is when they first presented, there  
10 were gasps, and now there were, oh, that's so nice. So, what  
11 I would say is that they've really come a long way, and we're  
12 very, very happy with how they came.

13 We voted in unanimous support of the CBA and the  
14 project on November 6th, and so we're all very excited with  
15 everything, and we're really looking forward to coming  
16 through.

17 One of the things that I did want to point out is  
18 that we are still looking forward to everything with DDOT  
19 coming through with the traffic. Every single civic  
20 association meeting we have, DDOT is mentioned.

21 So, we do look forward to that. But otherwise,  
22 everything related to this, we are in full support and look  
23 forward to working with you guys, and particularly, looking  
24 forward to having some form of plaque for Harry Thomas Way.

25 And just also, I need you to know that we actually

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1 are working on an oral history of Eckington. So, we work  
2 with all of the older neighbors within the neighborhood to  
3 really gather the history around Eckington.

4 And so, we're trying to figure out ways, how to  
5 really memorialize that history. So, looking forward to  
6 hearing and working with you guys. Thanks.

7 CHAIRMAN HOOD: Thank you, Ms. Velasquez. Is that  
8 how you pronounce your name? Velasquez?

9 MS. VELASQUEZ: Yes, that's right.

10 CHAIRMAN HOOD: Okay. All right. Let's see if  
11 we have any questions up here. Okay. I want to thank you  
12 for your comments. I appreciate that.

13 And I was just thinking here, I think I asked DDOT  
14 this, maybe a year or so ago, every time I'm going, coming  
15 down, I don't even know the street, but by the Wendy's, I  
16 always think about DDOT. So, I'm hearing --

17 (Laughter)

18 MS. VELASQUEZ: Me too, Commissioner. Me too.

19 CHAIRMAN HOOD: So, I'm hearing that they're  
20 working on that. So, we'll see how that evolves, because Mr.  
21 Zimmerman, I will still be thinking about you all when I'm  
22 riding around there. Okay. So, let's see if, does the  
23 Applicant have any questions or cross?

24 MS. MOSELEY SHIKER: We do not.

25 CHAIRMAN HOOD: Okay. Does the ANC?

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1 MS. POWELL: No, sir.

2 CHAIRMAN HOOD: Okay. Thank you very much for  
3 your enthusiasm. Looking forward to some great progress down  
4 there. Okay.

5 Any other organizations or persons who are here  
6 in support? Any organizations or persons who are here in  
7 opposition?

8 Mr. Clark, come forward. I think we have a seat  
9 to my left, Mr. Clark.

10 MR. CLARK: Good evening. My name is Mike Clark.  
11 I'm the president of the Edgewood Civic Association.

12 The Edgewood Civic Association is a civic  
13 association that was established in 1953, and covers the  
14 areas of Stronghold, Edgewood, and Eckington.

15 The reason it covers so many boundaries is that  
16 the people of color then could not join the Eckington Civic  
17 Association. So, the people of color in those communities  
18 joined together to form the Edgewood Civic Association, just  
19 a little history.

20 The Edgewood Civic Association is a member of the  
21 DC Federation of Civic Associations and have been for over  
22 60 years.

23 So, we've weighed in on a number of projects,  
24 Gales and some other projects that came into the community  
25 over the, over the years.

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1           And we're in opposition to this project, not that  
2 we don't want to see it develop, but in some of the things  
3 that have been offered to the community concerning this  
4 project, what the Office of Planning had noted, concerning  
5 affordable housing.

6           We think that the affordable housing that was  
7 offered, as a community amenity, just fulfils the law, which  
8 is 8 percent. And I think the Office of Planning was  
9 requesting 10 percent.

10           They finagled the numbers around to two to three-  
11 bedroom units, but we would like to see more of an inclusion  
12 of a higher percentage or lower AMI. One or the other with  
13 the developer.

14           Also, the Edgewood Civic Association, being having  
15 been in the community for so long, was never once approached  
16 by the Applicant to present at our meetings, which we do  
17 have, we do hold in Eckington and in Edgewood.

18           So, I met one of their members from the Applicant,  
19 from the Applicant twice, but that was just at an ANC  
20 meeting. So, we have never had a presentation to, at one of  
21 our meetings by the Applicant.

22           We have a question, concern about traffic.  
23 DDOT's, the report that they have submitted, the increased  
24 traffic, because I drive through there every day, the  
25 increased traffic at 3rd and R Street and Harry Thomas Way

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1 with, when you sit down, almost, over 900 units, that's a lot  
2 of traffic.

3           If you go through there in the morning time, R  
4 Street is already backed up with FedEx trucks and school  
5 traffic and everything. So, I didn't see anything in the  
6 Applicant's report where it's going to address that  
7 concerning the traffic in the community, because a lot of  
8 that traffic will be actually pushed through the community  
9 from there.

10           Not just R Street, but it's going to go to S  
11 Street, Seaton Place, so, T Street. So, a lot of that  
12 traffic is going to end up coming through the, through the  
13 community. So, we have a great concern on that piece.

14           The Applicant also stated that they were going to  
15 be part of the, I guess it's the traffic light at 3rd and  
16 Rhode Island Avenue, which is also in the PUD of Bryant  
17 Street project.

18           It's also in the PUD of the Eckington, the other  
19 Eckington Yards project. So, and the Applicant said that  
20 they would pay up to \$60,000.

21           What DDOT has noted at a number of our meetings,  
22 that it would take \$300,000 to put in a traffic light, and  
23 we're asking the Applicant, are they willing to foot, after  
24 Bryant Street and Eckington Yards put in theirs, will they  
25 make sure that the balance of it is paid so that a traffic

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1 light can be installed at 3rd and R Street, which has been  
2 in two other PUDs before the Commission, which had been  
3 approved?

4 We have, I don't know if this is still, maybe I  
5 can relate, maybe this was covered, why the Applicant is not  
6 participating in the First Source program.

7 I don't know if that's been solved yet or if  
8 they're still working on that, but I think that, with the  
9 number of jobs that are needed in the construction field in  
10 our community and in Ward 5, why are we not having the  
11 Applicant participate in the First Source program?

12 Or the Applicant not willing to participate in the  
13 First Source program, or what will they offer the community  
14 otherwise? I know they have offered some incentives to  
15 McKinley Tech students as internships.

16 But we're looking at real jobs for family people  
17 who can have a job in Ward 5. We've got these two  
18 developments coming up almost simultaneously, then we have  
19 a, the Bryant Street project, and we need applicants of DC  
20 to have jobs, and small business in DC to be able to  
21 participate in the First Source program in this project.

22 So, I don't know what they've offered. I hope  
23 they continue to work on that. I hope they can come to some  
24 resolution with that.

25 The affordable housing, like I said, that's the

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1 law, 8 percent, so there's nothing there that surprises me,  
2 and nothing there that I can even know, the units having  
3 skewed down to two to three-bedroom units. 8 percent is  
4 inadequate.

5 We fought this on the Bryant Street project and  
6 the other project. 8 percent is just, and I placed it to the  
7 Mayor when she came to our meeting last month, and said, why  
8 don't we put in legislation to raise the affordable housing  
9 from 8 percent to 10 percent?

10 And I didn't get an answer from her on that.  
11 Community outreach. I looked at the report that the  
12 Applicant has submitted to community outreach, the number of  
13 ANC meetings and civic association meetings, and development  
14 meetings they've been to.

15 But like I said before, they've never been to the  
16 Edgewood Civic Association meeting. The CBA, the CBA that  
17 was presented by ECA and voted on and approved was utterly  
18 refused by the ANC.

19 Because at the last ANC meeting, the November ANC  
20 meeting, as it was presented, I spoke and said, you have this  
21 project coming into the community. You've got four schools  
22 and a rec center.

23 You haven't, you haven't allocated one penny to  
24 any of those entities. And from that point on, the ANC  
25 decided also on a procedural method, that they're going to

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1 hold back in approving the CBA, and that now they want to,  
2 at the next meeting, they'll discuss it even more and work  
3 a goal out.

4 Just throwing money at the schools is not the  
5 answer. We can give them \$100,000, we can give them  
6 \$200,000, but it's got to be specified, and it's got to be  
7 long term.

8 So, that's what we're looking at, a more detailed  
9 CBA than just throwing money at the schools and saying, well,  
10 this is what they want, this is what they're going to get,  
11 and really have something significant tied into the Harry  
12 Thomas Rec Center, which has been a lot, has been allocated  
13 to that. But we need something specific in that.

14 So, those are the concerns that we, as a civic  
15 association, have in that community. I've been in that  
16 community for over 30 years, and I live in the SMD in that,  
17 and I travel that route every day.

18 And you know, I'm not against the development of  
19 that area, and the growth in that area. But I am developed  
20 with these issues here, I think they should be addressed and  
21 looked at very carefully than what they have been thus far.  
22 Thank you for the time.

23 CHAIRMAN HOOD: All right. Thank you, Mr. Clark.  
24 I'm going to begin by saying, I know the work that you've  
25 done in this city. Not just in Eckington or Edgewood, but

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1 across the city. But let me ask you this.

2 I think we had this discussion once before. I  
3 know that Edgewood Civic Association is a chartered member  
4 of the Federation of Civic Associations. Is Eckington, is  
5 Edgewood part of Eckington's boundaries? Is that what --

6 MR. CLARK: Yes.

7 CHAIRMAN HOOD: Okay.

8 MR. CLARK: Eckington, the whole Eckington  
9 community, the whole Stronghold community, and the whole  
10 Edgewood community are within the boundaries of DC Federation  
11 of Civic Association of the Edgewood Civic Association.

12 CHAIRMAN HOOD: So, Eckington, so Eckington, and  
13 I'm just trying to make sure that I've got this clear,  
14 because, so Eckington is not under the charter?

15 MR. CLARK: No, they're not a member of DC  
16 Federation of Civic Association.

17 CHAIRMAN HOOD: Okay. So, that's Edgewood's area.

18 MR. CLARK: Correct. According to the Federation,  
19 that is our area.

20 CHAIRMAN HOOD: Okay. Okay. So, for Eckington,  
21 and I know this because I was president, as you know, for 20  
22 years at Woodridge, for us, for another civic association to  
23 give, be under the charter, they would have to get  
24 permission.

25 And I'm, and that's actually how it works. You

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1 have to get permission from the reigning civic association,  
2 because I was asked, and we didn't give it some years ago  
3 because of the institutional background of the Woodridge  
4 Civic Association.

5 But I'm just curious, I know this came up once  
6 before, but do you all work in tandem? Do you all work  
7 together? I mean, because anybody can start, groups start  
8 all the time, as you know.

9 MR. CLARK: And that's, and that's basically what  
10 has happened, is it started up and --

11 CHAIRMAN HOOD: Okay.

12 MR. CLARK: -- I was there when they started. But  
13 no one from that organization, the only person that was a  
14 past president is an Eckington resident that came to us and  
15 was actually, we worked together, was Ted McGinn.

16 CHAIRMAN HOOD: Okay.

17 MR. CLARK: That was years ago. We worked  
18 together in different projects and things.

19 CHAIRMAN HOOD: There was another lady I thought  
20 you all worked with. She's on the ABC board for a minute.

21 MR. CLARK: Right.

22 CHAIRMAN HOOD: I can't think of her name now.

23 MR. CLARK: We did some work with her --

24 CHAIRMAN HOOD: Right, okay.

25 MR. CLARK: -- also. But current leadership or

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1 whatever is --

2 CHAIRMAN HOOD: So, here's what I would recommend,  
3 and there were some statements that I made prior to you  
4 coming in. I always ask my normal question of who, on the  
5 Applicant's team, is from the neighborhood.

6 So, some of those questions, and I would tell you,  
7 I push them to go to, do something with McKinley at the set  
8 down.

9 But I do want to make sure that the Edgewood Civic  
10 Association is not lost. It sounds like you all can work  
11 together in including Eckington. I'm not throwing Eckington  
12 out. I'm not throwing anybody out, because I see nothing but  
13 a positive win-win.

14 And this goes back to what I was saying about the  
15 history and the institutional knowledge of the community.  
16 And I think Mr. Clark brings that value to this, to this  
17 equation. So, he mentioned that you all had not reached out  
18 to Edgewood.

19 MS. MOSELEY SHIKER: So --

20 CHAIRMAN HOOD: Ms. Shiker, do you want to say  
21 something, or --

22 MS. MOSELEY SHIKER: I was just going to say, so  
23 our primary outreach, we went to four ANC meetings and three  
24 ECA meetings, and we primarily worked through the SMD and the  
25 ECA. So, we did not present. He is correct. We did not

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1 present.

2 CHAIRMAN HOOD: Okay.

3 MS. MOSELEY SHIKER: But we were going through the  
4 civic association in the way we thought we were supposed to.

5 CHAIRMAN HOOD: Right. I understand. But under  
6 the charter of the District of Columbia, Edgewood is a civic  
7 association. I'm not throwing Eckington away, because I've  
8 been through it, that's why I remember the whole discussion  
9 previously. This probably predates you.

10 So, I think there's room for everybody to work  
11 together, because I know that Edgewood did a lot in  
12 discussion when it came to Harry Thomas Rec, when the, when  
13 the shelter, is the shelter still open down there on 1st?

14 MR. CLARK: Well, it's not a shelter anymore.  
15 It's a --

16 CHAIRMAN HOOD: Okay.

17 MR. CLARK: It's a home for men who actually have  
18 employment, and so, they are in there at night, they go to  
19 work during the day. No one's hanging around there, not  
20 working, but --

21 CHAIRMAN HOOD: So, that is progress from the  
22 years ago when it was not --

23 MR. CLARK: Oh, yes. Big progress.

24 CHAIRMAN HOOD: Okay. So, those are the kinds of  
25 things that we need to do. So, I think with everyone here

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1 taking the lead, especially when I ask for them to  
2 memorialize something about Harry, Sr. On Harry Thomas Way,  
3 hopefully we can get that.

4           So, I think it's enough room, and we're not going  
5 to just look at, what I would, what I implore you to do is  
6 like one of the other wards in the city.

7           When you start having a lot of PUDs, start putting  
8 them together, but it takes the community to make that  
9 happen. Edgewood, Eckington, the ANC, and whoever else,  
10 whatever group may form.

11           So, I think, I think there's enough room for  
12 everyone to get together, and you all can come up with  
13 something. You're not going to get everything, but come up  
14 with some resolve.

15           So, I'm looking forward to hearing a success story  
16 down there because this is, this is a thriving area.

17           And as you said, you're not, you're not against  
18 it, but there's some things that we need to work together.  
19 We need to have the past so we can respect the future. Okay?  
20 So, I'm looking forward to that. Okay?

21           Is everybody clear of what I'm looking for? Then  
22 my colleagues may not agree with me, but I think I can get  
23 one or two of them to support me on this. Okay. So, anyway,  
24 let me see if there are any follow up questions. Mr.  
25 Turnbull.

1 COMMISSIONER TURNBULL: Yes, Mr. Chair, I just  
2 have one question for Mr. Clark. I always understood from  
3 the Edgewood boundaries, I think it's on your homepage, that  
4 the southern boundary was Rhode Island, North Capitol, Rhode  
5 Island to the tracks. Am I misunderstanding that? I --

6 MR. CLARK: Well, they run --

7 COMMISSIONER TURNBULL: I thought that's on your  
8 homepage, your boundaries.

9 MR. CLARK: Yes, boundaries are on our homepage.  
10 It does include along the tracks down to New York, then up  
11 Florida to North Capitol, all the way up to Michigan --

12 COMMISSIONER TURNBULL: Right.

13 MR. CLARK: -- to the tracks again by the, we'll  
14 say the 8th Street Bridge, and then down the tracks to --

15 COMMISSIONER TURNBULL: To Rhode Island.

16 MR. CLARK: Right.

17 COMMISSIONER TURNBULL: And I guess, I think maybe  
18 that's the confusion that the Applicant's having is that they  
19 saw Edgewood as being further to the north and not definitely  
20 in the Eckington map area. So, I mean, maybe that's the  
21 confusion. So, I'm just throwing that out there.

22 MR. CLARK: Okay.

23 CHAIRMAN HOOD: I would suggest though, if that  
24 is the issue, there is a map that the Federation of Civic  
25 Associations, and I, if you all need a copy, I have it. But

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1 there is a map that shows your boundaries.

2           Each civic association under the charter in the  
3 city. And I think Mr. Turnbull's right. We may want to  
4 correct that on your website, if it's incorrect.

5           MR. CLARK: It has the correct boundaries there.  
6 I mean, that includes, even though it says that the website  
7 may have Edgewood, Stronghold, and Eckington, but within that  
8 parameter of the boundaries laid out, those communities  
9 reside in those boundaries. I'll take another look at it and  
10 see if --

11           CHAIRMAN HOOD: Okay.

12           MR. CLARK: -- and see what it's saying.

13           COMMISSIONER TURNBULL: Yes, I would, because I  
14 think there might be some confusion that below Rhode Island  
15 Avenue, it's this maybe unrepresented area on the map, sort  
16 of. And that's where I think maybe the Applicant may have --

17           CHAIRMAN HOOD: Okay.

18           COMMISSIONER TURNBULL: -- saw that the Eckington  
19 is just that, and you're up further north. SO, I'm just  
20 throwing that out there.

21           CHAIRMAN HOOD: Okay.

22           MS. POWELL: If I may, yes, so I just want to  
23 speak, jump in here for Katrina. She was just elected  
24 president of the Eckington Civic Association.

25           So, we, from the ANC's perspective, the sort

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1 differing boundaries between the Edgewood and the Eckington  
2 Civic Association, have been a concern for some time because  
3 there's areas of overlap where the Eckington Civic  
4 Association says this is our boundaries, and the Edgewood  
5 says theirs.

6 I think last year, the Federation of Citizens  
7 Associations invited Eckington to join. There's also the  
8 Federation of Civic Associations, which I know has a long  
9 history going back with the city.

10 And anyway, we really do all want to have a  
11 positive working relationship going together, and it doesn't  
12 have to be antagonistic, and I hope that we can, with  
13 Katrina's new leadership, move forward.

14 As a general practice within the ANC, it has been  
15 the practice of the Commissioners, at least over the past few  
16 terms, for those Commissioners coming from Eckington to work  
17 through the Eckington Civic Association.

18 And, but we will definitely look in the future to,  
19 as to how we can work better with the Edgewood Civic  
20 Association and work through these, the sort of overlapping  
21 confusion that might be coming up.

22 CHAIRMAN HOOD: So, let me ask this. So, it's  
23 called the Eckington, you all are chartered members of the  
24 Citizens Association?

25 MS. POWELL: No, not at the, not at the moment.

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1 CHAIRMAN HOOD: Oh.

2 MS. POWELL: I don't know, and I also don't know  
3 legally if the District of Columbia put some sort of legal  
4 emphasis behind the Citizens Association versus -- the DC  
5 Federation of Citizens Association versus the DC Federation  
6 of Civic Associations.

7 And I mean, bottom line, as far as, you know, what  
8 I do as the, as the single member district, the ANC for this  
9 SMD, I try and reach out to everyone in my district.

10 I go door to door. I am present on social media,  
11 and we have signs out. I have single member district  
12 meetings.

13 And you know, we, I encourage everyone possible  
14 to come to the Eckington Civic Association meetings because  
15 so much of this development is happening, particularly these  
16 PUDs are happening in the southern half of Eckington. And  
17 so, that's just the natural place to go.

18 But that's not to say that, you know, we can't  
19 always do better. And so, definitely want to do, to be more  
20 with the Edgewood Civic Association.

21 CHAIRMAN HOOD: Okay. Well, let me just encourage  
22 you to, and I know the answers, but let me just encourage you  
23 all to make sure you look at what Citizens, because I've been  
24 through that. I've been, I've been down those roads.

25 But again, for me, it was, it wasn't about

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1 boundaries. It was about working together to make things  
2 happen. Because there is a distinct difference.

3 Citizens can exist in a civic area, but you have  
4 to be a chartered member of the Citizens Association. The  
5 Civic Association, I'm a little more aware of because I was  
6 a member. There's a charter that has them and has their  
7 area.

8 But I'm sure, at the end of the day, we can tear  
9 those boundaries down, but let's not forget them. But we can  
10 tear them down and work together.

11 And I would just ask that we make sure that we  
12 include Edgewood as well in any discussions. Okay? So, I'll  
13 leave it at that. Mr. Clark, you have something you want to  
14 add?

15 MR. CLARK: I just want to add that the, there are  
16 those on the ANC Commission who recognize the boundaries of  
17 the, of the Edgewood Civic Association as including the  
18 Eckington and Stronghold, because that's what we were able  
19 to weigh in on other projects in the past that have come  
20 before the Commission because they would tell the Applicant,  
21 you can go to Eckington, but you've got to go to Edgewood  
22 before you come before us.

23 CHAIRMAN HOOD: Right.

24 MR. CLARK: So, that's something that historically  
25 has been part of the ANC 5E.

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1 CHAIRMAN HOOD: Okay.

2 MR. CLARK: So, it's, you know, there are some new  
3 Commissioners who may be brought up to speed on it, but those  
4 who have been there for a while know that, know what the  
5 boundaries are and they are familiar with our representation  
6 in the community.

7 Like I said, I live in the community, and I have  
8 people on my, on Todd, U, and Uhland Terrace who have no clue  
9 about this project.

10 CHAIRMAN HOOD: Okay.

11 MR. CLARK: Yes.

12 CHAIRMAN HOOD: Well, we have a new president over  
13 at Eckington, and you have a seasoned president over at  
14 Edgewood.

15 So, I'm sure that working together is a, be a  
16 great project. Not just for Eckington and Edgewood, and not  
17 just for Ward 5, but for the city as a whole.

18 MR. CLARK: Yes.

19 CHAIRMAN HOOD: I believe we can get there. So,  
20 I'm looking forward to it. I'm looking forward to hearing  
21 the progress.

22 And one thing I do do is in other hearings, I brag  
23 on people who come back and won. I think my colleagues hear  
24 me do that quite a bit, so this is one that I'm looking  
25 forward to talking to somebody in another ward about it and

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1 say, you need to be more like this group over here.

2 So, anyway, let's work together on that and let's  
3 make it happen. Anybody else up here? Vice Chair Miller.

4 VICE CHAIR MILLER: Thank you, Mr. Chairman. I  
5 would echo your comments, and I appreciate all the comments  
6 of Commissioner Powell, be inclusive and work together going  
7 forward.

8 Mr. Clark, you mentioned the affordable housing,  
9 which I mentioned in my questioning of the Applicant, and  
10 it's certainly a big part of, and subject to other  
11 Commissioners.

12 And that's certainly a big part of the Office of  
13 Planning's report, and we're pushing them to do more. They  
14 are doing larger size than what was required.

15 They are doing, in addition to the inclusionary  
16 zoning 8 percent, they are doing additional affordable life  
17 of the project units that could bring it up to 10.3 percent.

18 I don't know if you are aware of that. We still  
19 want them to do more. We always need more. But I just  
20 wanted to make sure that you were aware of that because I  
21 don't know if you heard that testimony earlier.

22 MR. CLARK: No, I didn't hear that testimony.

23 VICE CHAIR MILLER: Okay. Well, thank you for  
24 coming down.

25 MR. CLARK: Thank you.



1 CHAIRMAN HOOD: Anything else up here? Okay. Ms.  
2 Shiker, congratulations, a new president. We don't want to  
3 run you away. We want you to come on and help us get it  
4 done. So, Ms. Shiker, do you have any rebuttal or closing?

5 MS. MOSELEY SHIKER: I just have a brief rebuttal  
6 before we close, if that's okay.

7 CHAIRMAN HOOD: Rebuttal?

8 MS. MOSELEY SHIKER: Or I could do it as a  
9 closing.

10 CHAIRMAN HOOD: I'm saying, you have a rebuttal  
11 or --

12 MS. MOSELEY SHIKER: I was, I just wanted to do  
13 a closing. How about that?

14 CHAIRMAN HOOD: Okay. Because I was going to ask  
15 you, well, who was the rebuttal on? Okay, just do a closing.

16 MS. MOSELEY SHIKER: I'll just do a closing, if  
17 that's okay. Thank you very much for considering this case  
18 tonight. I just wanted to remind the Commissioners that in  
19 order for a PUD to be considered and granted, there are three  
20 things that we have to find.

21 One, we have to find that it is not inconsistent  
22 with the comprehensive plan, and I think that the record is  
23 full with information about how this is not inconsistent with  
24 the comprehensive plan.

25 There is a PDR residential mixed use stripe. We

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1 have PDR uses, as we have residential uses. There are  
2 significant PDR uses throughout the neighborhood that help  
3 to bolster that mixed use designation.

4 As the Office of Planning noted in the report, the  
5 map is to be interpreted broadly, and it's not parcel-  
6 specific. So, we want to make sure that we're looking at the  
7 sufficiency of the PDR uses within that larger context.

8 I would also note that the future land use map is  
9 supposed to be interpreted in connection with the specific  
10 elements and policies of the comprehensive plan.

11 And in housing element h.1.3.1, larger family  
12 sized housing is a priority for this city. This project has  
13 38 percent of its units as two and three-bedroom units.

14 For every additional artist live-work, we take  
15 away a three-bedroom unit for housing, whether it be  
16 residential, excuse me, whether it be market or affordable  
17 housing.

18 And so, therefore, in balancing the PDR  
19 designation and the housing policies for the city, we believe  
20 we found a good balance on that.

21 In addition, the next thing is that the project  
22 is not unacceptable in its impacts, and I think that we've  
23 heard the testimony tonight from DDOT that the Applicant's  
24 team has been able to work to find mitigations for each of  
25 the unacceptable impacts with respect to the transportation,

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1 and they have testified tonight that we have satisfied that.

2           The final, the final category that has to be  
3 looked as it that the project amenities and the benefits must  
4 be balanced against the development flexibility.

5           And I don't think we really got into that tonight,  
6 but we've requested side yard flexibility in order to have  
7 a five foot set back from the south park.

8           Otherwise, a 13 foot 10 inch set back would've  
9 been required. But this is just allow an emergency egress  
10 on our property, abutting the south park and really opens the  
11 south park to the, to the building.

12           We are below the FAR under the existing and the  
13 proposed zones, and we're below the height of the existing  
14 and proposed zones.

15           So, therefore, when you look at the significant  
16 amenities and benefits, I believe and I've heard the Office  
17 of Planning say that they do balance, even though there are  
18 policies for additional amenities and benefits that would be  
19 desired.

20           The zoning regulations say that you look at the  
21 amenities basket that is provided by the Applicant, and you  
22 do that balancing.

23           We believe that 10.3 percent of the residential  
24 square footage, in connection with the all two and three-  
25 bedroom units, is a sizeable affordable housing amenity.

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1           It is in keeping, or if not greater, than many of  
2 the PUDs that have been approved in this area, and I think  
3 it gets you on the right track to affordable housing for this  
4 project.

5           So, with that, I would ask for the Commission to  
6 take this application under consideration as soon as the  
7 record has been closed, knowing that the ANC has asked for  
8 that extension, which we don't have an objection to, and we'd  
9 be happy to answer any final questions. Thank you.

10           CHAIRMAN HOOD: Okay. Thank you for the closing,  
11 Ms. Shiker. Let's see, before, let me ask this. Did  
12 Commissioner May, he said he was going to leave me some  
13 questions. Did he leave me some questions?

14           MS. SCHELLIN: He did not get to them. He said  
15 if he had a chance, he would.

16           CHAIRMAN HOOD: Okay. Well, I'm going to have to  
17 tell, he'll probably watch this. I'm going to have to tell  
18 him next time he needs to find some time to give me those  
19 questions. Okay, Commissioner. I only said that because he  
20 was going to look at it. Mr. Turnbull.

21           COMMISSIONER TURNBULL: Yes, thank you, Mr. Chair.  
22 Ms. Shiker, you said that adding a loft work unit would take  
23 away a three-bedroom. How would it do that?

24           MS. MOSELEY SHIKER: That's correct. So, there's  
25 nine three-bedroom loft units on the ground floor. In order

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1 to accommodate the artist work portion of it, you have to  
2 remove a bedroom on the first floor.

3           So, all of the artist live-work units were  
4 originally going to be designed as three-bedrooms, and they  
5 became two-bedrooms plus the work section. So, that's how  
6 that happens.

7           COMMISSIONER TURNBULL: So, on that track side  
8 where, if I'm looking at the ground floor plan, if you take  
9 away, if you make the next unit an artist live-work unit,  
10 what changes then?

11           MS. MOSELEY SHIKER: The ground floor portion of  
12 it, it becomes a two-bedroom unit, and the first floor  
13 becomes an artist studio.

14           COMMISSIONER TURNBULL: I guess I'm missing  
15 something. Am I missing how that changes --

16           MS. MOSELEY SHIKER: Yes, I can ask the architect  
17 to explain.

18           COMMISSIONER TURNBULL: Yes, could you, could you  
19 explain?

20           MS. ALEXANDER: Sure. So, this is a two story  
21 unit. The upper floor is always going to be two bedrooms.

22           COMMISSIONER TURNBULL: Okay.

23           MS. ALEXANDER: And the delta between the two is  
24 the use of the lower --

25           COMMISSIONER TURNBULL: So, are all the three

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1 bedrooms down here then, or is that what you're saying?

2 MS. ALEXANDER: All the three bedrooms are on the  
3 ground floor with the second floor portion, yes. With the  
4 loft portion, yes.

5 And so, there's a two story unit, ground floor can  
6 either be a bedroom or this studio space that's open, more  
7 open to the rest of the ground floor.

8 COMMISSIONER TURNBULL: And those are all  
9 affordable? Or they're not all affordable?

10 MS. ALEXANDER: A portion of the three bedrooms  
11 are --

12 MS. MOSELEY SHIKER: All of the artist live-work  
13 studios are affordable. And then, almost half of the three-  
14 bedroom units are affordable.

15 COMMISSIONER TURNBULL: Have you, have a provided  
16 a floor plan showing where the affordable units are?

17 MS. MOSELEY SHIKER: We have. It's in the  
18 supplemental pre-hearing submission as Exhibit C.

19 COMMISSIONER TURNBULL: Exhibit C. Okay. I'll  
20 have to go back and take a look at that. Okay. Well, I  
21 guess I'd just reiterate the comments of OP and the Vice  
22 Chair. We're still interested in having a look at it.

23 MS. MOSELEY SHIKER: Okay.

24 CHAIRMAN HOOD: Right. So, you want to be looking  
25 at that. Is there anything else that we asked for?

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1 VICE CHAIR MILLER: As for a written submission  
2 responding to the DOEE --

3 CHAIRMAN HOOD: Okay.

4 VICE CHAIR MILLER: -- memo.

5 CHAIRMAN HOOD: All right. I know it wasn't a  
6 whole lot, even though that affordable piece is --

7 COMMISSIONER TURNBULL: Yes, whether or not they  
8 could add more solar onto the roof.

9 CHAIRMAN HOOD: Okay. Okay. All right. Anything  
10 else that we, that we asked for? Okay. Can we get some  
11 dates. Now, is Commissioner May and Shapiro going to read  
12 the record on this one?

13 MS. SCHELLIN: I know that Commissioner May said  
14 he would.

15 CHAIRMAN HOOD: Okay, let's ask both of them to  
16 read it.

17 MS. SCHELLIN: Both of them? Okay.

18 CHAIRMAN HOOD: We'll teach them for missing a  
19 night.

20 MS. SCHELLIN: Okay.

21 CHAIRMAN HOOD: So, anyway, yes. Let's get both  
22 of them to read it so we have full Commission on this.

23 MS. SCHELLIN: Okay. All right. Christy, how  
24 much time do you think you guys need?

25 MS. MOSELEY SHIKER: The ANC has asked the record

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1 to be open until January 2nd.

2 MS. SCHELLIN: January 2nd?

3 MS. MOSELEY SHIKER: But we can certainly get our  
4 items in by January 2nd as well, and then the seven days to  
5 respond.

6 MS. SCHELLIN: Okay, which would be the 9th.  
7 Okay.

8 MS. MOSELEY SHIKER: We could do it sooner. I  
9 just was trying to go with what they had requested.

10 MS. SCHELLIN: Okay. So, the ANC, I think, has  
11 a meeting in December, one more meeting in December. Is that  
12 what it is?

13 MS. POWELL: Yes, that's correct. So, we meet on  
14 Tuesday, and it is our intention that we will have a vote.  
15 We have to have, it has to be a public vote, and that's our  
16 next public meeting. So --

17 MS. SCHELLIN: Okay.

18 MS. POWELL: -- we --

19 CHAIRMAN HOOD: Is that enough time for all of you  
20 all to collaborate from now to Tuesday? The know the ANC has  
21 to vote, but I mean, I know you were working with Eckington  
22 and Edgewood, and you all collaborated and were working  
23 together.

24 Is that, is Tuesday going to be enough time?  
25 Because today is, what's today? Thursday. When do you meet

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1 in January?

2 MS. POWELL: We meet the third Tuesday of each  
3 month.

4 CHAIRMAN HOOD: I always, whenever I, whenever I  
5 push something else, I'm going to always look at the  
6 Applicant and see if they, you know, see, I've been here long  
7 enough to see all that.

8 So, but some kind of, where you all need to, if  
9 we push it to January, Ms. Shiker, I know you just told us  
10 something, so --

11 MS. MOSELEY SHIKER: We were under the impression  
12 that much of this collaboration has been done over the last  
13 year, and I certainly hope that Mr. Clark could have some  
14 discussions in the meantime.

15 But I believe the ANC is ready to move forward on  
16 Tuesday, Monday, the 19th, and we would like to move forward  
17 with all due speed, if we could.

18 MS. SCHELLIN: It wouldn't change the meeting to  
19 give them a little bit of extra time because our meeting on  
20 the 8th --

21 CHAIRMAN HOOD: No, I was, I was thinking about --

22 MS. SCHELLIN: -- would be after --

23 CHAIRMAN HOOD: But see, hold on. I was thinking  
24 about us taking this up in our meeting in January, unless  
25 you're saying that's --

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1 MS. SCHELLIN: The second meeting in January.

2 CHAIRMAN HOOD: Oh, the second meeting. Okay.

3 MS. SCHELLIN: Because they asked the record to  
4 be open until January 2nd, right?

5 CHAIRMAN HOOD: Okay. So, they won't make our  
6 first meeting, they'll make our second meeting.

7 MS. SCHELLIN: Right. And then --

8 CHAIRMAN HOOD: Okay.

9 MS. SCHELLIN: Right. And --

10 CHAIRMAN HOOD: The 30th or whatever.

11 MS. SCHELLIN: Right. They wouldn't make the  
12 first meeting.

13 CHAIRMAN HOOD: Okay. Well, let me be quite, Ms.  
14 Schellin, and I'm going to let you go ahead.

15 MS. SCHELLIN: Right. Okay. So, even working  
16 with your January meeting date of January 16th, I think that  
17 we could, working backwards from the January 29th meeting,  
18 because that's where you would end up being anyway, if we  
19 could, we would have draft findings of facts, conclusions of  
20 law, of course, by the 16th of January, Ms. Shiker, if you,  
21 well, you have to submit one, and then, we could also have,  
22 if we could have your documents by the 9th of January --

23 MS. MOSELEY SHIKER: Yes.

24 MS. SCHELLIN: -- and then, the ANC and the party,  
25 Ms. Velasquez, Eckington, would have until January 16th,

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1 well, I'm going to say January 17th since the ANC meets on  
2 the 16th, in case something new comes up to file a response  
3 to those documents.

4 MS. POWELL: Okay. Thank you.

5 MS. SCHELLIN: That work?

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

7 MS. MOSELEY SHIKER: We can do that. Yes, thank  
8 you.

9 MS. SCHELLIN: Okay.

10 CHAIRMAN HOOD: Okay. So, we're all on the same  
11 page?

12 MS. SCHELLIN: That way it gives them a little  
13 more time to work --

14 CHAIRMAN HOOD: Yes, that's good. Thank you.

15 MS. SCHELLIN: -- with the holidays.

16 CHAIRMAN HOOD: All right. So, we're all on the  
17 same page?

18 MS. SCHELLIN: I think so.

19 CHAIRMAN HOOD: Anything else, Ms. Schellin?

20 MS. SCHELLIN: No.

21 CHAIRMAN HOOD: All right. I want to thank everyone  
22 for their participation tonight and all the work that you all  
23 have done. And with that, this hearing is adjourned.

24 (Whereupon, the above-entitled matter went off the  
25 record at 8:12 p.m.)

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Before: DCZC

Date: 12-14-17

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