

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: :

:

HANOVER R.S. LIMITED : Case No.

PARTNERSHIP : 18-21

:

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Thursday,

April 25, 2019

Hearing Room 220 South

441 4th Street, N.W.

Washington, D.C.

The Public Hearing of Case No. 18-21 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)
- PETER G. MAY, Commissioner (NPS)
- PETER SHAPIRO, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director,
Development Review & Historic Preservation
ANNE FOTHERGILL

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

ALEXANDRA CAIN, ESQ.
MAXIMILIAN TONDRO, ESQ.

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF PRESENT:

CYNTHIA LIN
AARON ZIMMERMAN

The transcript constitutes the minutes from
the Public Hearing held on April 25, 2019.

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

(6:33 p.m.)

1
2
3 CHAIRMAN HOOD: All right, good evening. We're
4 ready to get started. This is a public hearing of the Zoning
5 Commission for the District of Columbia.

6 Today's date is April 25, 2019. We are located
7 in the Jerrily R. Kress Memorial Hearing Room. My name is
8 Anthony Hood. Joining me with this evening are Vice Chair
9 Miller, Commissioner Shapiro, Commissioner May and
10 Commissioner Turnbull.

11 We are also joined by the Office of Zoning staff,
12 Ms. Sharon Schellin as well as the Office of Attorney General
13 staff, Mr. Tondro and Ms. Cain.

14 Also joining us is the Office of Planning staff,
15 Ms. Steingasser and Ms. Fothergill, as well as the District
16 Department of Transportation Mr. Zimmerman and Ms. Lin. Ms.
17 Lin, is this your first time at the D.C. Zoning Commission?

18 MS. LIN: Yes, it is.

19 CHAIRMAN HOOD: Well, we want to welcome you. I
20 don't really know what kind of evening you're going to have.
21 We normally try to be easy on representatives on the evening,
22 their first evening.

23 But I can't assure you of that tonight. But we
24 want to welcome you to the D.C. Zoning Commission.

25 MS. LIN: Thank you very much.

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1 CHAIRMAN HOOD: This proceeding is being recorded
2 by a court reporter. It is also webcast live. Accordingly,
3 we must ask you refrain from any disruptive noise or actions
4 in the hearing room to include display of any signs or
5 objects.

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

9 The hearing will be conducted in accordance with
10 provisions of 11Z DCMR Chapter 4 as follows. Preliminary
11 matters, Applicant's case, report of the Office of Planning,
12 report of other Government agencies, report of the ANC
13 organizations and persons in support, organizations and
14 persons in opposition, organizations and persons who are
15 undeclared.

16 And then we will have rebuttal and closing by the
17 Applicant. The following time restraint is to be maintained
18 in this meeting: The Applicant has up to 60 minutes. I think
19 we can do it in 15 minutes. And if you could hit the
20 highlights of some of the outstanding issues that may have
21 been resolved or may not if we can do that I think that would
22 be advantageous to us.

23 MS. SHIKER: Absolutnely.

24 CHAIRMAN HOOD: Organizations, five minutes;
25 individuals, three minutes. All persons wishing to testify

1 before the Commission in this evening's hearing are asked to
2 register at the witness kiosk to my left and fill out two
3 witness cards.

4 When you are finished, well as you know, when you
5 come up to the mic upon coming forward to speak to the
6 Commission please give both cards to the reporter sitting to
7 my right before taking a seat at the table.

8 When presenting the information to the Commission
9 please turn on the speaker to the microphone first stating
10 your name and home address. When you are finished speaking
11 please turn your microphone off so that your microphone is
12 no longer picking up sound or background noise.

13 The staff will be available throughout the hearing
14 to discuss procedural questions. Please turn off all
15 electronic devices at this time so not to disrupt these
16 proceedings.

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

20 MS. SCHELLIN: Yes, please raise your right hand.

21 (The witnesses are sworn.)

22 MS. SCHELLIN: Thank you.

23 CHAIRMAN HOOD: Okay. At this time the Commission
24 will listen to any preliminary matters. Does the staff have
25 any preliminary matters?

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1 MS. SCHELLIN: Yes, sir. The proffered expert
2 witnesses, Mr. Andres and Mr. Dettman have previously been
3 accepted. So we just ask that they be accepted in this case
4 as experts.

5 Their architect, Mr. Kasdan and then their
6 landscape architect, Mr. Wilke need to be accepted by the
7 Commission in this case. I don't have them as being accepted
8 before here or at last my staff didn't find them on our
9 expert list.

10 CHAIRMAN HOOD: Okay. So we will go with that.
11 Mr. Dettman and Mr. Andres will continue to keep that status.

12 Let's go with the architect, let's do the
13 architect first then we'll do the landscape architect. Do
14 we know, I've got it now.

15 MS. SCHELLIN: 25(e) for the architect.

16 CHAIRMAN HOOD: I am able to get it up now. So
17 anyway, Commissioners, 25(e) you said, Ms. Schellin?

18 MS. SCHELLIN: Yes.

19 CHAIRMAN HOOD: Okay. And that's Mr. Luna, right?

20 MS. SCHELLIN: Mr. Kasdan.

21 CHAIRMAN HOOD: Mr. Kasdan, 25(d).

22 MS. SCHELLIN: Maybe, staff has it down as (e).

23 CHAIRMAN HOOD: We're going to go ahead anyway
24 with Mr. Kasdan. Mine is not opening up. This technology
25 is something.

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1 COMMISSIONER TURNBULL: I have no issue with Mr.
2 Kasdan.

3 CHAIRMAN HOOD: Okay, you have no issue, okay.

4 COMMISSIONER TURNBULL: I have no issues.

5 CHAIRMAN HOOD: All right. No issues. So we will
6 accept Mr. Kasdan as an expert as an architect. And what
7 about Mr. Luna? Mr. Luna is landscape, right?

8 MS. SCHELLIN: Mr. Wilke or Wilke.

9 COMMISSIONER MAY: Which exhibit is it?

10 CHAIRMAN HOOD: Is Mr. Luna here? Did your resume
11 mess up my, no, anyway.

12 MS. SHIKER: And Mr. Luna is proffered as an
13 expert as well. But he isn't going to speak on direct. If
14 he does come up for questions he is the internal architect
15 and so we would like to proffer him.

16 But we can do that now or later to see if you have
17 specific questions that he needs to answer.

18 CHAIRMAN HOOD: Why don't we see if we get to him.
19 We might not.

20 MS. SCHELLIN: I'm saving those for later. But,
21 yes, Mr. Wilke at 15(h).

22 CHAIRMAN HOOD: 15(h), okay. Commissioners, any
23 objections to landscape architecture? Does anybody need more
24 time? Okay, all right. So we will give him expert status.
25 Anything else?

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1 MS. SCHELLIN: Okay. And as she said there are
2 some others that they're proffering only if they are called
3 to testify.

4 CHAIRMAN HOOD: So why don't we wait and see how
5 it goes and then we will look at their status at that time.

6 MS. SCHELLIN: And I think those are the only
7 preliminary matters I have. Do you have anything else, Ms.
8 Shiker?

9 MS. SHIKER: I do not.

10 MS. SCHELLIN: That's all I have.

11 CHAIRMAN HOOD: All right, Ms. Shiker, if you can
12 keep in the spirit of what we asked 15 or whatever time it
13 takes to hit the highlights and, you know, then we'll ask our
14 questions, okay.

15 MS. SHIKER: Absolutely.

16 CHAIRMAN HOOD: You may begin.

17 MS. SHIKER: Thank you. Good evening, Chairman
18 Hood, Members of the Commission. My name is Christine Shiker
19 with the law firm of Holland & Knight representing the
20 Applicant.

21 I'm also joined by Joe Gaon of my office as well.
22 If you could go the next slide. We are here today to present
23 a consolidated PUD application and a related zoning map
24 amendment for property that's located on 8th Street
25 Northeast.

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1 As you can see on the slide before you it's
2 located at 3201 8th Street which is Lot 15 and 3135 8th
3 Street which is Lot 804 and Square 3835. The site is
4 comprised of the two properties as bounded by the WMATA
5 tracks on its east and 8th Street on its west.

6 Kearny Street terminates to the northwest of the
7 site and Irving Street terminates to the southwest of the
8 site. Jackson Street terminates at 8th Street.

9 And as you'll hear the design kind of reflects
10 that visual continuation of Jackson Street. The site is
11 currently a house with industrial uses and a vacant building
12 that was used for non-profit use.

13 The PUD proposes the construction of two multi-
14 family residential buildings separated by a landscaped entry
15 plaza. There will be a total of 377 units.

16 But the buildings will function as a single
17 residential development. But they've been separated to
18 really break down the scale of the PUD which we are going to
19 talk about because we think that's really an important
20 element of the PUD.

21 The project is fully consistent with the standards
22 for development of a PUD in the MU-4 zone including height,
23 density, setbacks. It's also been designed to fit within the
24 overall context of the neighborhood and respond to the design
25 guidance that we find in the small area plan.

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1 These include doing a residential development that
2 has improved streetscape, landscaping, lighting, that the
3 streetscape design will accommodate the future Metropolitan
4 Branch Trail which is being currently planned for 8th Street.

5 It includes upper story setbacks which are
6 recommended in this small area plan. And it really is to
7 establish a screening and a buffer from the residential uses
8 to the west to the more industrial uses to the east.

9 Our documents are very clear about the consistency
10 with the comprehensive plan and the small area plan. We have
11 not only our summaries in our original application statement
12 in the Office of Planning but we've also filed Mr. Dettman's
13 testimony today.

14 He will not testify in the interest of time. But
15 that has been submitted for the record.

16 This project has had a long history of working
17 with the community and with the District. Quite a bit of
18 that work was done before we filed the application.

19 We're pleased to have the Office of Planning's
20 support. We filed today some additional documents to respond
21 to some of the requests for clarification that we found in
22 the Office of Planning report.

23 The first was we submitted an updated IZ unit
24 location plan that now includes which units are at which
25 levels of MFI. And so that is something that the Office of

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1 Planning now has.

2 We've also clarified how the townhouse style units
3 worked. There were questions in the report about whether or
4 not they were actually functionally townhouses or whether
5 they were one story.

6 They have been designed on the exterior to look
7 like townhouse units and reflect the context of the
8 neighborhood. But in fact they are one story units.

9 We have in fact designated one of those as an IZ
10 unit in response to the request from the Office of Planning.
11 We've also provided some more information about the open
12 spaces.

13 Specifically, there was a question about whether
14 the IZ units could open onto some of the courtyards. None
15 of the units actually open on to any of the public open
16 spaces.

17 So the IZ and the market rate units all have
18 identical access. And this is for operations and safety.

19 I would point out though, and I don't think that
20 we made this clear in our filings, that this project has a
21 significant number of balconies. Almost 50 percent of the
22 units have either a full walkout balcony or Juliet balcony.
23 And that's a pretty high number.

24 But we'll also say that we kept that ratio
25 consistent with the IZ units. So I think we're like 48, 49

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1 percent and it's both market rate and IZ. So the IZ units
2 have the same percentages.

3 There was questions about the open plaza in the
4 center. We provided some additional information about the
5 passive nature of that plaza.

6 But we also agreed at Department of Parks and
7 Recreation's request to include a water fountain for the bike
8 users, the runners, the pedestrians in the area. And so we
9 will commit to provide that in the plaza.

10 We also provided some greater detail on the
11 signage plans. We are also very pleased to have DDOT's
12 support. We have been working closely with them.

13 They had some recommendations in their report for
14 additional TDM. We have worked with them. We submitted a
15 statement in the record yesterday and agreed to new TDM and
16 it's my understanding that all of the issues are resolved now
17 with DDOT.

18 We're pleased to have ANC 5E's support. We have
19 unanimous support from the, excuse me, the Edgewood Civic
20 Association.

21 We began our community outreach last summer and
22 we've had over ten meetings with community leadership with
23 the ANC and with the Civic Association. And can you go to
24 the benefits?

25 We won't go through the benefits and amenities

1 now. But suffice it to say that the result of the community
2 outreach is what led to our proffered benefits and amenities
3 package.

4 It was very much a concerted effort with the
5 community to make sure that we were focusing on what they
6 wanted. That primary focus is affordable housing.

7 So there is a commitment to 12 percent affordable
8 housing at this project and at deeper and varying levels of
9 affordability. So we have 30 percent, 50, 60 and 80 percent.

10 Since the filings we've also committed to reserve
11 two of the three bedroom units for the IZ units as well. So
12 with that I'm going to ask Mr. Kasdan to walk through some
13 of the materiality in context with the neighborhood and then
14 we can answer questions.

15 MR. KASDAN: Thank you, Ms. Shiker. Thank you,
16 Commissioners. My name is Ben Kasdan. I'm an architect and
17 associate principle with KTG Y in Tysons, Virginia.

18 I'm here with a couple of my colleagues including
19 Adam Hale to my left. So in the interest of time I'm going
20 to kind of breeze through this. But we're here to answer
21 your questions afterwards as well.

22 So as Ms. Shiker said, the buildings have been
23 broken into two with a central courtyard that serves as the
24 main entry for the project. Setbacks, and setbacks as we've
25 discussed previously as well.

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1 The building operates again with a main entry from
2 the central plaza with secondary entries from some of the
3 ground level units, the town home style units we alluded to
4 a moment ago along 8th Street.

5 There's a single vehicular entry along 8th Street
6 and then loading occurs on the back of the project adjacent
7 to the tracks. As you can see, we're excited about this
8 project for a number of reasons.

9 We've worked with Hanover for a lot of years in
10 multiple regions across the country. This is our first
11 project with them in this one. We're excited to have another
12 project in the District and in this neighborhood in the
13 District.

14 As you can see we're continuing development near
15 the Metro stop in Brookland along the 8th Street and Monroe
16 Street corridors. You can see that we've created one more
17 set of development in the spine of kind of redevelopment in
18 this community.

19 The pedestrian experience on our side of the
20 street really stops at the Dance Place here. And one of the
21 biggest benefits of this project is that we're going to
22 continue that pedestrian experience with sidewalks and
23 landscaping another two blocks to the south.

24 You can see how we start to group the massings so
25 the majority of the height of the building is towards the

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1 tracks and the building kind of breaks down towards the other
2 side facing the existing residential community.

3 The buildings are brothers. They're not twins.
4 So there are some differences in their colors, in their
5 articulation. But they definitely go together.

6 The two story town home style units have been
7 designed to kind of fit within the context. They have
8 private entries much like the units across the street.

9 There are bays and stoops and private gardens and
10 wood doors and all of the, kind of features that kind of
11 complement the nature of this community. The central plaza
12 is a welcoming space.

13 So we'll talk about it a little bit more in a
14 moment. But it's a passive one. It's dimensions are 55 feet
15 at its widest and 35 feet at its narrowest which are very
16 similar in dimension to that of the Art Walk at Monroe Street
17 Market.

18 And it also provides kind of the visual terminus
19 of Jackson Street. It's sort of angled to kind of limit the
20 sound and views to the tracks as well.

21 Getting kind of more into just the pedestrian
22 experience that's a really big part of this project along 8th
23 Street. Getting to the materials behind the daises we have
24 the actual materials.

25 Feel free to reach out and touch them. The

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1 material board itself has the materials velcroed on. So feel
2 free to take those things off, touch it, feel it.

3 And the building was designed to have kind of a
4 rich palette of masonry, metal panels and stucco, all of
5 which are materials that are found in the neighborhood in the
6 immediate context. The stucco has been a point of
7 discussion.

8 And there's actually stucco in the building
9 directly next to us in the Dance Place. And I just want to
10 point out there's a sample back there that shows the
11 assembly.

12 It's not exactly the color. But it shows kind of
13 how it goes together. It's not EIFS which is a different
14 product in and of itself.

15 This is a three coat stucco system over a rain
16 screen. The, not all stucco is created equally. There's
17 kind of cheaper and more expensive versions of it.

18 This is a higher end version that however, as used
19 in this market we have two with some success in Baltimore and
20 Washington in the past. The other kind of main discussion
21 is about the vinyl windows.

22 We're still proposing vinyl windows really for a
23 number of reasons. But I want to point out that these aren't
24 the cheap brittle, white, vinyl windows that have gotten kind
25 of a bad reputation.

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1 These are really sophisticated window systems that
2 are inset from the face of the wall. The glazing has been
3 inset. Like many of the photos here you can see the sample
4 back there.

5 And they, there have been a lot of advancements
6 in the technology of vinyl windows. I think one of my
7 colleagues mentioned that it's not your father's vinyl
8 windows.

9 And what that means is they're more durable now.
10 They're able to have richer colors. So that bronze color on
11 the outside is really what we have. They don't, those colors
12 don't fade.

13 They are steel reinforced. And what that does is
14 it makes it possible to have bigger expanses of glazing like
15 you're seeing in these images on the slide here.

16 There's greater depth in the profile itself. And
17 they have as good or greater energy performance than
18 thermally broken aluminum windows.

19 And if you're really honest it's indistinguishable
20 from an aluminum window from any kind of vantage point. So,
21 you know, previously the reason you used aluminum windows is
22 for aesthetic purposes. And these windows are just as
23 aesthetically pleasing plus they have the performance
24 capabilities.

25 And really quickly kind of breezing over the other

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1 materials, but you can see them behind you. The actual
2 colors of the stucco are on the board back there.

3 We've since submitted a signage plan. What you're
4 seeing are aluminum face lit channel letters that are fully
5 compliant with the signage ordinance. And if you have more
6 questions we can answer those as well.

7 In terms of sustainability and environmental
8 aspects, so there's approximately 2,750 square feet of solar
9 panels on the roof of this building which will provide one
10 percent of the building's estimated energy use.

11 In addition, there's a green roof in and amongst
12 other rooftop equipment and Hanover is committed to seeking
13 LEED Gold certification under the LEED 4 Homes Multifamily
14 Midrise Category.

15 Our landscape architect is here. But in the
16 matter of time I'm going to do my best landscape architect
17 impersonation. If you have questions let us know.

18 So basically again, going back to the pedestrian
19 experience at the street level, the plan has been designed
20 to meet the DDOT standards and most importantly it's created
21 a sidewalk where there isn't one now.

22 The central plaza is a community space. It's
23 open. There's festival lighting overhead. But again, it's
24 passive in its nature.

25 There are multiple types of seatings and multiple

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1 sizes. So some of the seating is movable, some of it's fixed
2 for different types of gathering.

3 And the paving material which there's several
4 examples of back there extends all the way through the
5 courtyard to the public way. And with that I'm going to turn
6 it back to Ms. Shiker.

7 MS. SHIKER: Thank you. With that we are happy
8 to answer questions, bring up other people to talk about any
9 questions or issues that you might have. Thank you very
10 much.

11 CHAIRMAN HOOD: Okay. Thank you all for your
12 presentation. I see we have a young person in the audience.
13 So what I have always done is make sure I give the young
14 person and the family with the young person at a certain
15 point.

16 So I'm going to see how long this goes and we're
17 going to take a moment and let them come up and testify
18 because I think school is, I know spring break may be open
19 but school may still be going on tomorrow and I want to be
20 very considerate of that.

21 And I'm sure nobody objects, nobody never has.
22 Everybody knows the right thing to do.

23 So we're going to see how long this goes. If it
24 goes too long I'm going to interrupt and bring the young
25 person and his family up and let them testify if they are

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1 here to do that.

2 So let me see first, Commissioners, any questions
3 or comments? Commissioner May.

4 COMMISSIONER MAY: Okay. So first of all, thanks
5 for addressing the material concerns that I had raised at
6 setdown. This is different from my father's vinyl window.

7 But my father never saw a vinyl window I don't
8 think. But, no, it is different from earlier generations,
9 yes, that's recognizable. But it does show some of the
10 characteristics that are concerning having to do with kind
11 of the way vinyl doesn't always hold its shape.

12 And I'm wondering if in your experience it really
13 is, if it continues to be durable and operable and things
14 like that because, you know, because it's not completely
15 rigid and because you have different thermal expansion.

16 I mean I don't know how it, you know, particularly
17 with dark colors on it if there's a lot of solar gain is that
18 going to lock up the windows? I know that it causes, you
19 know, certain materials to move a lot more.

20 MS. SHIKER: Commissioner May, I was going to ask
21 Stephen Luna who is the in house architect for Hanover to
22 come up and address some of these more technical questions
23 if that's okay.

24 COMMISSIONER MAY: Okay.

25 MS. SHIKER: Mr. Luna, please come up and if we

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1 could, he's the in house architect. He will be able to, he's
2 worked with this because they do the significant majority of
3 their projects at Midrise with these types of windows.

4 COMMISSIONER MAY: Okay.

5 MS. SHIKER: So I would like to proffer him as an
6 expert and then let him answer the question.

7 CHAIRMAN HOOD: Okay. I knew there was a reason
8 I kept calling his name. Okay, let's see if, you can have
9 a seat. Let's see if expert status as a landscape architect
10 --

11 MS. SHIKER: An architect.

12 CHAIRMAN HOOD: Okay, we have his resume.

13 COMMISSIONER TURNBULL: So you actually
14 recommended these windows, not the architect?

15 MR. LUNA: Yes. I think it was a common, us and
16 the architect as well, we both recommend these windows.

17 COMMISSIONER TURNBULL: Okay.

18 CHAIRMAN HOOD: So, colleagues, right now we're
19 seeing whether or not we're going to proffer him as an expert
20 in architecture.

21 COMMISSIONER TURNBULL: So are you speaking as an
22 architect or are you speaking as the developer?

23 MR. LUNA: Do I need to introduce myself first or
24 not?

25 CHAIRMAN HOOD: Yes, that would be good.

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1 MR. LUNA: My name is Stephen Luna. I am an
2 architect and a development partner, so I'm both. And I'm
3 speaking as both because that's who I am.

4 But I'm an architect in Houston, Texas. And you
5 said to give your address. We're Houston based. Did I
6 answer your question, Mr. Turnbull?

7 COMMISSIONER TURNBULL: Yes.

8 MR. LUNA: Thank you.

9 COMMISSIONER MAY: So I'm going to just say it's
10 unusual for us to grant party, I'm sorry expert status to
11 anyone who is actually part of the developer.

12 MS. SHIKER: Okay, we will just continue on with
13 him as a representative from Hanover who can answer the
14 questions.

15 COMMISSIONER MAY: You know, clearly you know what
16 you're talking about and you have the answers that I'm
17 seeking. So I think that's the key thing.

18 CHAIRMAN HOOD: Okay.

19 MR. LUNA: Yes, sir, I can address your comments.
20 So we use vinyl windows a lot in our projects which is
21 residential midrise projects which this one is.

22 And the reason why there is not a lot of the
23 movement in the windows and everything because these windows
24 are actually steel reinforced much like some of the
25 commercial projects that you would get in a curtain wall or

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1 storefront system.

2 So they're different than just relying on the
3 vinyl. They are actually steel reinforced.

4 And that helps the rigidity of the windows and it
5 allows you, that technology allows you to get the larger
6 glass windows which is something that we really like for our
7 projects.

8 COMMISSIONER MAY: All right. So steel
9 reinforcing in here looks like it's here. Is that the only
10 place or is it in the individual units?

11 MR. LUNA: No, it's integral in the main
12 components, structural components of the window.

13 COMMISSIONER MAY: But I mean is this an operable
14 window?

15 MR. LUNA: Yes, they have, you can have single
16 hung, double hung --

17 COMMISSIONER MAY: I'm not asking for a sales
18 pitch on what I can buy. I want to know what this window is.

19 MR. LUNA: It is an operable window.

20 COMMISSIONER MAY: So how does it operate?

21 MR. LUNA: It's going to be a --

22 COMMISSIONER MAY: A slider?

23 MR. LUNA: -- slider or also a single hung.

24 COMMISSIONER MAY: Right, a slider or a single
25 hung. No, I understand. Got it or a guillotine window as

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1 Frank Lloyd Wright used to call it, right, the double hung.

2 But again, I'm only seeing steel in the -- is it
3 there?

4 MR. LUNA: It's --

5 COMMISSIONER MAY: And here too.

6 MR. LUNA: Yes, it is wherever the window needs
7 the extra strength for structure. I don't manufacture the
8 windows.

9 COMMISSIONER MAY: Right. But it's not, it
10 doesn't appear to be in the window unit itself?

11 MR. LUNA: I don't know that for sure, sir.

12 COMMISSIONER MAY: So and you've been using these
13 for a while?

14 MR. LUNA: Yes, sir.

15 COMMISSIONER MAY: So what's a while, 5 years, 10
16 years, 20 years?

17 MR. LUNA: Fifteen years since I've been with
18 Hanover I've used vinyl windows.

19 COMMISSIONER MAY: And in the dark colors too or
20 is that a new thing?

21 MR. LUNA: It's more of a, the last five years,
22 colors.

23 COMMISSIONER MAY: Okay. And have there been
24 issues with them, you know, with expansion being a problem
25 especially with the darker colors and stopping the double

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1 hung from moving properly or anything like that?

2 MR. LUNA: Not on a consistent basis. I mean
3 obviously there's a window or two that will in any projects,
4 but not on a consistent basis.

5 COMMISSIONER MAY: Okay. And I think the last
6 thing, you know, having said, I appreciate, I really do
7 appreciate this and it's much more solid than I pictured.

8 But I'm looking at the sealed unit itself. And
9 one of the things that I, is a particular problem on some
10 developments where they cut corners on things like windows,
11 and I'm not saying that you're doing that but sometimes that
12 happens, is that the sealed unit loses its seal and, you
13 know, they start fogging up and things like that.

14 So have you ever had problems like that because
15 this does not look like the best quality sealed unit with the
16 glass?

17 MR. LUNA: No, we have not had a consistent
18 failure on anything like this. The windows, those windows
19 which are a particular manufacturer BPI they are a ten year
20 warrantied window on all the components which is a high
21 standard in the window industry.

22 COMMISSIONER MAY: Okay, all right. Well I'll
23 stop beating that horse. Thank you.

24 MR. LUNA: Thank you.

25 COMMISSIONER MAY: So did, I don't know where

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1 things landed on parking. I haven't looked at your latest
2 submission. But the numbers, I know DDOT was asking about
3 lower numbers.

4 I certainly noticed too that you have a lot more
5 parking than you're required to. So do you want to speak to
6 that question.

7 MS. SHIKER: Sure. So we are at 186 parking
8 spaces and that is one level of parking below grade. It is
9 just the footprint of the building.

10 We didn't go down multiple levels to do that. I'm
11 going to ask Mr. Gordon from Hanover to talk a little bit
12 about the market review they did and then I'll ask Mr. Andres
13 to add anything else that he feels is necessary. Thank you.

14 MR. GORDON: Hi, Members of the Commission. Dan
15 Gordon with Hanover. When we started looking at parking on
16 this project we looked at two comps in the area, Brookland
17 Press which is essentially on Rhode Island Avenue, it's just
18 off of it and Monroe Street Market itself.

19 Brookland Press in the course of their lease up,
20 the information we were able to get suggested that when they
21 were about 50 percent leased they had already utilized the
22 entirety of their .25 parking ratio.

23 Monroe Street Market built more parking but based
24 on again, the information we were able to get from their
25 property managers the utilization was essentially similar.

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1 So people within a very small geographic distance from the
2 site, apartment renters near these subway stations .5 was
3 pretty much appropriate.

4 Brookland Press actually went to a valet system.
5 I don't know if it's still in place. But they were trying
6 to get parking elsewhere because just to get people in the
7 units they needed more parking than they had.

8 As Ms. Shiker noted, we're doing one level of
9 parking. So we're not asking to go down. It's just a full
10 level.

11 MR. ANDRES: Yes, and in addition to that the .5,
12 yes, it is higher than what DDOT is looking for. But, you
13 know, for the some of the projects that we've looked at sort
14 of in areas that are a little bit further away from the Metro
15 station, you know, .5 isn't, I guess, isn't significantly
16 more than what the market is telling us.

17 And so we believe that .5 is appropriate here.
18 In addition to that, it's been our experience that in a lot
19 of some of the newer buildings that the parking is actually
20 used as car storage.

21 So people aren't driving every day. So, you know,
22 they'll bring their car, park it and leave it there for the
23 week and have it available for the weekends and things like
24 that.

25 COMMISSIONER MAY: Okay. The Rhode Island Avenue

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1 project you cited was it comparable in distance to the Metro?

2 MR. GORDON: I think it's closer to the Metro.

3 CHAIRMAN HOOD: Right across the street.

4 MR. GORDON: Yes, it's on the Metro.

5 COMMISSIONER MAY: Okay, that's fine. And was
6 parking an issue of concern for the ANC or any neighbors?

7 MS. SHIKER: So during our community meetings that
8 certainly came up as a concern. People wanted to make sure
9 that there was sufficient parking such that there wasn't
10 spillover into the community.

11 This ratio is kind of where we thought was the
12 midpoint between that and I don't believe that came up
13 specifically at the ANC meeting. That was more in the single
14 member district meetings that we had.

15 COMMISSIONER MAY: And last question. Is the
16 building eligible for RPP?

17 MS. SHIKER: I'm not sure if it is or it is not.
18 But we have agreed to include lease riders as a commitment
19 to the community that people will not get RPPs. So it will
20 not be an RPP building.

21 COMMISSIONER MAY: But we don't even know if it's
22 eligible or not?

23 MR. ANDRES: I'm going to have to double check
24 that, Commissioner May.

25 COMMISSIONER MAY: All right, okay. The, I assume

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1 just back to architecture for a second, I'm all over the
2 place.

3 The type of construction, I mean this is going to
4 be a stick built on top of a podium?

5 MR. KASDAN: Yes, that's right.

6 COMMISSIONER MAY: And the podium goes up to like
7 the pool level or something, right?

8 MR. KASDAN: Correct.

9 COMMISSIONER MAY: And then the last concern I
10 have is about the sign. And I'm sorry I didn't look at the
11 newest information about the sign, the large building signs,
12 if you want to talk about that a little bit.

13 All right. So I mean that looks, this is brand
14 new, right? So is this exactly what it's going to look like
15 or are you asking for more flexibility on this?

16 It's different from what I had previously seen so
17 --

18 MS. SHIKER: In response to the Office of Planning
19 we had more study done. And so this is what we are proposing
20 as the sign.

21 It does comply with Appendix N of the Construction
22 Code with the sign regulations, as a point of note. But
23 certainly it's something we wanted to present to the
24 Commission since we didn't have all of those details.

25 COMMISSIONER MAY: But this is it and it's it now.

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1 This is the way it's going to be, okay.

2 MS. SHIKER: I just was told, yes.

3 MR. LUNA: I just want to note that, you know, the
4 colors may be tweaked slightly when we get the final colors
5 of the materials. But, yes.

6 COMMISSIONER MAY: And then the, it's going to be
7 lit in some fashion. Did I hear you say that? So how is
8 that going to be lit?

9 MR. LUNA: Yes, it's a channel lit letter so it's
10 internally lit. So the sides are aluminum and it has an
11 acrylic front that will light up.

12 COMMISSIONER MAY: So each letter is lit?

13 MR. LUNA: Yes, sir.

14 COMMISSIONER TURNBULL: I just wanted to know if
15 I could interrupt for a minute.

16 COMMISSIONER MAY: No, please. Take the ball from
17 here.

18 COMMISSIONER TURNBULL: You're asking for
19 flexibility though on the sign. One of the things is the
20 message. What would you do with the message?

21 MS. SHIKER: Let me pull out our flexibility
22 request.

23 COMMISSIONER TURNBULL: Number 6, the Office of
24 Planning report.

25 MS. SHIKER: This was prior to our submission of

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1 the sign documents which we just did today. This is also
2 pretty standard language that's also being considered for the
3 Zoning Regulations.

4 COMMISSIONER TURNBULL: So you're not asking for
5 flexibility?

6 MS. SHIKER: On the message, no.

7 COMMISSIONER TURNBULL: So basically what we see
8 is what we'll get other than color?

9 MR. LUNA: Yes.

10 COMMISSIONER TURNBULL: Okay. Just wanted to
11 clarify, Mr. May.

12 COMMISSIONER MAY: Sorry, the last question I had,
13 had to do with the, well I'll hold on this for right now.
14 So I think I'm done for now. I want to read a little bit
15 more. Thanks.

16 MR. ANDRES: Commissioner May, to answer your
17 question there is no RPP on the east side of 8th Street. And
18 on the west side of 8th Street there is only one block of RPP
19 which is essentially right across the street from the north
20 building between Jackson and Kearney Street.

21 And then the east/west residential streets in
22 relatively close proximity are RPP. But 8th Street only that
23 one block faces.

24 COMMISSIONER MAY: Okay, thank you.

25 CHAIRMAN HOOD: But that still doesn't mean that

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1 they can't apply to get it, right. So I understand what it
2 stands for now because a lot of that was industrial.

3 But anyway, I'll wait my turn and we can down
4 those lines.

5 MR. ANDRES: Absolutely.

6 CHAIRMAN HOOD: Mr. Turnbull, you would like to
7 continue?

8 COMMISSIONER TURNBULL: Sure. You've just
9 resubmitted a new IZ plan. We haven't had a chance to review
10 it.

11 Can you explain what's different from what was
12 proposed before, what you're moving around?

13 MS. SHIKER: Yes, we can pull it up on the screen
14 and talk about it.

15 COMMISSIONER TURNBULL: Okay, thank you.

16 MR. GORDON: I'll hit the points at a higher level
17 first and then if you have specific questions we can go into
18 it. The first thing that changed was we included one of the
19 townhouse style units.

20 And that had not previously been included. We
21 also moved two units that were identical unit types to
22 different floors because --

23 COMMISSIONER TURNBULL: Could you show me where?

24 MR. GORDON: Adam, do you, so why don't we start
25 with the townhouse style unit if we can point to that. It's,

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1 that's the townhouse style unit, okay.

2 And that was moved from the back of the first
3 floor. And then there were two units that switched floors
4 that were the same unit type.

5 And they switched floors because we wanted to
6 increase the number of affordable units with balconies.
7 Adam, can you point to those two?

8 So they're identical units and I believe they both
9 moved up a floor. And the only change was to give those
10 units balconies, I believe, both Juliet balconies because the
11 number of affordable units with walkout balconies was already
12 comparable to market rate.

13 And then as we have moved design further, some of
14 the unit sizes changed slightly. And so we substituted, I
15 believe, a studio for a studio and a two bedroom for a two
16 bedroom because, a one and a two because as we got further
17 into the course of designing the units we realized that the
18 designs were going to be slightly different than originally
19 anticipated.

20 So materially we believe that this plan is
21 basically very, very similar to what you had seen previously.
22 And the changes that have been made have been either to
23 comply with agreements reached previously or to improve the
24 affordable units being proffered.

25 COMMISSIONER TURNBULL: OP had recommended that

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1 you have some three bedroom units.

2 MS. SHIKER: And we have committed two, three
3 bedroom units to IZ. They are on Floor F-4, or Floor 4 and
4 Floor 3. We just circled the two. One is at 50 percent MFI
5 and one is at 60 percent MFI.

6 COMMISSIONER TURNBULL: Okay. And there was no
7 IZ units that were specifically set aside for residents 65
8 years or older?

9 MS. SHIKER: No, the units will be open to people
10 of all ages including people over 65 years old.

11 COMMISSIONER TURNBULL: Okay.

12 COMMISSIONER SHAPIRO: If I can, would you be
13 willing to consider set asides?

14 MR. GORDON: In the course of our conversations
15 with the community about the nature of the affordable units
16 that would be offered the community was incredibly focused
17 on affordable units as a general matter.

18 And in the course of that conversation we actually
19 discussed specific non generally available affordable units
20 like Artist Live/Works things like that. The community
21 really wanted us to have 12 percent affordable with some 30s
22 and 50s.

23 That was very, very specific. And in addition to
24 that, that were generally available under the affordable
25 programs. And so that was really the agreement we reached

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1 with the community.

2 COMMISSIONER SHAPIRO: So we are also mindful of
3 the broader needs city wide, D.C. wide and the need for more
4 senior housing and affordable housing for seniors.

5 And so I for one would appreciate it if you could
6 also set aside, if there is a unit that could be set aside
7 for seniors as well. I can't imagine that's going to turn
8 the community's opinion too much around this project.

9 MS. SHIKER: It's something that we can look at
10 and get back to the Commission on. It wasn't something that
11 we had agreed to thus far.

12 COMMISSIONER SHAPIRO: Okay. Is there, from a
13 practical perspective what's the potential negative impact
14 for you all of considering it just so I understand?

15 I mean there's more labor involved in it. But is
16 there some reason why it affects either the bottom line or --

17 MR. GORDON: So we would have to investigate the
18 program. I would assume that would mean that we would be
19 operating one unit in a completely separate program which
20 would require separate training.

21 But I don't know the answers to all of those
22 questions. I would say, you know, if we could reach
23 agreement to switch one of the IZ units to a unit for seniors
24 we wouldn't object.

25 I believe that some of the residents of the

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1 community would object. But it's certainly something that
2 we could consider and discuss after the fact.

3 MS. SHIKER: And it's something that we would also
4 have to talk to DECD. about. They have very specific
5 programs that are set up, you know, specifically about MFI
6 levels and how the lotteries are done.

7 And I for one haven't seen this happen. And I
8 know that for example when you set aside Artist Live/Work
9 units you have to do a program completely outside of DHCD,
10 which they're a third party signatory to.

11 So it, there was just a lot of complexities to it.
12 And since we believe that our affordable housing units were
13 open to all people of all age so there could be more than,
14 you know, one or two set aside for 65 if they're in the
15 lottery.

16 It wasn't that we were just going towards young
17 families or young professionals. It's for anyone. We just
18 felt it was better to keep it open, keep it general and keep
19 all the units within the same program.

20 We just haven't looked any further into it since
21 we thought --

22 COMMISSIONER SHAPIRO: If you could look further
23 into it. And I also would be, I mean this will be helpful
24 for us to hear as well. But if you can look into this and let
25 us know what you find out.

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1 And I would wonder whether this really is about
2 a whole different, separate program or whether this is just
3 something that you can commit to through us and it's actually
4 part of the IZ program. I don't know.

5 MS. SHIKER: We can investigate and we can get
6 back to the Commission.

7 COMMISSIONER SHAPIRO: Thank you, Mr. Turnbull.
8 I apologize for stepping on you.

9 COMMISSIONER TURNBULL: Quite all right. Let me
10 ask, I appreciate you going for LEED Gold. I think that's
11 a very commendable measure that you're doing.

12 When you talk about the materiality, the
13 architecture and what you chose you specifically mentioned
14 Dance Place and trying to match. What about the rest of the
15 neighborhood?

16 Did you look at the brick townhouses, rowhouses
17 across the street, townhouses? How does, could you go into
18 that a bit?

19 MR. KASDAN: Yes, of course. So we looked at the
20 community a lot actually. And so there's a lot of, there's
21 actually quite a lot of variety in this neighborhood.

22 But the brick is really the predominant facade
23 material along 8th Street.

24 COMMISSIONER TURNBULL: Well most of the ones
25 directly across the street are kind of a red brick.

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1 MR. KASDAN: It's true. I think we just wanted
2 to stand out a little bit but still use a similar texture as
3 the context.

4 COMMISSIONER TURNBULL: Stand out and not be a
5 part of the community? Is that what you're saying?

6 MR. KASDAN: No.

7 COMMISSIONER TURNBULL: I'm repeating what you're
8 saying.

9 MR. LUNA: Can I just jump in? We have actually,
10 you know, the two buildings and we wanted to break down the
11 mass and have it a variety of colors.

12 So one of them has more of a buff which is in the
13 community too as well and then the red. So the red ties in.
14 The buff ties in as too as well.

15 COMMISSIONER TURNBULL: The red ties in to which?

16 MR. LUNA: You said the residential neighborhood.

17 COMMISSIONER TURNBULL: Across the street, right.

18 MR. LUNA: Yes.

19 COMMISSIONER TURNBULL: What does that tie into?

20 MR. LUNA: It's the same color, I'm saying as the
21 residences. Is that what you were asking? I'm sorry, you
22 were saying that color does represent the colors in the
23 neighborhood.

24 COMMISSIONER TURNBULL: Is that, you're saying
25 that 1.3 masonry number three matches the brick across the

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1 street? I'm just trying to get a clarity in my mind as to
2 how you're relating to the neighborhood rather than a point
3 building next door which is more commercial.

4 MR. KASDAN: So the palate of materials is
5 complementary with those that are in this neighborhood. I
6 don't think that you have to have the exact same color of
7 brick to say that you're relating to the brick across the
8 street.

9 That could be a difference of opinion that's
10 subjective, I understand. And in and of itself this project
11 is trying to differentiate one building from the other
12 building too.

13 So we're just trying to kind of shift the visual
14 interest from one side to the other. So we're using a few
15 different colors of brick.

16 COMMISSIONER TURNBULL: Can you clarify our
17 construction phasing, how you're going to do this?

18 MS. SHIKER: I'm sorry, can you please repeat the
19 question?

20 COMMISSIONER TURNBULL: Can you clarify your
21 construction phasing, how you intend to both buildings at
22 once, one at a time?

23 MR. GORDON: So the, both buildings actually share
24 an underground structure. Yes, we're going to do it all at
25 once.

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1 COMMISSIONER TURNBULL: All at once.

2 MR. GORDON: Yes.

3 COMMISSIONER TURNBULL: Could you talk a little
4 bit about the plaza?

5 MR. WILKE: Hi, I'm Aaron Wilke, the landscape
6 architect. I designed the plaza. Are there any specific
7 questions you have or --

8 COMMISSIONER TURNBULL: Well I guess there was
9 some concern about trying to make this a, if you could
10 discuss whether more usable green space the plaza could
11 benefit more as a pocket park for people?

12 MR. WILKE: Sure, yes, I can look at that. So
13 when we set out to design the plaza there were several kind
14 of items and boxes that we needed to check.

15 It's a visual extension of Jackson Street. So we
16 wanted something that's nice to look at when people are
17 coming by. Also with the size of the plaza it doesn't really
18 lend itself, the size and the adjacencies because there are
19 units that have windows that look out into the plaza.

20 So it really doesn't conform to wanting a lot of
21 active uses and loud uses out there in the plaza space. So
22 we chose to kind of keep it a little more passive.

23 We put in a lot of, there's custom benches.
24 There's movable seating. We tried to give spaces that
25 different size groups of people could sit at and converse and

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1 they could meet their neighbors, people jogging or going up
2 and down the bike trail could stop and have a drink of water
3 if they wanted to.

4 COMMISSIONER TURNBULL: Okay, thank you.

5 MR. WILKE: Yes.

6 CHAIRMAN HOOD: All right. Thank you, Mr.
7 Turnbull. Commissioner Shapiro.

8 COMMISSIONER SHAPIRO: Thank you, Mr. Chair. So
9 this is kind of a broader, it's going to feel like a general
10 question.

11 But as you present this to us you're presenting
12 all the ways in which this is a very wonderful, positive,
13 healthy, productive project. And it's true.

14 In many ways we can see that. There's lots of
15 advantage to this. It's also helpful for us to look at the
16 ways in which, to see that you actually have specifically
17 identified potential negative impacts from this project in
18 very measurable ways.

19 And then to talk to us about how you through this
20 design, through the program how you are mitigating those, how
21 the benefits outweigh any negative impacts. And we haven't
22 heard that as much.

23 And it's kind of a tough and may feel like a bit
24 of a general question. It's like going to the interview and
25 saying well what are the areas that you need to work on as

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1 well as your areas of strength.

2 But I'd like to hear just a little bit of that,
3 the things that you feel like you have encountered and how
4 you've addressed those.

5 MS. SHIKER: So I'll kind of start with the more
6 traditional mitigation as we've done, you know, obviously our
7 comprehensive transportation analysis and have identified the
8 areas that need mitigation.

9 We've worked with DDOT to identify TDM that would
10 mitigate any transportation impacts that come from the
11 project.

12 In terms of development impacts, you know, you
13 look at benefits and amenities to be weighed against the
14 development flexibility incentives and potential adverse
15 impacts. In this case the development flexibility in this
16 case is very, very small.

17 With the current zoning of PDR 1 and the permitted
18 uses and height and density there is very little trade off
19 in terms of the additional density that comes from the MU-4.

20 So in terms of looking at that, that flexibility
21 that's kind of one of the first things that you look at as
22 you look at the zone map amendment and you say this is
23 flexibility.

24 Well, you know, a PDR or PUD could go up to 4.2
25 for non-restricted uses and we're at 3.6. The height could

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1 be 60 feet. We're at 65 feet, but we're incorporating
2 setbacks at the upper levels to make sure that we mitigate
3 for that small amount of additional height.

4 The only other type of development flexibility
5 that we're requesting is the ability to place some of our GAR
6 measures, maybe one more on the south lot than the north lot
7 given how we have a little bit more green space.

8 So we've asked for technical flexibility. But
9 we're still meeting or exceeding for the overall site the
10 GAR. So that's the only deviation which is the technical
11 deviation.

12 So from a zoning perspective there's not a lot to
13 mitigate. Then you look at the use. And the use is what is
14 specifically called for in the both the future land use map
15 which designates this site for moderate density residential
16 and low density commercial.

17 There is not a PDR stripe there. And right now
18 there are PDR uses there that are incompatible with the
19 neighborhood. So putting in this use isn't, mitigation isn't
20 needed.

21 And then finally, in ensuring that we mitigated
22 any impacts of a taller building near a lower rise
23 residential we very closely followed the recommendations of
24 the small area plan.

25 Now that small area plan is, it was a very

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1 detailed review of what the community and the Office of
2 Planning saw for this site. And they suggested specifically
3 moderate density residential, residential in fill,
4 streetscape, landscaping, lighting, all of that which is very
5 prevalent here.

6 There's a great importance placed in that small
7 area plan on the Metropolitan Branch Trail as well. We've
8 worked closely with DDOT who is currently studying where that
9 is going to be placed on 8th Street.

10 And we have accommodated our public space such
11 that if it's going to be a shared use trail in the sidewalk
12 on the east side we can accommodate it. If it's going to be
13 on either side of the street in the cartway we also have, you
14 know, provided to make sure that we can accommodate that.

15 We incorporated the recommended upper level
16 setbacks. And so when you look at the calls in that small
17 area plan that's where I think you find what mitigation is
18 needed to have a residential use here.

19 And we've incorporated all of that into our
20 design.

21 COMMISSIONER SHAPIRO: I appreciate that very
22 much. And don't look now but you just listed about seven or
23 eight potential negative impacts and in each case you laid
24 out how you were mitigating those or how the benefits
25 outweigh the negative impacts.

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1 So it is helpful to hear you articulate very
2 specifically what the potential negative impacts are. So
3 thank you for that.

4 CHAIRMAN HOOD: I also would like to see you
5 memorialize that. I appreciate what he just mentioned you
6 can go back onto the tape. But you need to also memorialize
7 that and I have some more I want to add to that.

8 MS. SHIKER: Okay.

9 CHAIRMAN HOOD: Which I see are some potential
10 impacts that I have not addressed.

11 COMMISSIONER SHAPIRO: That is all I have, Mr.
12 Chair.

13 CHAIRMAN HOOD: Vice Chair Miller.

14 VICE CHAIR MILLER: Thank you, Mr. Chairman, and
15 thank you for your presentation and for all of your work with
16 the community ANC 5E and Edgewood Civic Association and
17 garnering their support in the ten community meetings.

18 And I appreciate your responsiveness to their
19 concerns, the community's concerns and to Office of Planning
20 and DDOT and our own comments, most of our comments at
21 setdown.

22 You know, this 377 unit housing units and about
23 at my count I think 45 or 46 will be affordable at those
24 varying levels which are greater, deeper levels than what the
25 minimum IZ would require and a greater amount at 12 percent

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1 set aside than what IZ would require which is eight percent.

2 So that's all to be commended. We need housing
3 in this city at all income levels and you have it in this
4 project at 80, 60, 50 and 30 percent MFI, at least for two
5 of the units.

6 How many units are at 30 percent? Is it more than
7 two? Maybe it was the two, three bedroom IZ units. That's
8 what's in my mind.

9 MS. SHIKER: We have two, three bedroom IZ units.
10 One is at 50, one is at 60.

11 VICE CHAIR MILLER: But then you have the same
12 kind of breakdown of percentages.

13 MS. SHIKER: Yes, and we have a square footage
14 commitment to 30 percent. We can confirm how many units that
15 is.

16 VICE CHAIR MILLER: Right. And the penthouse
17 habitable space would trigger, is this, first of all is this
18 a rental, intended to be a rental building?

19 MS. SHIKER: It is rental, yes.

20 VICE CHAIR MILLER: So those IZ units under the
21 IZ regulations would be required to be at 60 percent MFI and
22 you've obviously gone below that. But the penthouse
23 habitable space would trigger, as I recall 50 percent MFI.

24 And I think you have 4,500, 4,945 square feet
25 according to Office of Planning report at 50 percent MFI.

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1 Is that more than what the penthouse habitable space is
2 triggering or is that the, I'll ask Office of Planning as
3 well?

4 MS. SHIKER: It is, the penthouse space triggers
5 less than that.

6 VICE CHAIR MILLER: Less.

7 MS. SHIKER: And so we are fulfilling all of the
8 50 percent at MFI for the penthouse and then putting some of
9 our additional IZ on top of what's required into the 50, into
10 the 30 and into the 80.

11 VICE CHAIR MILLER: Well, I appreciate that. I
12 think that's to be commended. And the, certainly the LEED
13 Gold certification that you're seeking and the solar panels
14 on the roof generating 1 percent of the energy is also to be
15 commended.

16 And I certainly appreciate all the balconies on
17 the residential building and I think with a building this
18 size, the balconies not only serve their functional purpose
19 and a benefit to the tenants, but it also has that aesthetic
20 purpose of breaking up the size of the building in addition
21 to all the setbacks that you, setbacks you had on the
22 building and breaking it up into two buildings actually.

23 So and I remember this small area plan coming
24 before the Council and that requirement that everything above
25 50 feet in height there be that setback. So I appreciate

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1 that you are meeting that requirement. I think that was
2 about ten years ago. I can't believe I can remember something
3 from ten years ago.

4 I have one question. The one, the letter of
5 opposition or concern from the neighbors, the one household
6 half a block down the street, I think it was Derek Shultz and
7 Julie Johnson, and I don't know if they're here tonight or
8 if they plan to testify.

9 But the one thing that they brought up that I was
10 interested in is the undergrounding of the utilities. Did
11 you consider that? Was that just too cost prohibitive?

12 They pointed out how you're rendering a frivolous
13 lovely tree canopy and many of the renderings don't show the
14 utilities with that wonderful tree canopy. So they're saying
15 that if you could underground.

16 And we've seen that proffered as an amenity in
17 other neighborhoods. Was that discussed or did it come up
18 with the community?

19 MS. SHIKER: Yes, this is something that came up
20 early on in the community when we first started working on
21 the project. And so it was something that we engaged our dry
22 utility consultant on.

23 And with that I'm going to ask Mr. Gordon just to
24 give you a couple of points about why we weren't able to do
25 that because we did look at it early on as something that we

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1 could look at.

2 I will also point out that the trees that we are
3 showing are the DDOT standards for under power lines. So
4 they do comply with the existing poles. Mr. Gordon.

5 MR. GORDON: This is going back eight or nine
6 months, Commissioner, then Commissioner Garnett raised the
7 issue of the power lines among many issues that we were sort
8 of discussing at the time.

9 And we started focusing on the priorities. He
10 asked us to investigate the power line issue then.

11 And we spoke to our dry utilities consultant at
12 the time and we got a whole bunch of information on why
13 unfortunately it would be a logistical nightmare to
14 underground the lines along 8th Street.

15 So the trunk line along 8th Street runs down the
16 east side of the street, which is the side of the street on
17 which we're building our building. There is no trunk line
18 that runs down the west side of the street.

19 So on the northern of our two blocks there are
20 laterals that feed 11 different row houses. And then on the
21 southern block, and we've provided two pictures here just so
22 you can get a sense of how many different lines are crossing
23 the street.

24 I went out and counted myself. I believe that on
25 the northern block there are roughly 14 separate laterals.

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1 There's a mixture of utilities including Pepco and Comcast.

2 And there are similarly laterals on the southern
3 street as well as two separate trunk lines that come off on
4 two side streets. In order to bury all of those we would
5 have to tear up every single yard.

6 We have to underground two different sets of
7 transformers. We would have to get easements from the
8 apartment building and all lived in different row houses.

9 We really did look at this and aesthetically we
10 understand why the neighborhood wanted it. But it very
11 honestly would be a logistical nightmare to try and do this.

12 We would have to be burying transformers either
13 on their side of the street, in their yards because they
14 couldn't, I mean the list sort of goes on.

15 So it's an unfortunate situation where it just
16 would be a very, very challenging, close to impossible
17 logistically to accomplish this.

18 VICE CHAIR MILLER: Thank you. I appreciate you
19 providing that explanation. There is an undergrounding
20 program that has been approved by the Public Service
21 Commission.

22 I don't know how well it's being implemented.
23 But, so would any of the, do you know if any of the, not the
24 lateral, do you know if any of the poles and the wires on
25 this street would be required at some point in the future to

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1 go underground anyway?

2 MR. GORDON: To the best of our knowledge, no.
3 And our dry utilities consultants which have done feasibility
4 studies haven't talked to us about any of that.

5 In fact, at the northern end of 8th Street just
6 where it intersects Monroe Street there are three brand new
7 poles. So it doesn't seem like that's the direction which
8 it's moving.

9 It's something, of course, we could always dig
10 into further.

11 VICE CHAIR MILLER: Okay. Thank you very much.

12 CHAIRMAN HOOD: Commissioner Shapiro, you have a
13 follow up?

14 COMMISSIONER SHAPIRO: I do. Thank you, Mr.
15 Chair. This is, OP expressed these concerns and I don't
16 think it's completely addressed.

17 But it's related to the proffered benefits. And
18 the question was about the two financial contributions that
19 would be put into escrow accounts and how that works in terms
20 of proffers of compliance with PUD regulations past the CFO.

21 And I may need OAG's help to weigh in on that
22 unless you understand or have, how do you plan on addressing
23 their concerns?

24 MS. SHIKER: So we have, as I mentioned the
25 neighborhood benefits came out of a very extensive community

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1 outreach process through the Edgewood Civic Association and
2 the ANC.

3 And they were, the priorities were what the
4 community identified to us as wanting.

5 COMMISSIONER SHAPIRO: Let me jump in for a second
6 if I can.

7 MS. SHIKER: Sure.

8 COMMISSIONER SHAPIRO: Because it's not about the
9 quality or quantity of the benefits. That sounds great.
10 It's more of a technical issue.

11 MS. SHIKER: Absolutely. So our goal was and
12 consistent with the language in the PUD regulations which
13 says that you can fund these types of items so long as you
14 can show that the items have been provided or are being
15 provided prior to the issue of the Certificate of Occupancy.

16 So that was our goal for all of them. With
17 respect to the two that we are not able to in both cases two
18 of the three years will be delivered prior to issuance of a
19 Certificate of Occupancy.

20 And so what I have suggested to the Office of
21 Planning is that in the balancing tasks which we believe were
22 heavier on the amenities versus the development incentives
23 and flexibility we could just take out the third year of each
24 of those.

25 We are going to continue to live up to the

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1 commitments that we made to the community and do them. But
2 they could be not listed as benefits the first two years
3 which will be done prior to Certificate of Occupancy issuance
4 would be identified in the benefits.

5 The other remaining year for each one could just
6 be an additional community commitment.

7 COMMISSIONER SHAPIRO: Okay. So you'll, that
8 makes perfect sense. It will all be accounted for just in
9 two different ways.

10 MS. SHIKER: Correct.

11 COMMISSIONER SHAPIRO: Okay, thank you. That's
12 all I had, Mr. Chair.

13 CHAIRMAN HOOD: Thank you. So let me ask a few
14 questions. So you, I believe you said that you agree with
15 everything with DDOT including the intersections.

16 So you are all fine with working anything out with
17 DDOT, right?

18 MS. SHIKER: That is correct. We've submitted a
19 report that had some refined language that we had worked with
20 DDOT on.

21 So DDOT put in their conditions in their report.
22 There were some slight changes in our language. But I
23 understand from our work with DDOT that they have consented
24 to all of that.

25 So I believe that Mr. Zimmerman is going to be

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1 prepared to testify that we're resolved.

2 CHAIRMAN HOOD: You're resolved, okay. Now I will
3 say the parking I don't necessarily agree with DDOT. I do
4 see where they say additional vehicle parking spaces increase
5 construction cost.

6 That may be the case. For the applicant
7 encourages driving discourages walking, bicycling or riding
8 transit. And let me just say Brookland Press was a bad
9 example to present to us, okay.

10 I do my own research. I live in the area so I
11 kind of know what goes on down at Brookland Press. I'm not
12 saying they are terrible.

13 But it's something that we need to work on and
14 hopefully you all get it right. I don't know, you know, I've
15 seen there's no evidence from the community concerned about
16 the parking.

17 I do know a little bit about that area and a
18 little bit about the parking issues. But what saves you is
19 the Metro is, while it's not as close as Brookland Press it
20 is, I believe, in walking distance.

21 Let me ask this question because I've been
22 wondering the whole time and I think I rode down there a
23 couple weeks ago. Where is the hardware store? Is that
24 still there?

25 It's still there. Is that on the north side? I'm

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1 trying to think when I look at this.

2 MR. KASDAN: It's two blocks north.

3 CHAIRMAN HOOD: It's two blocks north, okay. So
4 that's further up. But anyway, so the, and again you
5 mentioned about the units.

6 You all agreed to doing the three units. I heard
7 you say it earlier about three units as opposed to studios.
8 I think Office of Planning requested that you do look at
9 additional three units, I think three bedrooms, I think you
10 said that, right?

11 MS. SHIKER: We have committed to provide two,
12 three bedroom units as IZ units. And then we have ranges
13 that meet all the IZ regulations of being a balance in terms
14 of no more studios than market rate studios, no more one
15 bedrooms than one bedrooms, et cetera.

16 CHAIRMAN HOOD: So was that the ask, I didn't
17 determine that as being an ask. Was that the ask that you
18 include three additional bedroom units or two or three
19 additional units as three units, three bedrooms, was that the
20 ask or was it more than that?

21 MS. SHIKER: So that was the initial ask was that
22 we consider to add because we had no three bedroom units
23 before. So we did add the three bedroom units.

24 And there are market rate three bedroom units and
25 then there are the two IZ three bedroom units. I think

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1 Office of Planning asked if we would consider more, less
2 studios overall. This was less about IZ and more just about
3 the distribution in the project.

4 And we, you know, the distribution of the units
5 has kind of been established as part of the project. So
6 there haven't been any real changes on that.

7 I will point out that the distribution that I
8 believe that the Office of Planning was looking at was on our
9 IZ unit location plan. And as you know the IZ regulations
10 have certain requirements for bedrooms so that's what we
11 followed on that.

12 Under the IDC you can have internal bedrooms that
13 have a certain percentage of glazing would not count for IZ.
14 But we do have significantly more one bedrooms than it is
15 perceived because we have these ones that are internal
16 bedrooms that have the required glazing.

17 They just don't show that way on an IZ chart.

18 CHAIRMAN HOOD: Okay. Commissioner Shapiro
19 mentioned about the affordability for seniors. I've heard
20 a lot of discussion on why we can't.

21 Let's find some discussion on why we can. Let's
22 look at that. Let's look with the ACD or whomever and let's
23 see how we can do it as opposed to how we can't do it.

24 So I think if we put more emphasis on how we can
25 maybe we can, and I'm not saying it's doable. I would just

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1 ask you all do the research that you've already promised
2 Commissioner Shapiro.

3 MS. SHIKER: We will look into that, yes.

4 CHAIRMAN HOOD: Okay. The RPP, let's go back to
5 RPP. What is showing and this goes to the mitigation issue
6 that I had.

7 I think we have a lease, you have a lease right,
8 something in the lease that says you can't own a car or what
9 does it say in the lease that was going to help us? What is
10 it? Okay.

11 MS. SHIKER: So we have committed as part of our
12 community benefits agreement with ANC 5E to remove the PUD
13 from the District's RPP program.

14 CHAIRMAN HOOD: Right there. Does it work? Do
15 we even have a track record that works? And I think the
16 answer is, no, but I'm going to let you give me the answer.

17 MR. ANDRES: So, Chairman Hood, the answer is, no.

18 CHAIRMAN HOOD: Okay. So why are we proffering
19 something that we know is not going to work?

20 MR. ANDRES: Well it's not that there isn't, that
21 it doesn't work. It's that the projects that have come
22 before you that has identified restrictions for RPP using
23 this lease mechanism, you know, a lot of them are being
24 constructed right now. So it's one of those things where --

25 CHAIRMAN HOOD: So we're still there?

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1 MR. ANDRES: Yes. So it's not a situation where
2 it doesn't, hasn't worked. It's that we don't know yet.

3 MS. SHIKER: And we did this because before we
4 said DMV can't enforce this so we'll put it in the lease and
5 have the, you know, the tenant say I'm not going to do this
6 and sign that they're not going to do it. So it's just a
7 step further.

8 CHAIRMAN HOOD: So we started this conversation
9 with Wayne Quinn. I haven't seen Wayne Quinn in a long time.
10 So if those buildings are not built, we have some problems
11 in this city.

12 So I would like for you all to find out is it
13 working. So again, help me understand about the lease. Help
14 me understand about the lease.

15 Maybe I misunderstood. I thought you said own a
16 car. But my colleagues were laughing so maybe I got that
17 wrong. It's hard sometimes when you go last.

18 You try to retain and remember things, and
19 obviously my memory from 20 minutes ago I can't remember what
20 was said. So I'm trying to rehash some of it.

21 What did you say about the lease and owning, or
22 vehicles?

23 MS. SHIKER: So it's, we're certainly not
24 prohibiting or encouraging anyone to buy or not buy a
25 vehicle. What the lease writer will say is that no one can

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1 seek RPP designation for the building nor can anyone go down
2 and apply for an RPP permit or visitor sticker.

3 CHAIRMAN HOOD: How is that enforceable?

4 MR. ANDRES: So typically the way that I've
5 testified, the way that it can be enforced is that you can
6 make a FOIA request to DMV with your address and essentially
7 they'll tell you who is registered at that address with an
8 RPP sticker.

9 CHAIRMAN HOOD: Has anybody done that yet?

10 MR. ANDRES: There is an instance in one of the
11 cases I've worked on where, yes, where somebody actually did
12 issue a FOIA request from DMV to identify what, who is, you
13 know, who is parked.

14 CHAIRMAN HOOD: I'm not going to harp on that a
15 whole lot because obviously if the community, from what I've
16 heard so far in the record doesn't show a whole lot on that.

17 But I would like for you to memorialize that as
18 one of the impacts and how you've mitigated it and what
19 you're proposing. I don't, you know, those are some of the
20 things that we need to make sure that we capture.
21 Commissioner Shapiro.

22 COMMISSIONER SHAPIRO: This is a question for the
23 developer. Do you do your own property management?

24 MR. GORDON: We do.

25 COMMISSIONER SHAPIRO: So how would you enforce

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1 it?

2 MR. GORDON: Presumably if neighbors came to
3 complain to us when people apply they have to give us their,
4 the license plate numbers of their cars and such.

5 And I think in practice we'll do the best we can
6 and because we're our own property management company and
7 because we're vertically integrated we definitely do have
8 some control over it.

9 And to be frank I think the instant in which you
10 sit down as an individual and lease as a person who lives in
11 the District and has done this and has signed something that
12 says this, I think that's an important moment where you
13 commit not to do it.

14 COMMISSIONER SHAPIRO: Right. And I would say
15 that we're happy to see you in the neighborhood, and I
16 imagine we're going to see more of you in the neighborhood.

17 And our Chair has a very long memory. So I
18 imagine the question might come up how is that enforcement
19 going if we see you again down the road.

20 MR. GORDON: I think that will be a really
21 reasonable question, and it will be something we'll work on
22 over time.

23 COMMISSIONER SHAPIRO: Great, thank you.

24 CHAIRMAN HOOD: So let me just ask. How many
25 times have you made a u-turn when it tells you not to make

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1 a u-turn?

2 MR. GORDON: More than once.

3 CHAIRMAN HOOD: Okay. So we're being honest, I
4 do too. So I hear what you're saying. But we've also got
5 to make sure we have those mechanisms in place so we won't
6 put the community on promise land, then they said what did
7 we agree to, what did we support?

8 What about the, what is it called the Pocket Park,
9 park pocket, what is it?

10 MS. SHIKER: The Pocket Park, the plaza.

11 CHAIRMAN HOOD: Pocket Park, what's going on with
12 that? How is that an amenity if I can't come over there and
13 go to it?

14 MS. SHIKER: It's publicly open. Mr. Wilke, do
15 you want to --

16 CHAIRMAN HOOD: Is it large enough? I think that
17 was the issue. Is it large enough for me to do something or
18 play space?

19 MR. WILKE: So a lot of time, it's more of a
20 plaza. The size of the plaza is, it's better suited to
21 sitting, you know, having places to sit to relax.

22 We took a lot of efforts in using high quality
23 materials so that it's inviting and a comfortable place to
24 be. We have trees and everything that brings the scale down
25 to a human scale so it's somewhere that you can come and

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1 spend some time.

2 CHAIRMAN HOOD: And that's -- everybody can come
3 over and utilize that?

4 MR. WILKE: Yes, sir. It's open to the public.

5 CHAIRMAN HOOD: So what I see in this city now I
6 see young folks taking their families and the kids, some of
7 the older kids I see on skateboards. Is all that going to
8 be, well I guess they won't use skateboards.

9 But I'm just saying play areas as well as the
10 sitting down and relaxing. The older folks sit down and
11 relax and then the younger folks play. So is that conducive
12 to that type of environment?

13 MR. WILKE: The size of this and the size of most
14 plazas and pocket parks by definition are really small. So
15 they're not a place you go to throw a baseball because it
16 could go through someone's window.

17 You know, there's residential, there's living
18 rooms and bedrooms adjacent to that space.

19 CHAIRMAN HOOD: So the question is, is this a
20 community benefit? How is this a community benefit? I just
21 go sit there and relax?

22 MR. WILKE: Yes, you can go there --

23 CHAIRMAN HOOD: Go read my zoning?

24 MR. WILKE: And a lot of people -- yes, sir.

25 COMMISSIONER TURNBULL: Maybe there's free Wi-Fi.

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1 CHAIRMAN HOOD: Then that would be definitely be
2 a benefit to others. I think that's really all the questions
3 I have. Okay, I really thank you all.

4 Let me see if there's any follow ups. There are
5 not any. What I want to do is take the young person right
6 now and his family, and they can either stay or leave when
7 they get ready.

8 I'm not sure if they, whoever is here with the
9 young man if he wants to come up. Are they here? They're
10 with you.

11 PARTICIPANT: They're actually the current
12 landowners of the property.

13 CHAIRMAN HOOD: Well I still want to, I don't want
14 to deprive the young man. Do you want to come up and
15 introduce yourself? Don't tell us about the property, but
16 yes.

17 Come up here to the mic and come up and introduce
18 yourself, ask Mom or Dad whoever you would if it's okay.

19 MR. MERMEL: My name is Manny Mermel. And hi.

20 CHAIRMAN HOOD: Manny, are you part of the
21 development team as well?

22 MR. MERMEL: I'm not sure, yes.

23 CHAIRMAN HOOD: Did you give them some input?

24 MR. MERMEL: I'm not sure what that is.

25 CHAIRMAN HOOD: Well did you tell them about this

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1 project and give them some of your opinions about how this
2 should go? Just say yes, say yes.

3 MR. MERMEL: Yes.

4 CHAIRMAN HOOD: It might work out better for me
5 if you say, yes.

6 MR. MERMEL: Yes.

7 CHAIRMAN HOOD: So look we're glad to have you.
8 Are you bored?

9 MR. MERMEL: Not really.

10 CHAIRMAN HOOD: Okay, good. Most people they say,
11 yes, and then when they go they say I really was. But thank
12 you for telling us and we're glad to have you, okay.

13 MR. MERMEL: Thank you.

14 CHAIRMAN HOOD: All right, okay. Let's go to the
15 Office of Planning, Ms. Fothergill. And then we'll hear from
16 DDOT.

17 MS. FOTHERGILL: Good evening, Chairman Hood and
18 Members of the Commission. I'm Anne Fothergill with the
19 Office of Planning.

20 And as you saw in the hearing report, we have
21 recommended approval of this PUD and map amendment. And we
22 did raise some concerns and questions for clarification, and
23 the applicant has mentioned that they have provided the
24 clarification and additional information that we requested.

25 We, the IZ layout plan with MFI we received today.

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1 So we will consult with DHCD on that and get back to you with
2 some feedback on that.

3 And the discussion of a senior unit we can also
4 talk to DHCD and the Office on Aging about how that would be
5 implemented and get back to you on that. But we were
6 generally supportive of the project and I'm happy to take any
7 questions about the OP report.

8 MS. STEINGASSER: Chairman Hood.

9 CHAIRMAN HOOD: Okay, Ms. Steingasser.

10 MS. STEINGASSER: I would just like to add a
11 little comment on the plaza, pocket park plaza. It is indeed
12 primarily an amenity of the building for the residents.

13 And it is something that OP had originally asked
14 that it be placed to align with Jackson Street so that it
15 maintain that viewshed. What's not been mentioned in the
16 public benefit is not just access.

17 But there's also going to be a water fountain
18 placed there for users of the trail. Sorry, I had some
19 dental work done this morning, for users of the trail.

20 And that will be accessible. And there's also
21 some seating that will be accessible as a rest place for the
22 Metropolitan Branch Trail.

23 CHAIRMAN HOOD: All right. Thank you, Ms.
24 Steingasser for adding that and I'm sorry we missed that.
25 Let's go to Ms. Lin, DDOT.

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1 MS. LIN: Good evening, Chairman Hood and
2 Commissioners. For the record, I'm Cynthia Lin with the
3 District Department of Transportation.

4 As you've heard in the presentation the applicant
5 has addressed all the comments in DDOT's April 15, 2019,
6 staff report. The applicant has committed to several
7 mitigation that DDOT agrees with.

8 These conditions include improvement and
9 implementation of an enhanced TDM plan that encourages the
10 use of non-automotive modes to travel to the site as well as
11 a loading management plan as proposed by the applicant.

12 The applicant will be providing a robust TDM plan
13 which includes elements such as Metro SmarTrip cards for the
14 first two years of occupancy, expanding bike share dock
15 plates at the 10th and Monroe Street bike share station, and
16 even helping to provide one year Capital Bikeshare membership
17 to each unit upon lease up.

18 And in terms of the residential parking, providing
19 market rate prices for residents. I think we talked about
20 before as well the applicant is also working with and will
21 continue to coordinate with DDOT on the proposed ten foot
22 sidewalk along their 8th Street, Northeast frontage.

23 And the applicant has accommodated us to provide
24 a two foot clearance on both sides to accommodate the future
25 design of the trail.

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1 So with all the conditions with the final zoning
2 order as documented in the April 24th response to DDOT we
3 have no objection, DDOT has no objection to the approval of
4 the consolidated PUD and related map amendment application.

5 CHAIRMAN HOOD: Very well. Thank you both, Ms.
6 Fothergill and Ms. Lin. Any questions or comments, Vice
7 Chair Miller.

8 VICE CHAIR MILLER: Thank you, Mr. Chairman and
9 thank you, Ms. Fothergill and Ms. Lin and Ms. Steingasser for
10 your presentations and for all the information in the reports
11 and the back and forth because it sometimes becomes a
12 negotiation between OP and the applicant, and DDOT and the
13 applicant.

14 And there is that back and forth. And I
15 appreciate all that give and take. And Ms. Fothergill, I
16 just wanted to also call out and commend you for, you
17 included, you know, your outreach to the District agencies
18 and the coordination. And that's something you can't
19 require. But you can push and you did push, and you did get
20 good information, some of which got -- a lot of which got
21 incorporated into the project.

22 So I appreciate seeing that evidence there.
23 That's something the court case reminded us that we should
24 be mindful of as well.

25 CHAIRMAN HOOD: Okay. Any other questions for the

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1 Office of Planning or DDOT? All right, does the applicant
2 have any cross for either Office of Planning or DDOT?

3 MS. SHIKER: We do not.

4 CHAIRMAN HOOD: And I don't see Mr. Bradley from
5 the ANC. I'm not sure if they have somebody who is
6 representing them. Anybody here from ANC 5E?

7 Do you have any questions of either DDOT or the
8 Office of Planning? And, you know, I figure, you see my
9 problem is when you live in Ward 5 I think I know all the ANC
10 commissioners.

11 If I look and don't see nobody I know I don't, so
12 did you also have any questions of the applicant? Okay.

13 So let the record reflect that I did call him.
14 It was myself and my vice chair, and it was my fault that I
15 did not call you earlier to see if you had any cross of the
16 applicant.

17 And let the record reflect he did not have any of
18 the applicant or the Office of Planning or DDOT. So forgive
19 me for that.

20 It's time now I think for you to come forward, and
21 yes, just come on up. Do you have a report? So come up.
22 Wait until you get to the mic.

23 I need to look your name up. I know it's on the
24 letter that you're, yes, I know it's on the letter. So
25 forgive me and if you would just identify yourself.

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1 MR. CHEOLAS: So my name is Nick Cheolas,
2 Commissioner from ANC 5E01, Edgewood neighborhood in which
3 the property sits. So I do have a report from ANC 5E in the
4 record.

5 I believe it is in the record as Exhibit 10. As
6 I took over as ANC Commissioner this January I was not the,
7 it was my predecessor who negotiated.

8 CHAIRMAN HOOD: Who was your predecessor?

9 MR. CHEOLAS: Eddie Garnett.

10 CHAIRMAN HOOD: Okay.

11 MR. CHEOLAS: He was 5E01 before me. So he was
12 responsible for negotiating with the developer and
13 interfacing with the community. I've picked up where he left
14 off in January.

15 I do have a couple of comments consistent with the
16 ANC report if you would like me to begin, Chairman Hood.

17 CHAIRMAN HOOD: Go right ahead.

18 MR. CHEOLAS: All right. Thank you all, Chairman
19 Hood, Members of the Commission and staff. As I mentioned
20 my name is Nick Cheolas, Commissioner of ANC 5E01.

21 I just want to provide a little bit of context on
22 the neighborhood, community input and help the Commission
23 better understand how this project will fit in with the
24 neighborhood.

25 I'll start off by saying both ANC 5E and the

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1 Edgewood Civic Association reviewed, negotiated and approved
2 this PUD in the fall. There are some uniquely good aspects
3 of this project.

4 I think converting light commercial and industrial
5 space into homes for people, particularly in Edgewood which
6 has added a number of residential units in the last five
7 years is a good thing.

8 This is transit oriented development. It is about
9 four blocks from the Brookland Metro Station. It is right
10 on the Metropolitan Branch Trail, and it is nearby to several
11 bus routes heading downtown north and south and east and west
12 across town.

13 The inclusionary zoning component at 12 percent
14 is above what is required, and as Ms. Shiker pointed out is
15 more deeply affordable and at varying levels.

16 I think those are all extremely good things for
17 Edgewood. I would also say the streetscape improvements,
18 particularly along the east side of 8th Street are
19 desperately needed.

20 There is no sidewalk south of Kearney, I believe
21 on 8th Street right now. There is a school south of the
22 development on 8th Street. So getting two blocks of
23 necessary streetscape improvements will be a huge benefit.

24 The added foot traffic in that area will be a
25 tremendous benefit in an area that is somewhat isolated, has

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1 been victimized by property crime over the past couple years.
2 Added eyes on the street will help deter some of that.

3 It's been an issue that's been raised with me as
4 ANC and something that I believe is a tangible benefit for
5 the neighborhood. And it's also customers for local
6 businesses.

7 I know a couple along 8th Street have been
8 struggling. This is people, and this is people who will
9 patronize local businesses.

10 I do have a few suggestions and comments that have
11 been raised by the community. To the Commission I know you
12 had discussed the enforceability of the community benefits
13 making those a part of the zoning order.

14 And for the third years of some of the benefits
15 that will be paid out over three years, I'm happy to hear the
16 applicant is committed to providing those and you'll find a
17 way to do so.

18 One thing that is important to the community is
19 the construction management plan which is in the record as
20 Exhibit 2K I believe, and in particular the Community
21 Advisory Committee.

22 As ANC I find many problems can be averted or
23 diffused quickly when lines of communication are open, people
24 have regular intervals to express concerns whether it's about
25 a construction or a development.

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1 So if there is a way to codify that into the order
2 in this case, that would be my preference. I think that is
3 very important to the community and to me as ANC.

4 Affordable housing, I know Ms. Shiker echoed this
5 view, and I'm glad the applicant has taken it to heart just
6 how important that commitment to affordable housing is. I
7 think, as I mentioned the depth and varied levels of
8 affordable housing are important.

9 As to the senior housing point that was raised
10 from a community's perspective I think there would be no
11 objection to reserving a unit or two for senior housing.
12 There are a number of seniors in my single member district.

13 And I think when you have something tangible in
14 terms of a demonstrated commitment to affordable housing, to
15 low income affordable housing and to senior housing that is
16 very important to the community and particularly important
17 to the Edgewood community.

18 We had also discussed the size of units. I was
19 encouraged to hear that some of the units that show up as
20 studios on the plans are not actually studios. They do have
21 bedrooms.

22 That does move the needle a little bit. I shared
23 the Office of Planning preference for larger units, and I'm
24 happy to hear the commitment to two inclusionary three
25 bedroom units.

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1 I consider that from an affordable housing
2 perspective the holy grail, so to speak. To have family sized
3 deeply affordable units in a development is extremely
4 important.

5 The parking issue was also raised. And I know
6 there has been some discussion over what the appropriate
7 number is. I can tell you that parking is a concern with the
8 community because parking is always a concern with the
9 community.

10 If all politics is local all local politics is
11 parking. So when you look at Edgewood and particularly the
12 blocks surrounding this development, parking is -- I really
13 appreciated the applicant's comprehensive parking study.

14 That data is invaluable both for my analysis
15 generally and for this project. I think most times there is
16 parking available. Sometimes it's not always where my
17 residents would like it.

18 But what I do fear is a building that ends up
19 without enough parking and the spillover falls onto the
20 streets. And while I share -- strongly share DDOT's
21 preference to sort of encourage other modes of transportation
22 by limiting parking, the consequences of being wrong on this
23 number will spillover to the community and essentially me by
24 proxy.

25 So I think the number that we've arrived at, 186,

1 is appropriate. I know that was a concern that was expressed
2 in the early community meetings.

3 I know traffic was also a concern that's expressed
4 in those community meetings, and sometimes those two
5 principles can conflict with each other.

6 But that's what we have heard from the community.
7 And I think that we have arrived at a compromise between the
8 applicant and DDOT that is acceptable to the community as
9 well.

10 I did want to mention briefly the Metropolitan
11 Branch Trail. I am -- it runs currently along the street,
12 8th Street between the Brookland Metro and Franklin Street.

13 I am happy to hear of the plans to convert that
14 into a cycle track along the east side. I think the elephant
15 in the room is just south of this location, the Sun Belt
16 rental spot where we have essentially a 1,000 foot curb cut
17 and a de facto lease of the east side of 8th Street to move
18 trucks around and rental vehicles.

19 That is going to be an issue on the east side of
20 8th Street, which leads me to my next point which is
21 continuing the Metropolitan Branch Trail along the west side,
22 which is one proposal that we have discussed in the interim.

23 Any sort of proposal for having the Metropolitan
24 Branch Trail along 8th Street would require some sort of
25 parking loss. And that parking loss is much easier to sell

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1 to residents and much easier for residents to tolerate if
2 we're not also dealing with a spillover of parking from this
3 development.

4 I appreciated, to that end, the construction
5 management plans that provide for parking outside of the
6 neighborhood as well. I agree with your comments, Chairman
7 Hood, in particular.

8 The residential parking permit enforcement, a
9 requirement that is not enforceable is not much of a
10 requirement. So I'm happy to see the applicant investigate
11 that further.

12 And I know a couple of the blocks around here are
13 not RPP zoned. So we need to, that is something I'll address
14 on a block by block basis with the residents. Those are a
15 number of the concerns that have been brought to my attention
16 over the past several months.

17 Just a few minor points to follow up. I know
18 there have been some concerns about height and massing of the
19 building that have been expressed by the community.

20 I think there is a need to increase the supply of
21 housing and reducing height or massing would come at the
22 expense of that supply and the expense of affordable units.
23 And those are the comments that I have on that point.

24 The streetscape improvements, as I mentioned, are
25 fantastic. I would really like to work with DDOT and the

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1 applicant particularly on the MBT portion of the streetscape
2 improvements both in the interim and in the longer term.

3 Finally, I appreciate the discussion of the
4 materials of the building. I know some people have, I see
5 both sides of that equation, whether you want a new building
6 to stand out and sort of reflect the buildings around it or
7 whether you want it to look like the buildings around it, I
8 take no position on that.

9 But I do know that some members of the community
10 have raised that concern. That is everything I have. I'm
11 happy to answer any questions that the Commission may have.

12 CHAIRMAN HOOD: Commissioner, what's your last
13 name again?

14 MR. CHEOLAS: Cheolas.

15 CHAIRMAN HOOD: Cheolas.

16 MR. CHEOLAS: It is spelled C-H-E-O-L-A-S.

17 CHAIRMAN HOOD: Commissioner Cheolas.

18 MR. CHEOLAS: Yes.

19 CHAIRMAN HOOD: Okay. You've only been a
20 Commissioner since January?

21 MR. CHEOLAS: That's correct.

22 CHAIRMAN HOOD: You must watch our videos because
23 you just articulated the ANC report very well, and I want to
24 commend you.

25 MR. CHEOLAS: I appreciate that.

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1 CHAIRMAN HOOD: So do you watch our videos?

2 MR. CHEOLAS: I have not watched any of your
3 videos yet, yes.

4 CHAIRMAN HOOD: Good. Well let me just say this,
5 don't watch them.

6 MR. CHEOLAS: I might buy the box set after this.

7 CHAIRMAN HOOD: I'm just having fun. I will tell
8 you I really do seriously appreciate your comments and all
9 the work that you all have put in to get us to this point.

10 Let me open it up and see if we have any questions
11 or comments for Commissioner Cheolas. I don't see any. Very
12 thorough job. Let's see, does the applicant have any
13 questions?

14 MS. SHIKER: We don't have any questions. But we
15 did want to clarify that we have committed to the
16 construction management plan.

17 I did not mention it in my earlier testimony. But
18 it is in the record as part of Exhibit K to the original
19 application and that is a commitment of the applicant. Thank
20 you.

21 MR. CHEOLAS: Thank you.

22 VICE CHAIR MILLER: And on that point I would say
23 that, and the OAG or someone else can correct me if I'm
24 wrong, is that we do typically reference the construction
25 management plan when one has been agreed to by the applicant

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1 and the community.

2 We don't often make it a condition of the order
3 because it's not a zoning enforceable matter. But we do
4 reference it, and it is important, and it will be part of any
5 -- I'll be looking for that reference when I see the order.

6 MR. CHEOLAS: Understood, thank you.

7 CHAIRMAN HOOD: Okay. Anything else? All right,
8 we appreciate your testimony. Thank you for coming down.

9 MR. CHEOLAS: Thank you, Commissioners.

10 CHAIRMAN HOOD: I think we already did talk about
11 the additional government reports. I think Vice Chair Miller
12 alluded to those, so I think that's been fully discussed.

13 Okay. Let's go to organizations, persons who are
14 here in support. You want to come forward. Do we have
15 anybody else, organizations or persons who are here in
16 support?

17 Do we have any organizations or persons who are
18 here in opposition? I think I had one name come forward.
19 You can come forward. Do we have anybody else who is here
20 in opposition?

21 Do we have any other organizations and persons who
22 are undeclared? Okay, so we will hear these two, and then
23 we will have rebuttal. So we'll begin with you who is in
24 support. Identify yourself, and you may begin.

25 MR. CHAFFIN: Commission, my name is Gordon

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1 Chaffin. I live at 3305 7th Street, N.E., which is about a
2 block down and a block up.

3 I come to support this proposal specifically
4 because it outlines a lot of the things I see every night as
5 a transportation and infrastructure reporter in the city.
6 I go to ANC meetings and civic association meetings almost
7 every night.

8 And so the common concerns you voiced earlier are
9 also on my mind. I submitted a letter to the record with 17
10 other neighbors who support this project specifically because
11 it includes affordable housing in an area that doesn't have
12 new development with IZ or similar kinds of easements that
13 include those units.

14 This was a development team that was responsive
15 to my concerns and the communities throughout the process
16 going to the ANC and the civic association. I also want to
17 speak to the Edgewood neighborhood specifically.

18 It is indeed an area that has many different kinds
19 of housing, many different kinds of people. The Catholic
20 University is right nearby.

21 The neighborhood has older African American
22 communities as well as younger families who have come there
23 specifically because of affordable housing whether they're
24 existing housing stock or new. I've been in D.C. for ten
25 years.

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1 And something that I think is rare is an additive
2 property like this development, which complements the
3 existing housing stock and character of the neighborhood but
4 also improves the actual supply of housing.

5 I talk a lot in my news articles about supply and
6 demand and how the city has a transportation crisis in terms
7 of gridlock and multimodal transportation. There's also a
8 housing crisis that I've done some reporting on.

9 And the general consensus on that is projects will
10 not happen quickly enough or in the size that is enough. And
11 I've always asked myself why there's nothing proposed on my
12 street.

13 What can I do other than rally or go to an ANC
14 meeting as a supportive neighbor. Well something happened
15 literally down my block, and I thought I would come here and
16 support that.

17 I want to spend the rest of my life, I'm 30, in
18 the Edgewood community hopefully. I really like the fact
19 that it feels like a pocket neighborhood that resembles my
20 youth in a city that gives me the big city amenities.

21 So again, I want to say that I support this very
22 much, and I look forward to a unit with a balcony hopefully
23 in their development in the future. Thank you.

24 CHAIRMAN HOOD: Thank you, next.

25 MR. SCHULTZ: Thank you. And apologies for my

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1 attire. I came from a childcare emergency at home and came
2 straight here, so I'm a little underdressed.

3 CHAIRMAN HOOD: No, let me just explain to you.
4 We had other things today. But we're on dress down. So if
5 you came in your sweat suit you would be fine.

6 MR. SCHULTZ: Okay, all right. Sorry about that.
7 So first off my name is Derek Schultz. My wife, daughter and
8 I live at the corner of 7th and Jackson which is about a half
9 block away, a block away from the proposed Hanover
10 development.

11 You know, I fully expect the parcels to be
12 developed, you know, put to more efficient use or better use
13 for the neighborhood and it's a good thing. But, and I'm no
14 way anti-development.

15 At the same time I feel the current proposal lacks
16 any significant quality of life improvements for existing
17 residents in the neighborhood at large. You know, much of
18 the community benefits package, you know, I feel that's
19 currently proposed is comprised of donations that will be
20 depleted in the short term.

21 Not that they're not valid groups or organizations
22 or anything about where the money will be used. It's just
23 the development will be in the neighborhood for decades, you
24 know, and should include elements that benefit the
25 neighborhood for the life of the building.

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1 And I've been part of some of these before. There
2 was one across the street from mine, and it was said at this
3 that, you know, to get this exception in height and variance,
4 you know, it should not only hold harmless the impact to the
5 neighborhood but be beneficial and bring improvements to the
6 neighborhood.

7 So I kind of took it from that stance. You know,
8 I hope there's a middle ground that ensures future residents
9 have a great, affordable place to live while also respecting
10 needs and feedback of the broader community.

11 Additionally, this development is most likely the
12 first of many along this stretch on 8th. You know, there's
13 a lot of other properties on there that will most likely turn
14 over.

15 And it's going to set the standard for the quality
16 expected from future projects. You know, a few areas of
17 concern I submitted testimony. I'll just highlight a few of
18 them.

19 You know, overall height massing. This gets at
20 the parking issue. At the community meeting, you know, a lot
21 of the residents who have been there, I've been there, you
22 know, four or five years with my family.

23 But other residents who have lived there a long
24 time, longer than me had significant concerns about parking.
25 And, you know, RPP restrictions don't work.

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1 I used to live in Trilogy NOMA which is in
2 Eckington. You know, there was, we couldn't get a parking
3 pass there but everybody parked in the streets.

4 You know, you just go to work in the day, and you
5 can just come home at night and, you know, off peak hours you
6 can park wherever you want and, you know, take up parking.

7 You know, there's a neighbor right on the corner,
8 Ms. Tyson who has no parking in the back of her property at
9 all. She can't get off the street and, you know, it's going
10 to create an impact there especially with Dance Place. Dance
11 Place is great for the community.

12 But there are large events that happen throughout
13 the week that create a major influx of vehicles in the
14 neighborhood. So, you know, anything that could be worked
15 out on that, you know, bringing the units down especially on
16 the parking spaces.

17 I don't expect this property company to provide
18 them for free. In my experience they charge extra per month.
19 And a lot of people, especially if you're in one bedroom,
20 you're starting out or, you know, you can't afford that.

21 So I'd like to hear that as well. I haven't heard
22 much on that already. Street tree coverage undergrounding,
23 that's fine. I mean I heard the, you know, restrictions on
24 it.

25 But if it's telecommunications or any, somewhere

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1 in between it, you know, could be good. That's all. I kind
2 of ran out of time. But, you know, thank you very much for
3 hearing me out.

4 Nick did a great job. I think he did, was fair
5 on, you know, how the community was, the feedback. But there
6 were a lot more members of the community at that first
7 meeting because it was right at Hope Charter School.

8 And, you know, I don't know if, I just wanted to
9 make sure some of that feedback was heard as well. So thank
10 you.

11 CHAIRMAN HOOD: All right, Mr. Schultz, I thank
12 you. I thought too that the amendments package was a little
13 light. But I also looked at what was being asked for from
14 us.

15 I will ask this though, did you go to your, well
16 obviously you went to the ANC meeting because I guess Mr.
17 Schultz is your Commissioner, correct?

18 MR. SCHULTZ: Yes. And before that it was Ed who
19 started it out, and he was the one actually at Hope Charter.
20 It was before the term was over.

21 CHAIRMAN HOOD: Okay. So were some of your,
22 because I think you bring up some very valid points and you
23 remind me of the former mayor for life who would always say
24 when you, and I mean just what you said not anything else
25 other than that, but who actually taught me and put me on

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1 this Commission.

2 He said one of the things of some of these
3 projects, Anthony, you have to look, when you look at the
4 benefits package, you have to look for the sustainability of
5 the project. And you said exactly that and I've said that
6 before.

7 The \$20,000 will go away. What is for the life
8 of the project? So as you know 8th Street is going to, it's
9 a lot better than what it used to be there.

10 It's coming along. Dance Place, this project goes
11 forward and other projects that are coming. I would
12 encourage you to get in those discussions and start looking
13 at some of those things like we did in Ward 1 on another case
14 that never materialized but it was the life of a project.

15 And that was some of the, those are some of the
16 amenities we need to start looking at. Not putting any
17 burden on this particular applicant but through the life of
18 what's going to happen on 8th Street.

19 That conversation you're going to have needs to
20 be had with the ANC as well and so for the next one that
21 comes along so you can start putting those things in place
22 a lot sooner. Obviously you have talked to the ANC, you
23 worked with them and you told them about how you felt.

24 But I think your point is very valid. That's not
25 the first time I've heard it. I told you who, and I also

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1 have repeated that for years, for the years I've been down
2 here.

3 Some of these projects we need to look at for the
4 benefits to the community, like you say, for the life of
5 them. Those projects are going to be there for years, not
6 for weeks.

7 Our amenities sometimes only last for two or three
8 weeks. But the projects are going to be there for 40, 50,
9 60 years.

10 MR. SCHULTZ: And Monroe Street Market, they did
11 have a set aside for the bridge refurbishment on Monroe
12 Street. So some projects have had benefits packages that
13 have extended beyond the life. So there is a precedent for
14 it. So --

15 CHAIRMAN HOOD: And over in southwest, it's the
16 same thing. So I would encourage you to be an earlier part
17 of those discussions. You might have been.

18 MR. SCHULTZ: I did bring it up at that which is
19 the earliest meeting that was held with the community right
20 after discussions with the developer.

21 CHAIRMAN HOOD: Well don't give up. Sometimes you
22 have to keep on pushing, keep on pushing. Okay, so thank
23 you. Any other comments or questions up here? Mr. Turnbull.

24 COMMISSIONER TURNBULL: Thank you, Mr. Chair. I
25 want to thank both of you for coming down tonight, especially

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1 you, Mr. Schultz, in spite of your problems you had so
2 greatly appreciate you coming.

3 But as you can see Mr. Chaffin is also dressed
4 casually. And none of us have ties on. So let me ask you,
5 now is your moment. If looking at the amenity package, what
6 is the one thing that you think some of your fellow community
7 members think is missing?

8 If you had your choice now what would, if you
9 could throw a dart what would be the one thing?

10 MR. SCHULTZ: I would say, I mean from the meeting
11 there were concerns about traffic combing, you know, along
12 8th Street. It's pretty wide for that type of street.

13 And, you know, people are expressing concerns
14 about the crosswalks. You know, the school is there too.

15 They put out cones because they want to kind of
16 narrow the street, and they have crossing guards there all
17 the time, you know, during school hours, of course a lot do.

18 But it's just the street itself is meant to be or
19 it functions right now just kind of as a pass through or
20 expressway as opposed to a, you know, localized, you know,
21 street. So set asides for, you know, helping DDOT pay for,
22 you know, pinch points, bump outs, raised crosswalks.

23 There is no bus line on there. So it's not going
24 to create an impact for, you know, bus service. You know,
25 there's a variety of things just to make it more of a

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1 complete street that I think would go a long way.

2 I mean the parking thing is not going to be
3 addressed probably by a set aside, right. I mean I don't
4 think you can put money towards that, that's going to address
5 that concern.

6 But this at least making it a little more
7 pedestrian friendly, bike friendly, you know, would go a long
8 way to, you know, it could be a really, a gem of that
9 community like walking up down there.

10 People walk to drop in already, you know. And,
11 you know, back and forth and it's just not pleasant right
12 now. And because cars go really fast there especially in,
13 you know, rush hour times to avoid traffic on Franklin.

14 So, you know, anything that could be done. I
15 heard concerns about, you know, just how, you know, vehicles
16 just pass through there, and it doesn't feel very safe for
17 pedestrians and bikers, I guess.

18 MR. CHAFFIN: Mr., if I may just because this is
19 my area of expertise as a transportation reporter. That I
20 was also at that SMD meeting with Commissioner Garnett.

21 And I echo that concern that was issued. The one
22 thing though, as Commissioner Cheolas mentioned, the right
23 of way is extremely wide on 8th, and there are clear and
24 present dangers especially with the Hope Community School on
25 that east side of the street.

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1 There's no sidewalk for a significant portion of
2 it. I understand this project to be adding a few blocks of
3 sidewalk which is extremely helpful.

4 And the other thing too is that I think that the
5 -- I am familiar with DDOT's long term planning process and
6 they are still very much on the drawing board on any sort of
7 8th Street changes.

8 And so I think that this, these types of road diet
9 or traffic combing designs could absolutely be a part of the
10 future conversation. Thank you.

11 MR. SCHULTZ: Thank you. See, we agree on
12 something here.

13 CHAIRMAN HOOD: So let me ask you, what's your
14 name again?

15 MR. CHAFFIN: My name is Gordon Chaffin.

16 CHAIRMAN HOOD: How do you spell Chaffin?

17 MR. CHAFFIN: C-H-A-F-F-I-N.

18 CHAIRMAN HOOD: Have I read your articles before?

19 MR. CHAFFIN: Probably not. I've been laid off
20 twice in three years. I write now for a news organization
21 called Street Justice.

22 I started in January, and so I produce daily
23 articles covering ANC meetings, civic association meetings,
24 that sort of thing.

25 CHAIRMAN HOOD: And you also said you were an

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1 expert or you did a lot of work with transportation as well?

2 MR. CHAFFIN: Yes, sir.

3 CHAIRMAN HOOD: Did you ever write about the
4 Zoning Commission? Can I find an article where you wrote
5 about us?

6 MR. CHAFFIN: I wrote last year about the PUD at
7 the corner of Florida and North Capital that Mr. Mamo had
8 received a two year extension.

9 CHAIRMAN HOOD: Was that Truxton Circle?

10 MR. CHAFFIN: Yes. It's -- nominally it's the
11 Bloomingdale Civic Association.

12 CHAIRMAN HOOD: And what did you say about us?

13 MR. CHAFFIN: I said that it was the fifth
14 extension in 11 years and that it was testing the
15 Bloomingdale community, which felt that they gave Mr. Mamo
16 a lot of leeway in developing that site.

17 And from what I understand, the ANC and civic
18 association now sit with a potential of two plus one year
19 extensions that may come before your Commission soon.

20 CHAIRMAN HOOD: So I just want to know so I can
21 go back and find out really.

22 MR. CHAFFIN: Yes, sir.

23 CHAIRMAN HOOD: Okay. I can Google you, okay.

24 MR. CHAFFIN: Yes. That article was written for
25 Greater Greater Washington.

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1 CHAIRMAN HOOD: Okay. I'm going to see if I like
2 your articles.

3 MR. CHAFFIN: Thank you.

4 CHAIRMAN HOOD: Any other questions up here? All
5 right. Thank you all very much. We appreciate both of you
6 coming and testifying.

7 Ms. Shiker, you want to come back with any
8 rebuttal, if not closing? We want to make sure we have the
9 cards and see the court reporter is going to -- let's make
10 sure we make his job a little easier.

11 I want to remind the young developer who came up
12 and spoke that you can see yourself, well fast forward
13 because you don't want to see us because you'll go to sleep.
14 But fast forward and you'll be able to see yourself on video
15 on demand.

16 So when you and your friends are out there
17 playing, you can show them that you were in front of the
18 Zoning Commission. Okay, all right. Ms. Shiker.

19 MS. SHIKER: Thank you, Commissioners. I believe
20 with the testimony and the evidence in the record, and we
21 have some supplemental information obviously to get you to
22 respond to some of these questions to memorialize the
23 evaluation of potential adverse impacts and mitigation,
24 you've asked us to do a little bit of research, and I think
25 with that, I think the record is clear that the plan is not

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1 inconsistent with the comprehensive plan or the small area
2 plan.

3 In fact, it furthers many of the goals of the
4 small area plan. It doesn't result in any adverse impacts
5 that aren't capable of being mitigated. And we'll document
6 that better in the record.

7 We believe it results in a project that will help
8 achieve a number of the goals of the PUD process. It's going
9 to create a mixed income, transit oriented development with
10 a thoughtful design that fits in the context of the
11 neighborhood.

12 And it does include public benefits and project
13 amenities that are important to the community. The
14 affordable housing will last for the life of the project.

15 That is not something that's going away, and that
16 is one of the primary benefits here. The streetscape
17 improvements and really kind of helping create and reknit the
18 east side of the 8th Street will be there and will help
19 foster that development for going further south down 8th
20 Street.

21 And we do believe that those benefits and
22 amenities outweigh the limited development flexibility that's
23 been requested. And so therefore we would ask the Commission
24 in their time frame if they would consider approval of the
25 application. Thank you.

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1 CHAIRMAN HOOD: Okay, Commissioners, do we have
2 any additional information we need? Okay.

3 COMMISSIONER TURNBULL: I would be ready for a
4 proposal today.

5 CHAIRMAN HOOD: Okay, all right. Well in that
6 case I think this is right. Ms. Shiker really has a nice way
7 of asking and your time frame. I like that.

8 Some people say could you just give us, can you
9 vote tonight. But I appreciate in your time frame, even
10 though that's what you really meant though.

11 Okay, so I think that we are ready to move forward
12 with the proposed action in this case. Would somebody like
13 to make a motion?

14 VICE CHAIR MILLER: Mr. Chairman, I would move
15 that the Zoning Commission take proposed action on Case
16 Number 18-21, consolidated PUD and related zoning amendment
17 from PDR-1 to MU-4 for properties located at 3201 and 3135
18 8th Street Northeast, Square 3832, Lot 15 and Square 3835,
19 Lot 804 and ask for a second.

20 COMMISSIONER TURNBULL: Second.

21 CHAIRMAN HOOD: It's been moved and properly
22 seconded. Any further discussion? I will say though that
23 Mr. Shultz's comments did not go unnoticed.

24 I think that we have to look at the flexibility.
25 But I think he brings some very valuable comments to the

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1 conversation, and I'm hoping to see that anybody that does
2 any additional stuff institutes some of those things.

3 As Ms. Shiker mentioned, affordable housing is the
4 life of the project. But there's some other things that we
5 can also start doing as well. So any further discussion?
6 All in favor.

7 (Chorus of ayes)

8 CHAIRMAN HOOD: Any opposition? Not hearing any,
9 Ms. Schellin, will you please record the vote.

10 MS. SCHELLIN: Yes, staff records the vote 5-0-0
11 to approve proposed action Zoning Commission Case Number 18-
12 21. Commissioner Miller moving and Commissioner Turnbull
13 seconding.

14 Commissioners Hood, May and Shapiro in support.
15 And I'll just remind Ms. Shiker to go through the proffers
16 and conditions process.

17 And any -- did you make a list of any documents
18 that they asked for, or Mr. Gaon over there is shaking his
19 head yes, so he's got that. Two weeks, can you provide that
20 in two weeks?

21 MS. SHIKER: Yes, I can.

22 MS. SCHELLIN: Okay. So if we could have those
23 by 3:00 p.m. on May 9th and then the ANC if they choose to
24 provide a response and also OP and DDOT if they want to
25 respond to it, they could do that by May 16th, 3:00 p.m.

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1 And then if we could have a draft order by 3:00
2 p.m. on May 23rd. I will put this on for final action at the
3 June 10th meeting.

4 MS. SHIKER: Thank you.

5 CHAIRMAN HOOD: Okay. So are we all on the same
6 page? All right. With that, I want to thank everyone for
7 their participation tonight, and this hearing is adjourned.

8 (Whereupon, the above-entitled matter went off the
9 record at 8:27 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Hanover RS Ltd.

Before: DCZC

Date: 04-24-19

Place: Washington, DC

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
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